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NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE



INSPECTOR GENERAL

REPORT OF INVESTIGATION

15 May 2015

IV-14-0100

Alleged Nepotism

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Release 2022-3
NSA 19076

Doc ID: 6756719

(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.

Release 2022-3
NSA 19077

Doc ID: 6756719

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I. (U) SUMMARY

(U//~~FOUO~~) This investigation was conducted in response to a complaint alleging that [redacted] GG-15, Executive Assistant, [redacted] had become directly involved, on behalf of her son [redacted] in his efforts to get a job with NSA.

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

(U//~~FOUO~~) Through witness testimony and document review, the OIG was able to determine that [redacted] did become directly involved on behalf of her son's efforts to obtain a position with NSA. [redacted] used non-public information for private gain while assisting her son's efforts to gain employment. [redacted] used a protected NSA database to conduct a query in order to identify the hiring manager who had interviewed her son. After obtaining this non-public information, [redacted] went to this Agency official's office and dropped off a letter on behalf of her son. Approximately two weeks later, [redacted] then sent an email to this Agency official asking if she (the Agency official) had received the information [redacted] had left for her.

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(U//~~FOUO~~) [redacted] admitted to sending numerous emails to Agency officials concerning the hiring process as it related to her son. [redacted]'s only knowledge of the current Agency hiring process, and any perceived shortfalls to that process, were gained through her son's application.

(U//~~FOUO~~) 5 Code of Federal Regulations (CFR) § 2635.101(b)(8) & (14) and NSA/CSS Personnel Management Manual (PMM) Chapter 366, Section 1-3 (G), require employees to act impartially and not give preferential treatment to individuals or organizations. 5 CFR § 2635.502(a) prohibits employees from participating in a matter that is likely to have a direct and predictable effect upon the financial interest of a relative with whom the employee has a close personal relationship and where the participation would cause a reasonable person with knowledge of the relevant facts to question the employee's impartiality, unless authorization to participate has been received from the agency designee. NSA/CSS Personnel Management Manual, Chapter 366, Section 1-3 (C) requires employees to safeguard classified, sensitive, and non-public information against improper use and Section 1-3 (H) requires employees to conserve, protect, and properly use Federal funds, property, equipment and materials.

(U//~~FOUO~~) Through witness testimony and document review, the OIG was able to determine that [redacted] did not violate 5 U. S. C. § 3110, Employment of Relatives; Restrictions, that prohibits public officials from appointing, employing, promoting, advancing, or advocating the appointment, employment, promotion or advancement of relatives. [redacted] was not a public official with authorization to appoint, promote, or advance an individual therefore, this regulation did not apply to her at the time she became directly involved in her son's application process.

Release 2022-3
NSA 19078

(U//~~FOUO~~) A copy of this OIG report will be forwarded to MR, Employee Relations, and the Associate Directorate for Security and Counter Intelligence, (ADS & CI) for information and appropriate action.

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II. (U) BACKGROUND

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

(U//~~FOUO~~) has worked as an Executive/Administrative Assistant within the since March 2010. 's position within does not authorize her to appoint, promote or advance individuals at NSA.

(U//~~FOUO~~) 's son, had submitted an application to NSA and was identified as a candidate for a budget analyst position in May 2013. was interviewed as a candidate for that position on 11 June 2013. On 17 June 2013 a conditional job offer was made to After additional processing, application was closed out in March 2014.

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(U) Applicable Authorities

(U) The following authorities are applicable to this investigation. The details of the following authorities are included in Appendix A.

- (U) Title 5 U. S.C. , Chapter 31, § 3110 (b)
- (U) 5 C.F.R. §§ 2635.101(b)(8) & (14)
- (U) 5 C. F. R. § 2635.502 (a)
- (U) NSA/CSS PMM 30-2, Chapter 366, Section 1-3 (C), (G) & (H)

III. (U) FINDINGS

(U//~~FOUO~~) Issue: Did [redacted] advocate on behalf of her son to gain employment with NSA, use non-public information improperly and fail to properly use Federal funds and equipment?

(U//~~FOUO~~) **CONCLUSION: Substantiated.** *The preponderance of the evidence supports the conclusion that [redacted] violated 5 C.F.R. § 2635.502 (a); 5 C.F.R. §§ 2635.101(b)(8) & (14) and the NSA/CSS PMM 30-2, Chapter 366, Section1-3 (C), (G) and (H) by involving herself in her son's application process, by using non-public information for personal gain and by failing to properly use Federal funds and equipment.*

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

(U) Documentary Evidence

(U//~~FOUO~~) **Statement of [redacted] regarding Advocacy.** On 17 June 2013 [redacted] confirmed to the MB Office of Recruitment that she had not advocated the assignment of her son, [redacted] to a position in the NSA. [redacted] also agreed, without reservation, to disassociate herself from any and all action that relate directly or indirectly to the consideration of her relative for future assignments or promotions to any position within the agency (Appendix B).

(U//~~FOUO~~) **[redacted] email to [redacted]** On 5 May 2014 [redacted] sent an email to [redacted] with the subject of "Follow-up re prospective employee." [redacted] asked [redacted] if she received the note that she had dropped off a few weeks earlier and to let her know that [redacted] had reapplied for a budget analyst position (Appendix C).

(U//~~FOUO~~) **Letter to "[redacted]" that was delivered by [redacted] on behalf of her son.** This letter, dated 10 April 2014, was delivered to [redacted] hiring manager for [redacted] had interviewed [redacted] for a position within the [redacted] office (Appendix D).

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

(U//~~FOUO~~) **Email from [redacted] to [redacted]** On 6 May 2014 [redacted] sent an email to [redacted] after receiving the email on 5 May 2014 from [redacted] commented that [redacted]'s email was "odd" given that [redacted] had talked to [redacted] about not involving herself in her son's application process. [redacted] confirmed to [redacted] that she had talked to [redacted] and would do so again (Appendix E).

(U//~~FOUO~~) [redacted] **letter to Mr. Rick Ledgett, NSA Deputy Director.** On 23 May 2014 [redacted] sent an email with various attachments to Mr. Ledgett. The first attachment was a letter from her to Mr. Ledgett, dated 22 May 2014 (Appendix F).

(U//~~FOUO~~) [redacted] **'s email response to Ms. Liz Brooks, NSA Chief of Staff.** On 4 June 2014 [redacted] replied to a response from Ms. Brooks regarding the letter [redacted] had sent to Mr. Ledgett (Appendix G).

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Release 2022-3
NSA 19081

Doc ID: 6756719

(b) (3)-P.L. 86-36
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(U) Testimonial Evidence

(U//~~FOUO~~) **GG-15, Executive Assistant,**

(U//~~FOUO~~) was interviewed on 10 December 2014 and provided the following sworn testimony. (b) (3)-P.L. 86-36

(U//~~FOUO~~) 's current position as a Technical Director with involved working primarily for Ms. Teresa Shea, until Ms. Shea left the Agency. worked on a that periodically was sent to the SID workforce. She also completed "whatever other kind of work" Ms. Shea wanted her to do. Since Ms. Shea's departure, has "primarily" been preparing for a Permanent Change of Station (PCS) to she hopes to be selected for in 2015.

(U//~~FOUO~~) has never been a member of any hiring panels, been an official reviewer of resumes, involved in promotion panels or a performance rater or reviewer with NSA. She has never had the authority to hire someone into government service or to promote a government employee. She has never been in a position to recommend a government employee for advancement.

(U//~~FOUO~~) said that said that her expertise is in process issues. She has raised other process issues to Agency leaders in the past and believed that she recognized issues associated with her son's application process which she brought to the attention of Agency management. (b) (6)

(U//~~FOUO~~) 's son, was an applicant with NSA and was interviewed by a Business and Finance hiring manager for a vacant position. Her son only knew this person as " " He did not know her last name. After her son was informed that his security processing was terminated, he wrote a letter to " " offered to deliver the letter, but she did not know who " " was. used the Agency's tool on her NSA computer, and did a search of the Business and Finance office and found a listing for a who worked in the Business and Finance office. "I mean, he told me he was interviewed by and it was for a Budget Analyst position. And there's So I googled or you know, and found that used this information to obtain name and office location. She hand-delivered her son's letter to 's office: "That's right. I dropped it off at her office. I dropped something off. And then I think I followed up with an email, saying, 'Just checking to see if you got it.' So me getting that to her was just me facilitating, because he doesn't know her last name, he could not get something to her. He can't send a note to , NSA, and hope it gets there. So perhaps that fits into using a non-public information for personal gain. I don't know. Because I looked her up and facilitated her (b) (3)-P.L. 86-36 (b) (6)

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Release 2022-3
NSA 19082

getting his correspondence. My reasons for sending something to her had nothing to do with the [hiring] process."

(U//~~FOUO~~) had email exchanges and one meeting with who was the of NSA Recruitment. had "a lot of email" with I had my long list of things to discuss with And of course, I only know those things because of does not remember being told by that her actions regarding her son's application processing were inappropriate.

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(U//~~FOUO~~) also had email exchanges with the of NSA Recruitment. had tried to contact and received out-of-office reply which caused to contact In response to her email; told that her actions constituted nepotism. In response, said, "And I told her I'd done a great deal of research on nepotism, and I don't think so because I'm not advocating for his hiring. I'm asking process questions."

(U//~~FOUO~~) received a response to her letter to Mr. Rick Ledgett, the NSA Deputy Director. The response was from Ms. Liz Brooks, the NSA Chief of Staff, on behalf of Mr. Ledgett. "So, I get this horrible note from Liz. She was basically saying, you know, 'As you may appreciate, senior leadership is not in a position where we intervene or appear to intervene on the hiring of a son or daughter' and I was like, are you fricking kidding me, and hmm, when I wrote back, I said 'I hope you know I'm not looking for any intervention, the comments are on the process."

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(U//~~FOUO~~) explained that she provided information about her son's application processing to the NSA Deputy Director because "I have a relationship with Rick" and she wanted to make him aware of what she thought were process problems associated with her son's attempts to obtain a position with NSA.

(U//~~FOUO~~) was asked to comment as to why she wrote the following to the NSA Deputy Director in her letter dated 22 May 2014:

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

(U) *"I'm taking advantage of the fact that I've known you for many years, by sending this note, so you can both hear a story and see how this story can help the agency attract, evaluate, and hire the best and brightest…As I write this, I am wearing two hats: A mom hat and an agency employee hat. Before going on, I am obligated to say I'm not advocating for the hiring of my son, although I have no doubt that he is, without question, exactly the kind of kid we need here."*

(U//~~FOUO~~) "I think I wanted Rick to know, like if I didn't think that were the kind of kid we need here, a lot of this stuff sort of wouldn't matter. Because my point with the whole process, the process issues, are because people who we could use here are not being passed through the process effectively. I thought it helped bolster my points about the fact that we aren't getting the right kind of people in, and because I know he's the kind of people we need or could, you know, make use of here, that it made sense."

(U//~~FOUO~~) [redacted] was asked to comment as to why she wrote the following to the NSA Deputy Director in her letter dated 22 May 2014:

(U) "*However, as is the case with my son, they also lead us to eliminate some excellent prospects.*"

(U//~~FOUO~~) "I was able to observe, because of him [redacted] that leads us to, I mean, I can't know it any other way. That's all…but it is the case that we have, and the one I'm watching is an excellent prospect, I have no doubt there are others, who are having this happen to them, who are others, who as a whole person are fine, upstanding people. And we are throwing them away, because of whatever reason we're throwing them away."

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(U//~~FOUO~~) [redacted]'s only exposure to the NSA hiring process was through her son's application. "That's right, there's no other way I would have seen them. And I have recognized from day one, I've only seen the applicant process with [redacted] He's the only applicant I've ever watched go through the process."

(U//~~FOUO~~) [redacted] was asked to comment on the allegations made against her:

(U//~~FOUO~~) "I'm close to tears right now, because of [redacted]..Like I get why people complained, I'm not surprised at that. But it's so disappointing to me, because [why] can't you first, I mean, first of all, if I did cross the line, then the complaints were warranted, but if I didn't cross a line, why can't you first try to deal with the real issues and have a conversation about what's being raised? That didn't happen. I think everything I raised, as a 'here's what I noticed, here's what I noticed, here's what I noticed,' were all legitimate [redacted] was responsive. But like [redacted]? Like what the hell. Why couldn't he like, and the longer it went on, the more I think a lot of this it's more him than it is Kathy Hutson's problem. Although he works, I think, for Kathy Hutson. So I'm just like floored, in a sense, because like I told you a little while ago, 'just [redacted] sit down and shut up and don't raise your hand, if you see a problem. Just don't do anything.' Because who really gives a crap? You know? In the infinite scheme of things, whether an applicant works here or gets a job somewhere else, it's not going to matter for the, you know, good of the planet or anybody. Everything happens for a reason. People get jobs where they get jobs. So who cares if our applicants are treated like crap, and go away thinking NSA is a bunch of idiots? I was trying to help. I won't do that anymore. I mean, that's really what this is telling me…I know what nepotism is. From day one with this, I tried to make it clear, I'm just asking questions to try to find out why we do it this way, and why don't we do it this other way? Or isn't there another way we can do it? Hmm. But really the big thing now is I just feel like I'm not going to get to go to [redacted] That's really what's upsetting me right now. And there's nothing anybody can do about it…from my point of view, I did everything I could do to make it clear that this was not about him [redacted], that I knew this stuff, because of him, but I took that and extrapolated it, and looked at the bigger picture of the process."

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

Release 2022-3
NSA 19084

(U//~~FOUO~~)

(U//~~FOUO~~) was interviewed on 8 January 2015 and provided the following sworn testimony.

(U//~~FOUO~~) has been the hiring manager for since approximately 2011. She is the only hiring manager for and has interviewed approximately 100 applicants for budget analyst jobs within She reviews resumes', transcripts and conducts operational interviews. She has the authority to offer conditional job offers to qualified candidates. She interviewed for a position within

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(U//~~FOUO~~) Although is part of the NSA hiring process, she has no authority to change Agency hiring procedures or processes. The NSA hiring process is controlled by Human Resources (HR). Her role is to review resumes' and transcripts provided to her by HR and to select applicants for an operational interview. After the interview, she can offer a conditional job offer to the applicant, but that is the extent of her authority. The applicant is then referred back to HR and the Associate Directorate for Security and Counter Intelligence for further processing. She has no input into the security clearance process or the final hiring process.

(U//~~FOUO~~) received a letter at her NSA office from This letter did not have an outside postmark and was dropped off for her with her office manager thought that this letter was "odd" because it revealed details as to why application process was stopped. After reading the letter, called HR Recruitment who, in turn, told her to disregard this letter. also told her that she would call and tell her that could not be involved in her son's application process.

(U//~~FOUO~~) A few weeks later, on 5 May 2014, received an email from wherein asked if she received the "note" that had dropped off. forwarded the email from to told her that she had already talked with about not being involved in her son's application processing and would talk to once again.

(U//~~FOUO~~) This is the first time that had ever received any type of letter like this from an applicant whom she had interviewed for a job. The letter was specific to attempts to gain a position with NSA. The letter did not address any generic applicant processing issues, or ways to improve the applicant process.

(U//~~FOUO~~) does not know must have used the Agency tool to look up where her office was and to get her email address in order to drop off the letter and to send an email to her on behalf of her son. thought that 's actions were inappropriate.

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

Release 2022-3
NSA 19085

(U//~~FOUO~~) GG-15,

(U//~~FOUO~~) was interviewed on 21 January 2015 and provided the following sworn testimony.

(U//~~FOUO~~) was the Office of Recruitment, MB from 2011 until January 2012. She became of that office in January 2012 and retained that position until moving to her current assignment in June 2014.

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(U//~~FOUO~~) was identified as a qualified candidate for a position within the NSA Business office after being interviewed by was then required to complete the background paperwork to undergo Security and Psychological screening. was eventually closed out as an applicant by the Security and Psychological organizations. was notified by letter that he was no longer being considered for employment with the NSA.

(U//~~FOUO~~) was contacted by soon after the close-out letter was sent to had two telephone conversations, one email exchange and a face-to-face meeting with . The meeting with took place soon after had sent an email to Ms. Kathy Hutson, Director, Associate Directorate for Human Resources had decided to meet in person with so that she could tell that she "really needs to back out of this particular case because of nepotism concerns."

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(U//~~FOUO~~) "We had a number of conversations, you know, a couple over the phone and by email. But the personal [meeting] one was pretty long and I basically told her while I appreciated some of the suggestions that she might have brought up, we need to stop talking about how it relates to her son…and I reminded she did sign a form that indicates that she was not going to get involved in the processing of and that I believed she was crossing the line with regards to nepotism. She then said to me she didn't think she was because she's only advocating for the process…I guess I never was able to convince her that what she was doing was overstepping her bounds and really getting into the realm of nepotism."

(U//~~FOUO~~) had not heard anything from regarding applicant process until 's son was denied employment. Every time that talked to her about the hiring process "it was in the context of the experience that her son had gone through, absolutely. I think she believes that her son should have been hired." told that she did not believe that was advocating for the applicant process because every time brought up the process the conversation was "specific situations about your son." told that her son's experience was the only situation she was aware of pertaining to the hiring process.

(U//~~FOUO~~) was contacted by the hiring manager who had interviewed after had received a letter from that was addressed to didn't know what to do with the letter as it is not

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

Release 2022-3
NSA 19086

typical for letters from applicants to "show up on her desk." concluded that must have dropped off the letter on behalf of her son. "I think I assumed that dropped it off, otherwise how would it get here, right, sure can't run around the agency and drop off letters."

(U//~~FOUO~~) "definitely was stepping over the line with regards to interest in getting her son employed with the National Security Agency…I think she was trying to under the guise of helping us with the process trying to continue to stay involved without drawing too much attention to herself. But I do believe she was really going way beyond what she should be doing in advocating for the hire of her son." 's actions stood out "in a very negative way…the kid seemed like a great, a nice young man over the phone. And he never; he didn't badger us nearly as much as his mom."

(U//~~FOUO~~) **GG-15, Office of Recruitment, MB**

(U//~~FOUO~~) was interviewed on 23 January 2015 and provided the following sworn testimony.

(U//~~FOUO~~) was the Office of Recruitment, MB from July 2011 until June 2014. On 1 June 2014 Ms. Siskey that office.

(U//~~FOUO~~) In May 2014 was contacted by regarding 's son's applicant processing with NSA. had initially tried to contact of Recruitment at the time, but received an out-of-office email notification. This notification instructed the sender to contact in light of absence. After receiving the out-of-office notification, contacted This was the first time that had interaction with

(U//~~FOUO~~) proceeded to inquire about her son's processing. "made her aware" that "communicating with me or anyone in the recruitment office regarding the status of her son was a violation of the nepotism rules and that she really should not be asking us any of those questions." replied that she had made a self-assessment of the nepotism rules and that her inquiry was fine because of not really talking about her son, but wanted to talk about the hiring process. told that she was not comfortable discussing her son's application process with her. "I don't recall her actually talking in a more academic, about the process. She kept referring back to the experience her son was having within the process. I had no confidence that she really was talking process, maybe a five percent confidence rate that she was really interested in helping us fix the process. So it was very difficult to try and navigate where she stopped talking about her son and where it could have actually been an academic discussion about the process." had never been contacted by until her son became involved in the hiring process. told that even by inquiring about her son's application was an inappropriate activity, it was a violation of the nepotism guidance and that needed to stop making inquiries with her or anyone else within the Recruitment office.

Release 2022-3
NSA 19087

(U//~~FOUO~~) and others assigned to the Recruitment office have learned over the years that when someone contacts them and they have a relative processing for employment and they want to discuss the hiring process, "it almost always has to do with the fact that their child is not moving forward in the process. It has nothing to do with the steps of the process."

(U//~~FOUO~~) The NSA hiring process has recently undergone a two year review and is continually reviewed for improvements. "didn't really have any real intimate knowledge of any side of the hiring transaction…she's not a hiring manager, she's not someone that actually engages in hiring and needs the talent and then works with our recruiters and our process. She simply was someone who happened upon the process because someone she knew was going through it."

(U//~~FOUO~~) **GG-11, Recruiter, Office of Recruitment, MB2**

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(U//~~FOUO~~) was interviewed on 29 January 2015 and provided the following sworn testimony.

(U//~~FOUO~~) has been a Recruiter assigned to MB2 since May 2012. She was the recruiter for application. Her period of interaction with was from May 2013 to March 2014. Agency recruiters will mostly facilitate the process for applicants. Operational hiring managers will send recruiters the names of applicants they want to interview and the recruiters arrange the pre-screening interviews, issue conditional job offers and also facilitate their applications through the security processing. If an applicant gets cleared by security, the recruiter will extend the final job offer to the applicant.

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

(U//~~FOUO~~) In May 2013, received a request from the Business & Finance office, BF, to pre-screen for a budget analyst position. was interviewed in June 2013 and extended a conditional job offer later that month. submitted his security paperwork. He ultimately was a security close-out.

(U//~~FOUO~~) The MB2, had some additional communication with and his applicant processing was re-opened in December 2013. A second conditional job offer was made to in December 2013. turned in updated security forms and was scheduled for another polygraph and psychological test. Ultimately, was again closed out as an applicant, this time by the Applicant Panel on 27 March 2014.

(U//~~FOUO~~) only had one occasion to interact with . This was in June 2013 when she sent a Nepotism Advisement to . sent this advisement to via Agency email and signed it and returned it to her via email in June 2013.

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(U//~~FOUO~~) did eventually see a copy of a letter sent to the BF hiring manager who interviewed him. does not know how would have gotten name "because that's not information I'd provide as part of the recruitment process…typically what I do as a recruiter, when applicants tell me they

want to send something to a hiring manager, I always tell them to send it to me, and I will forward it to the hiring manager. I thought it was strange that it went to her." [redacted] had never seen this type of letter being sent directly to a hiring manager before.

(U) ANALYSIS AND CONCLUSION

(U//~~FOUO~~) 5 CFR § 2635.101(b)(8) and NSA/CSS PMM, Chapter 366, Section 1-3 (G), require employees to act impartially and not give preferential treatment to individuals or organizations. [redacted] repeatedly said that the only insight she had into the Agency hiring process was through her son's application. HR officials did not have any discussions with [redacted] about the Agency hiring process until her son became an applicant. [redacted] testified that she "can't know it any other way" and that her son was the only applicant she has ever watched go through the hiring process. [redacted] said that the only applicant she ever contacted Agency officials about was her son.

(U//~~FOUO~~) On 17 June 2013 [redacted] electronically signed a nepotism advisement (Attachment B) that was sent to her from HR. In addition to stating that she had not advocated or recommended the appointment of her relative, [redacted] agreed, "without reservation, to disassociate" herself from "any and all actions that relate directly or indirectly to the consideration of my relative for future assignments or promotions to any position within the agency."

(b) (3)-P.L. 86-36
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(U//~~FOUO~~) Despite acknowledging that she was prohibited from advocating for his appointment and agreeing to disassociate herself from any actions related to the consideration of her son for future assignments, [redacted] repeatedly acted in ways that advocated for his appointment and sought consideration for his employment by the Agency. Although she was warned by the Chief of Staff, the [redacted] of Recruitment, and the [redacted] of Recruitment that her actions related to her son's potential employment by the Agency were inappropriate, she ignored each of these warnings.

(U//~~FOUO~~) [redacted] repeatedly made contradictory statements to Agency officials in terms of saying that she was not advocating for her son but that he is the right type of person who should be hired. [redacted] consistently said that she was merely trying to point out areas where the hiring process could be improved. [redacted] also said that her area of expertise was in process improvements, presumably because this expertise provided her the authority to delve into an area that she otherwise agreed to avoid. However, the mere fact that she made obligatory statements that she was not advocating for her son does not obviate the actions she took to do just that. By contacting the hiring manager, the [redacted] of Recruitment, the [redacted] of Recruitment, and the Deputy Director on behalf of her son, identifying him in ways such as "exactly the kind of kid we need here", she provided preferential treatment to her son in violation of 5 CFR § 2635.101(b)(8) and NSA/CSS PMM Chapter 366, Section 1-3 (G).

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

(U//~~FOUO~~) Furthermore, [redacted]'s actions related to her son's hiring created the appearance that she was violating 5 C.F.R. §2635.101(b)(8), in violation of 5 C.F.R. § 2635.101(b)(14). Again, multiple people believed that her actions violated the nepotism guidelines and informed [redacted] of that, yet [redacted] ignored these warnings, thereby creating the appearance of impropriety.

(U//~~FOUO~~) 5 C.F.R. 2635.502(a) states that where an employee knows that a particular matter is likely to have a direct and predictable effect on the financial interest of a person with whom he has a covered relationship, and where the employee determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter without authorization from the agency designee. The potential hiring of [redacted] was a particular matter that would have a direct and predictable effect on his financial interest. [redacted] has a covered relationship with her son. [redacted] knew, or should have known, that her involvement in her son's hiring could cause others to question her impartiality, and not only did she not receive authorization, but she was told on multiple occasions by multiple Agency officials to stop participating. Therefore, her actions violated 5 C.F.R. 2635.502(a).

(b) (6)

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

(U//~~FOUO~~) NSA/CSS PMM 30-2, Chapter 366, Section 1-3 C requires every employee to safeguard classified, sensitive and non-public information against improper use. [redacted] admitted to conducting a [redacted] query so that she could find out who [redacted] was so that she could help her son. [redacted] used this non-public information to identify and locate this Agency official. Once she had this information, she used it to deliver, in person, a letter from her son and later, to send an email to this Agency official. In testimony, [redacted] admitted that her use of non-public information had nothing to do with any process issues and was conducted solely to help her son in his attempts to gain employment with NSA.

(U//~~FOUO~~) NSA/CSS PMM 30-2, Chapter 366, Section 1-3 H requires every employee to conserve, protect and properly use Federal funds, property, equipment and materials. The OIG is not able to identify the amount of work time [redacted] spent sending emails on her son's application process to Agency officials. However, she was active in sending emails on the NSA system about her son's application to Agency officials from March to August 2014. During this time [redacted] was assigned to the [redacted] staff and was "primarily" preparing for a PCS. There does not appear to be any work-related nexus between the emails [redacted] sent about her son's application and [redacted] or PCS preparation.

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

(U//~~FOUO~~) Based upon the preponderance of the evidence, the OIG concludes that [redacted]'s actions were in violation of 5 C. F. R. §§ 2635.101(b)(8) & (b)(14), 5 C.F.R. § 2635.502(a), and the NSA/CSS PMM 30-2, Chapter 366, Section 1-3 (C), (G) & (H) by involving herself in her son's application process, using non-public information for personal gain, and failing to properly use Federal funds and equipment.

Release 2022-3
NSA 19090

Doc ID: 6756719

IV. (U) RESPONSE TO TENTATIVE CONCLUSION

(U//~~FOUO~~) The OIG's Tentative Conclusion was sent to [redacted] on 6 May 2015. [redacted] responded to the OIG's Tentative Conclusion on 13 May 2015. [redacted]'s response did not change the conclusion reached by the OIG. [redacted]'s response is attached as Appendix H.

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

Release 2022-3
NSA 19091

V. (U) CONCLUSION

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] failed to act impartially by involving herself in her son's application process, used non-public information for personal gain and failed to properly use Federal funds and equipment. We found that [redacted]'s actions were in violation of 5 C.F.R., § 2635.502 (a); 5 C.F.R. §§ 2635.101 (b)(8) & (14) and the NSA/CSS PMM 30-2, Chapter 366, Section 1-3 (C), (G) & (H).

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

Release 2022-3
NSA 19092

VI. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) This report of investigation will be provided to M/ER and the Associate Directorate for Security and Counter Intelligence for information and appropriate action.

[redacted]
Senior Investigator

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

Concurred by:

[redacted]
Assistant Inspector General
for
Investigations

Release 2022-3
NSA 19093

Doc ID: 6756719

Appendix A

Applicable Authorities

(U) Title 5 U. S. C., Chapter 31, § 3110

> (b) A public official may not appoint, employ, promote, advance, or advocate for appointment, promotion or advancement, in or to a civilian position in the agency in which he is serving or over which he exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a civilian position in an agency if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual.
>
> (c) An individual appointed, employed, promoted, or advanced in violation of this section is not entitled to pay, and money may not be paid from the Treasury as pay to an individual so appointed, employed, promoted, or advanced.

(U) 5 C.F.R. § 2635.502 (a), Subpart E, Impartiality in Performing Official Duties

> (U) Considerations of appearances by the employee. Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his household, or knows that a person with whom he has a covered relationship is or represents a party to such a matter, and where the employee determines that the circumstance would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter unless he has informed the agency designee of the appearance problem and receive authorization from the agency designee in accordance with paragraph (d) of this section.

(U) 5 C.F.R. §§ 2635.101(b)(8) & (14) Basic obligation of public service

> (U) (b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct was proper.
>
> (U) (8) Employees shall act impartially and not give preferential treatment to any private organization or individual.
>
> (U) (14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Release 2022-3
NSA 19094

Doc ID: 6756719

(U) NSA/CSS Personnel Management Manual (PMM) 30-2, Chapter 366

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

(U) Generally, every employee is expected to:

C. (U) Safeguard classified, sensitive, and non-public information against improper use and abstain from using such information in financial transactions;

G. (U) Act impartially and not give preferential treatment to any private organization or individual.

H. (U) Conserve, protect, and properly use Federal funds, property, equipment and materials.

.....

Release 2022-3
NSA 19095

Appendix B

(U//~~FOUO~~) Statement of [redacted] regarding Advocacy

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

Release 2022-3
NSA 19096

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

Statement of [redacted]

(Statute 3110, Title 5, United States Code, restricts a public official from advocating a relative's appointment, employment, promotion, or advancement anywhere in a public official's own agency or in an agency over which the official exercises jurisdiction or control.)

I, [redacted], have not advocated the assignment of my

Son, [redacted] to a position in the National Security Agency.

(b)(6)

I have not advocated or recommended the appointment of my relative to this position in the Agency. I acknowledge that I am prohibited from advocating his appointment, promotion, or advancement in any way, pursuant to the anti-nepotism statute (5 U.S.C.3110). I further acknowledge that I must not exercise authority, jurisdiction or control of any appointment, promotion or advancement concerning my relative and that he/she has been appointed to a position outside my chain-of-command.

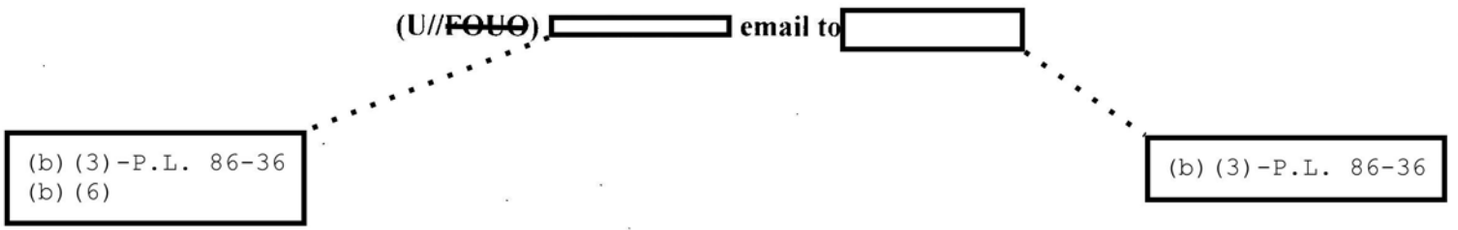
I agree without reservation to disassociate myself from any and all actions that relate directly or indirectly to the consideration of my relative for future assignments or promotions to any position within the Agency.

The content of this form was confirmed(denied) by:

SID [redacted]
NAME
DATE **06/17/2013**

Release 2022-3
NSA 19097

Appendix C



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

From:
Sent: Monday, May 05, 2014 6:22 AM
To:
Cc:
Subject: (U) Follow-up re prospective employee

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

Classification: UNCLASSIFIED/~~FOUO~~

(b)(6)

Hello,

asked me to see if you got the note that I dropped off for him with your office a few weeks ago. He also wanted me to let you know that he reapplied over the weekend (for the budget analyst position).

(U/~~FOUO~~)

Classification: UNCLASSIFIED/~~FOUO~~

Appendix D

(U//~~FOUO~~) Letter to [redacted] delivered by [redacted]

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

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

Release 2022-3
NSA 19100

April 10, 2014

[redacted]
National Security Agency
9800 Savage Road
Fort George G. Meade, MD 20755-6000

(b) (6)

Hi [redacted]

My name is [redacted] – you interviewed me last year on June 11th for the Budget Analyst position. The interview went very well, and six days later I received a conditional job offer from HR. I then submitted (and was completely honest on) my security forms and was told that, because I had [redacted] that I would need to wait until it had been a year (November 2013) to reapply. On November 15th, the date that [redacted] told me it was okay to reapply, I did so, and was quickly given another conditional job offer on December 13th of 2013. Everything seemed like it was picking up right where it had left off last time. I came in on the 5th of February for my polygraph and psychological battery, after which I was told that no news was good news and that I just need to go through HR and security processing.

I heard nothing for about 7 weeks, and none of the contacts on my security forms had been contacted, so I reached out to my recruiter (on March 19th) to make sure that everything was going as it should – I would have thought that the people on my forms would have been contacted, especially given my [redacted] which caused me to have to wait out the year that ended last November. My recruiter told me that everything was going fine and that security was using the information from the background investigation from the last time I was going through the security process (for a summer internship, three years ago). This seemed a little strange from my perspective, but her response made me feel better, so I went back to thinking that everything was going fine. On March 28th, I got another email saying that HR was no longer able to consider me for NSA employment at this time.

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

Needless to say, I was rather surprised. Since then, I've spoken to [redacted] of Personnel Security, who told me that some sort of issue arose when the polygrapher was asking about [redacted] and as soon as I remembered the incident I talked about it. I've also written to the Employee Relations office to ask for the reasoning behind my discontinuation. Had a background investigation taken place, I am absolutely confident that it would have been clear that I pose no threat to national security and that I am an honest, hardworking, conscientious person. Both my parents have worked at the agency for over 30 years, so I'm used to being in a house where the NSA lifestyle is the norm.

I wanted to let you know the latest, but I also wanted to ask you if there is anything that you might be able to do to help me get to the bottom of this. Is there anything that I, myself, can do to get another shot? From our conversation in June, this position seemed like a great fit for me and I'd hate to see it not work out, especially for an innocent mistake. I know that you don't have a public-facing position at the agency, but any advice that you can offer will be greatly appreciated.

Best Regards,

[redacted]

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

12 June 2013

Hi [redacted]

Thank you very much for taking the time to meet with and interview me today – it was great learning about the business directorate and everything that it does. While a lot of what you said went over my head (the government financial language!), it sounds like the education and training that I'll go through will thoroughly prepare me for the position. I'm also really interested in the career path spreadsheet that you said you have created for new analysts: it's fantastic that you're able to help guide and mentor new hires on their potential career paths.

I realize that there is no way to know how long the rest of the hiring process will take, but I'm very much looking forward to beginning the clearance and background check. I know that I have the education, skills, and passion that would make me a great asset for your team. I really enjoyed meeting you, and hope to hear from and work for your team in the very near future!

Best Regards,

[redacted]

(b)(6)

APPENDIX E

(U//~~FOUO~~) Email from [redacted] to [redacted]

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

Release 2022-3
NSA 19103

[redacted]

From: [redacted]
Sent: Tuesday, May 06, 2014 12:29 PM
To: [redacted]
Subject: RE: (U) Follow-up re prospective employee

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

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

Yes I did
She is stepping over the line—I'll call again and talk to ER.

Thanks

[redacted]

From [redacted]
Sent: Tuesday, May 06, 2014 12:27 PM
To: [redacted]
Subject: FW: (U) Follow-up re prospective employee

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

Hi [redacted] – this is odd – I thought that you spoke with her.

[redacted]

[redacted]
963-3743
[redacted]

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

From: [redacted]
Sent: Monday, May 05, 2014 6:22 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Follow-up re prospective employee

Classification: UNCLASSIFIED/~~FOUO~~
==========

Hello,

[redacted] asked me to see if you got the note that I dropped off for him with your office a few weeks ago. He also wanted me to let you know that he reapplied over the weekend (for the budget analyst position).

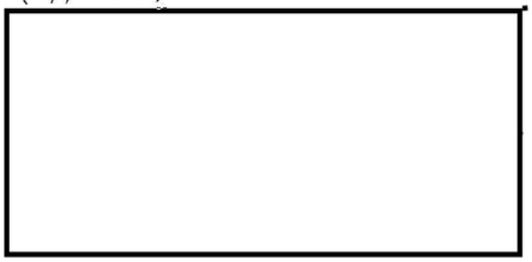
[redacted]

(b)(6)

Release 2022-3
NSA 19104

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

(U//~~FOUO~~)



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Classification: UNCLASSIFIED//~~FOUO~~

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

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

Release 2022-3
NSA 19105

APPENDIX F

(U//~~FOUO~~) email to Mr. Ledgett

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

Release 2022-3
NSA 19106

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

From:
Sent: Friday, May 23, 2014 5:59 AM
To: Ledgett Richard H Jr NSA
Cc:
Subject: (U) Observations About and Problems with the Hiring Process
Attachments: letter to Rick.pdf; encl A.pdf; encl B.pdf; encl C.pdf; encl D.pdf; encl E.pdf; encl F.pdf; encl G.pdf; encl H.pdf; encl I.pdf; encl J.pdf; encl K.pdf; encl L.pdf

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

Classification: UNCLASSIFIED/~~FOUO~~

Rick,

This e-mail concerns the Agency's hiring process. Over the last year, I've had the opportunity to see firsthand what happens when a prospective employee goes through it. I've noticed a lot of issues that I think need to be looked at and addressed. The attached "letter to Rick" tells you everything. I've also attached the enclosures referenced in the letter. I really would welcome the opportunity to talk with anyone about any of the issues I've highlighted/asked about. I'm sorry to have to add this to the list of issues your office has to deal with, but as you'll see, I'm not getting what I consider to be good answers from the people who, in my opinion, should be handling this.

I am obligated to add that I am not advocating for the hiring of my son. I am asking questions about, and pointing out inconsistencies in, the process we use for getting the best people to come work here. We need to have a systematic and non-arbitrary way of hiring people – one that enables us to make informed decisions.

Please let me know if you need additional info. I appreciate your time. I have carefully thought through the decision to send this to you. At this point, I don't know what else to do.

(I have a hard copy of all of the attachments that I can bring up to you if you want it. Let me know)

(U//~~FOUO~~)

Classification: UNCLASSIFIED/~~FOUO~~

Release 2022-3
NSA 19107

Doc ID: 6756719

22 May, 2014

Hi Rick,

I'm taking advantage of the fact that I've known you for many years by sending this note so you can both hear a story and see how that story can help the Agency attract, evaluate, and hire the best and the brightest. I'm also hoping that you'll be interested in what I've decided to share with you. As I write this, I am wearing two hats – a mom hat and an Agency employee hat. Before going on, I am obligated to say that I am not advocating for the hiring of my son, although I have no doubt that he is, without question, exactly the kind of kid we need here. I am, however, advocating for an end-to-end review of the hiring process because it has some real – systemic – problems. The bottom line is that, from a process standpoint, the way we deal with prospective employees, especially once they get a conditional job offer, needs a lot of improvement.

The story begins early last year, when my son, who was about to graduate from college, applied for a number of Agency jobs. At about the same time, he sent a letter to Fran outlining some issues he noticed with the application process and the web page. She responded with a lovely note, and gave him [redacted] name in case he had further questions. He received a conditional job offer (budget analyst) and promptly sent in his security forms, but was told that, because he had [redacted] he'd have to wait and re-apply once it had been a year since he last did so. The year was over in November of last year, so [redacted] re-applied, again got a conditional job offer and sent in his forms. Things proceeded and he came in for his polygraph and psych testing in February. He heard nothing for several weeks, and despite the fact that his recruiter told him that no news is good news, on 28 March he received word that he was no longer being considered. He was speechless, as were my husband (also a 32-year employee) and I.

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

(b) (6)

Ironically, literally hours before he got the word, I had responded to a question Teresa asked her leadership team about why we are not able to attract the people we really want into SID (I'm enclosing all of the correspondence referenced in this letter, for your info). I outlined for her the problems/issues I saw with the hiring process, told her where I thought we could easily improve things, and even told her that [redacted] would be more than happy to share his experience with her once he was on board. She indicated that my feedback was "invaluable" and asked me to share it with [redacted] and Kathy Hutson, which I did. [redacted] did set up a meeting for us to talk about some of what I had raised, but to this day I have not heard a thing from Kathy (more on that later).

While I was trying to tell everyone who I thought might care about what I see as problems with the hiring process – problems that prevent us from attracting and hanging on to some really excellent prospective employees – [redacted] was doing everything possible to learn what had gone wrong. I asked Kemp if something seemed off and he was kind enough to ask [redacted] to call [redacted] hinted that it may have had something to do with [redacted] and suggested that [redacted] write to the address he'd get in his "sorry, you're no longer being considered" letter, which he did. [redacted] told him the same thing. (I will say

Release 2022-3
NSA 19108

Doc ID: 6756719

(b) (6)

that she has been amazing throughout this entire experience. She has replied to his e-mails, called him back when he's left messages, and given him as much concrete info as possible given the privacy considerations that need to be observed.)

In early April, [redacted] received the official "sorry, we're unable to give you further consideration" letter. That letter says, "questions regarding this decision may be addressed in writing to…" [redacted] wrote to the Employee Relations address indicated. On 17 April, he received a letter from [redacted] which referred to [redacted]" He has no idea what that means (who would, except for people who have really been [redacted]). He has [redacted] since November 2012, has not ever [redacted] He did, in his polygraph, admit to [redacted] and told the polygrapher he'd not do that anymore. The letter also said that whatever the Applicant Panel found to be problematic would not preclude him from applying to the Agency again, but it offered no indication as to when he could do that. He wrote back to [redacted] (on 23 April), asking some seemingly simple – and very specific – questions, mainly looking to learn when he will be able to reapply. [redacted] had also sent another letter to Fran (on 6 April), and her office told me (on 8 May) they hadn't received it (I sent it to them the next day so they do have it now). I e-mailed [redacted] (on 9 May) asking if he had received [redacted] letter, and I have received nothing in reply. I e-mailed [redacted] to see if she knew if [redacted] would be replying to [redacted] and she called [redacted] to tell him that [redacted] might be answering (might?!) and also said that [redacted] had said that he could reapply "a year after he did the thing." What on earth does that mean, and how is someone supposed to use that information? How is that a way to keep someone who has already had two conditional job offers on the hook? So now [redacted] has submitted a Privacy Act request to learn exactly what it was that the Panel thinks he did. I hand-carried that to Pamela Phillips (on 14 May). On 16 May, he received a ridiculous reply to his 23 April letter to [redacted] It simply reiterated what was in [redacted] original letter, offering absolutely nothing new or helpful, and the tone clearly reflected some frustration on [redacted] part, despite the fact that [redacted] told [redacted] to write back if the initial letter didn't offer enough detail (it offered next to none). So [redacted] still has no answers – why the opacity? Why can't we just answer the questions? He's being told that he can reapply, but nobody will tell him when that can happen. In a phone call last week, [redacted] told [redacted] that [redacted] said something along the lines of, "he can reapply a year after he did the thing." What on earth can that possibly mean, given that [redacted] isn't aware of what "thing" he did?! The last time he [redacted] The last time he was in the area where someone was [redacted] What is so hard about answering that simple question?

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

If we're going to look at [redacted] activity of this nature, what about those of us who already have a clearance? I routinely drive over the speed limit. I sometimes don't come to a full stop at a stop sign. I admit to sometimes checking my e-mail on my phone, or texting, while I am driving. Is that not "continued involvement in illegal activities"? With [redacted] everything he had done, with the exception of [redacted] was prior to graduating from college, which was over a year ago. I sped today. I sped yesterday. I will probably speed tomorrow. Yet apparently I have what it takes to remain employed

(b) (6)

Release 2022-3
NSA 19109

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

by the Agency. There seems to be an unexplainable and arbitrarily enforced double standard being followed.

You probably don't remember this, but when we were at the school [redacted] Clearly, the Agency saw that field as work-related, and as a result of that education I am always looking for opportunities to improve processes and operational procedures. As I was watching [redacted] live through each step of the applicant process, I was looking at things from a macro [redacted] perspective as well as from that mom perspective. The latter enables me to know without a doubt that this particular prospective employee has exactly what we need – a solid ability to think analytically and critically about problems he's given, and a desire to delve into those problems and come up with creative, new, and different solutions. Yes, I am his mother, but I am also someone with almost 32 years here who has had many jobs where a bird's-eye perspective is called for, and as a result I have a very good idea of what kind of skills are needed for a wide set of missions.

As I have sent e-mails to and met with people over the weeks since [redacted] was turned down, I've become even more disappointed because the people who should care the most about this – with the exception of [redacted] who, as I said earlier, has been great, seem not to be interested in fixing anything – (she met with me and explained why some of the process works as it does, while acknowledging that some things really do need to change). We have "Workforce Matters," but when the head of HR cannot even take a moment to acknowledge an e-mail that was sent to her at the request of the SIGINT Director, I have to ask what that phrase even means. I don't get the idea that I matter at all when I don't even get a simple "got your note, we're looking into things, thanks." If "the buck stops here," then the flawed hiring process stops with Kathy. What sort of message does it send to an employee when the head of HR can't be bothered to answer an HR-related note? It isn't that "Workforce Matters"; it's that "People Matter" – or, they should. We can have as many slogans as we want, but what matters is how we treat people, whether they already work here or have received a CJO.

(b)(6)

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

We say that we have "standards" for employment, but we seem not to have standards for the way we as an Agency treat people. If we did, we'd see things differently; we'd understand that it helps us – everything from our public image to the quality of people we bring in – to deal with people better than we do now. We're not a people place. We do technology very well, but we don't handle the people side of things well, and we seem not to notice, care, or be interested in improving that when problems are pointed out. How is this OK? Who here is even in a position to recognize that we do it? I'd never have known had I not seen, firsthand, over the last year what goes on. The people involved in the process seem only to know and perform their individual role, and nobody sees the entire picture. I am seeing the entire picture and I am telling you there's something wrong with it. Who will care enough to take a serious look into it? What can we do to fix it? Besides all of the issues that both [redacted] and I saw the entire way through the process, those associated with this last phase, in which he is simply trying to get straightforward answers to very simple questions (i.e., What, exactly, did I do? and When

Release 2022-3
NSA 19110

can I reapply?) has proven to be the worst. Until now, he could at least get info from a recruiter, even though that info was sometimes wrong or made no sense (of course, an applicant wouldn't know that). But now he's up against the machine, which is hiding behind the fences, Privacy Act (which certainly applies in part of this but is not the answer to everything), and the isolation that our badges afford us. That should not be acceptable, but unfortunately it is the norm. We are accountable to no one in this.

I completely understand and appreciate that we have to have standards for employment, and that those standards enable us to weed out some people. However, as is the case with my son, they also lead us to eliminate some excellent prospects and it's because we simply don't take the time to look at the whole person. We look at a few facts and make arbitrary, subjective judgments, when, had we taken a bit more time to check out the person's references, we'd be able to learn whether the applicant is somewhat of a screw-up, or if he/she is a person of good character and reputation. Until now, I would have assumed that this all worked well – people applied for jobs, they got CJOs, they take a polygraph/psych battery, etc., and that anything that didn't look "clean" received due consideration. I know now that is not the case.

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

(b)(6)

Here, we have someone who has received two CJOs. [redacted] had suggested at one point that the issues might have had something to do with [redacted] "exercising poor judgment" (she couldn't say that was definitive; she was speculating based on what she was aware of). With regard to [redacted] he admitted to having [redacted] for a short time (ending in November 2012). With regard to [redacted] He also admitted being in the room when [redacted] Had anyone asked him more about those instances, or checked with some of his references, it would have become clear that he stayed in the room to make sure that [redacted] I'd say that was perfect judgment; I'd have done the same thing then and I'd do it now if I were in the same situation. If anyone had checked into any history, they'd have learned that [redacted] has exhibited this sort of caring about/watching out for others repeatedly. As a [redacted] Did [redacted] exercise bad judgment because he was around some [redacted] I'd say no – [redacted] and he was watching out for those who were. Thankfully nothing like that happened with the [redacted] incident, but had something gone wrong, [redacted] Yet we choose to see that as black-and-white [redacted] That is just nuts. Don't we actually want people here who exhibit the sort of character that this kid has? Isn't that who we need?

As I said at the beginning of this letter, I am not advocating for [redacted] hiring, although there is no question in my mind that he is exactly the kind of kid we need here. The Agency would be lucky to have him or anyone like him, but it seems to be doing everything to push him away, which is unbelievably shortsighted. I am, however, letting you know that we really need to perform an end-to-end review of the hiring process

Release 2022-3
NSA 19111

because it has some real problems. Those start with the apparent lack of interest in these issues on the part of those people who have a responsibility to oversee the process.

I want to make a difference in this, for the Agency as well as for my son. He is a young man starting out in the world and is watching a seemingly impenetrable machine use its power and isolation in a way that shows him that the Agency could not care less about him as a person, despite the fact that it has, twice, said "Hey, we'd like you to come work for us." I have heard what I consider to be excuse after excuse (everything from "well, we don't have money to improve the hiring website" to "well, we process a lot of people and we just can't give them individual attention," to "well, yes, there are glitches in the system"). I have not heard from anyone anything along the lines of "yes, we recognize that there are problems and we are working to improve them."

- Kathy Hutson didn't even respond to the note I sent – at Teresa's request. How is that OK? The head of HR doesn't respond (or have an exec or staffer respond) to an e-mail from an employee – yet I am supposed to believe that "Workforce Matters."
- The day [redacted] had his poly/psych test, he was scheduled to meet with his recruiter. When he checked in at the desk, he was told they "they're busy." How is that OK? What kind of impression does that make on a prospective employee?
- When [redacted] asked his recruiter, several weeks after his poly/psych test, why nobody he listed on his forms had been contacted, he was told that "no news is good news." A week later, when he asked again, he was told that they were using the investigation from three years ago (when he had applied for a summer internship). This made no sense at all, since in those three years he had [redacted] How is that OK?
- [redacted] sent a couple of letters to [redacted] which is how he knew the woman who interviewed him for the budget analyst position (I got her suite number for him to use in the address). He didn't get a reply to either, yet her office was the one on whose behalf the CJOs had been extended. How is that OK?
- I actually hand carried his second letter to her, and followed up with an e-mail (o 5 May) asking only if she received it (I had given it to an office manager). I got no answer. How is that OK?
- [redacted] first letter "explaining" what the problem supposedly was offered no helpful information, and his response to [redacted] follow-up request for answers to simple, straightforward questions verged on insulting. How is that OK?
- [redacted] heard twice from people saying, "hi, I'm your new recruiter," and when he asked his current recruiter about those e-mails she told him she didn't know why he was getting them. How is that OK?
- The forms that applicants have to fill out don't work on all browsers, but, unless he missed it, there's no notice about that on the nsa.gov hiring page. How are either of those OK?

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

This is not about fixing one mistake or incorrect piece of information. *This all demonstrates systemic problems with the process.* And given those systemic problems, wouldn't it make sense that the arbitrary and subjective decision that [redacted] – or any other applicant in a similar circumstance – "doesn't meet the standards" for employment

Release 2022-3
NSA 19112

(b) (6)

be revisited to ensure that a systematic and informed decision was actually made? How many [redacted] are out there?

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

An uninformed decision was made, and clearly this is not the first one. If a package ever got to my desk on its way for [redacted] and/or beyond, and it included only the sort of information that was available to the people involved in making the decision about [redacted], I'd have sent it back to the originator for more info – at least enough so the decision maker would be able to make an informed decision. How the applicant panel is able to make decisions without having adequate info in front of them is beyond me, and illustrates a serious problem for the Agency. Such decisions affect the Agency's future, for years down the road. In addition, when a flag is raised on someone who is, in a sense, a "legacy," having been raised by two parents who have worked here for over 30 years, why would we not make it a practice to at least look further into that person, knowing that they grew up in a house that necessarily lived NSA's values? It would seem that we have a pool of possible candidates there, and we could just as arbitrarily take advantage of them as we can dismiss them.

As I said earlier, we are good at technology and not so good at people. What has been glaringly obvious to me as I have watched this entire process unfold is that we simply cannot understand the value of looking at things from the perspective of anyone else. You know from your experience as a teacher how critical it is to do that, yet we as an Agency just don't. I get that it's partly because we have a bunch of introverts running things, but all that means is that those introverts need to take advantage of those of us who do get the value of considering others' perspectives as they put together, implement, and evaluate our processes. I think that what happens here is that HR figures, "well, they wanted to hire X-number of people, and we did that." But the kind of people we bring on needs to matter, as does the way we treat the people we are considering for employment.

After the last year, you know better than almost anyone else how important transparency is, yet there is basically none when it comes to this process. We need to commit to having a hiring process that is transparent, responsive, and humane.

Specifically with regard to the hiring process –

- The biggest problem is that certain decisions are arbitrary, subjective, and uninformed. These need to be systematic, objective, and as thoroughly informed as possible. Can we (HR, Security, etc.) actually provide the rationale they use from one case to the next? Are we actually following a standardized process?
- Just as serious is that we don't look at things from the applicant's perspective. That's huge.
- We need to put our best face forward. This won't just improve the hiring process; it will also help us improve the overall impression the public has about us.
- We need to understand the value of communications. We have never been good at this, internally or externally. Well crafted, carefully thought through, strategically planned communications effect everything.

Release 2022-3
NSA 19113

- We need to alter the way in which we communicate with applicants. Some correspondence will obviously have to be canned, but some needs to be tailored to the particular applicant so he/she will start to feel, before he/she EODs, like a valued part of the Agency. Changing the way we communicate with applicants, from initial application submission through the "sorry, no," or "welcome aboard" phase, will make a huge difference for the Agency as well as the applicants. Doing that will give meaning to the phrase "Workforce Matters." Until we do, that's just a bumper sticker.

Once a conditional offer is extended, someone in the relevant career field should reach out to the applicant. Contact should be periodic and built into the process. By the time the applicant walks in the door as an employee, he or she should feel like he or she belongs already. He or she will know some people with whom he or she will be working, and he or she will feel like a valued member of the workforce. *That's* "Workforce Matters."

We need to humanize the process; that is, make it be about the people involved, and not the process itself.

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The [redacted] part of this is causing me, literally, to lose sleep; it makes me truly sick. I know from the bottom of my heart that the Agency has made a mistake with regard to [redacted] and because I am "on the inside," I have spent years looking at a variety of processes, and I don't shy away from raising issues that I think are important, I am also seeing how the powers that be can just turn away from, or ignore altogether, issues and suggestions that are totally well intentioned. Never in a million years would I have thought that I'd have something in common with [redacted] (it makes me sick even to type that sentence), but with this, I am seeing what happens when someone here attempts to raise an issue to the right people. (*Critically important note*: I am not saying that he did or did not try to raise his concerns with anyone; I am saying that I am seeing what can happen when one does try.)

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

There's no question that you are beyond busy. I realize that you are dealing with a great number of important issues. I'm giving you another one. Unless something changes, fine people like [redacted] will continue to be treated unfairly, with uninformed, arbitrary, and subjective decisions being made about their suitability for employment. This is to the detriment of the future of the Agency. If it happened to [redacted] it is happening to others, as well. And it is not right.

I am enclosing pretty much all of the correspondence that I have on this – mine, as well as [redacted]. As you must know, I would be more than willing to talk to anyone about this, as would [redacted] We are all aware that he has received more attention as an applicant than usual because a) Fran gave him [redacted] name and he's taken advantage of that and b) I've asked questions, sent e-mails, and pushed people on the inside. But [redacted] is just one applicant in a pool of thousands. Who are we losing among the many who have no insight whatsoever into the process? Do we even care about that

Release 2022-3
NSA 19114

at all? Or do we just figure, "well, we got as many as we wanted to get this year so we're good"?

I have thought long and hard about sending this to you. In the end, I decided to proceed because someone has to be made aware of the systemic problems with the hiring process, and I know you. I'm tired of seeing "Workforce Matters" e-mails going out while I see what is probably the tip of an iceberg when it comes to the hiring process, as well as an apparent lack of interest and a clear lack of responsiveness from the people with whom I've attempted to communicate about this. I will say that Kemp and [redacted] did respond [redacted] numerous times, to both [redacted] and me), and I truly appreciate their care, attention, and humanity.

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

I sincerely hope that this letter makes an impression on you and that you decide that something needs to be done about the issues I'm raising. I appreciate that your time is time is valuable. I believe that the Agency's future is, as well. You and I have both spent the last year working the very same issues, and you have first hand knowledge of how dedicated I am to this place. With this, that dedication is supplemented by my interest in my son (anyone's son, or daughter, actually) getting a fair shake – as the result of an informed decision. Obviously, my initial insight in these problems arose because of what I have seen him go through. My continued interest stems from the fact that his experience has shed light on serious systemic problems that need to be looked into and fixed.

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Where is the heart of this Agency? What do we actually value? Are we only interested in transparency if the White House, ODNI, Congress, or the media is involved? Transparency has to be engrained in everything we do, not just the big issues that are getting public attention. We need to be progressive and forward thinking when it comes to our hiring process, just as we now have to be with authorities-related issues.

Please let me know if you need any other information. I welcome the opportunity to discuss these issues with anyone at all.

Sincerely,

[redacted]

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Enclosures:

A. [redacted] correspondence with Fran (18 March 2013)
B. [redacted] letter (31 March 2014)
C. [redacted] letter to Fran (6 April 2014; per Fran's staff, the letter never arrived via USPS, I scanned it and sent it via e-mail on 9 May 2014)

Release 2022-3
NSA 19115

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

D. [redacted] correspondence with [redacted] (3; April, 7 April, 23 April, 16 May 2014)
E. [redacted] letters to [redacted] (12 June 2013, 10 April 2014; neither received a response)
F. My correspondence with Teresa, forwarded at her request to Kathy Hutson and [redacted] (28 March-7 April; [redacted] responded, Kathy has not)
G. My correspondence with Kemp (31 March-3 April)
H. My follow-up note to Teresa (6 April)
I. My note to [redacted] re the initial letter from [redacted] (24 April)
J. My note to [redacted] (9 May 2014; no response received)
K. My note to [redacted] (5 May 2014; no response received)
L. My note to [redacted] re [redacted] latest from [redacted] (19 May 2014; [redacted] responded, using nepotism and the Privacy Act as the reasons she could not answer me, when I had simply asked how [redacted] can get a definitive answer to the very specific question he continues to ask)

(b) (6)

Release 2022-3
NSA 19116

Ms. Fran Fleisch
Executive Director
National Security Agency
9800 Savage Rd.
Ft. Meade, MD 20755-6000

18 March 2013

Hello Ms. Fleisch,

My name is [redacted] – both of my parents ([redacted] and [redacted] work at NSA, and from what I've heard, my mom knows you a bit. She told me that she learned to "assume noble intent" from you – I have used that in a few of the business classes I've taken and I'm sure it will stick with me throughout my life. I am about to graduate and have applied for multiple positions at the agency, and I wanted to give the agency some feedback about the application process and overall approach to filling positions. I thought it might be beneficial/worthwhile to write a note to someone who oversees a large portion of the organization and can evaluate the feedback and pass it to the appropriate office if you think it might make a difference.

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

First, in my opinion, the agency is very shortsighted in the way that it evaluates potential employees. I understand that it largely wants mathematicians and computer science majors, but when it comes to the less technical and more analytical jobs, like the Intelligence Analysts, I think that NSA is missing out on some of what I will call the "thinkers." As a student who has attended a liberal arts college, and who grew up in a house where learning and thinking were just everyday activities, and whose parents are as analytical as mine are, I feel like I possess the skills, work ethic, and overall ability to make great contributions to the agency's strategic mission. But because my diploma won't indicate that I studied "International Relations, Foreign or Regional Studies, Political Science (internationally focused only), Intelligence/Security Studies, Anthropology, Geography or topical studies such as counterterrorism, counterproliferation or other enduring transnational issues," I'm largely considered to be unqualified by the agency when it comes to the Intelligence Analysis jobs, and nothing could be further from the truth. From what I have heard about those jobs (from my parents), I have exactly what the agency should be looking for, but because I'm double majoring in [redacted] I wouldn't be considered for that career. Only now that I have added a [redacted] major to my resume do I even seem to stand a chance to get a foot in the door, but that would be in the finance-related jobs, as opposed to the Intelligence Analyst ones.

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(b) (3)-P.L. 86-36
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While I don't know how NSA could pick out the "thinkers" from the thousands of resumes that it receives, I think that a good start would be to look at applicants who have a referral from inside – parents, neighbors, friends, etc. – someone who can vouch for the applicant. If I say that, for example, "[redacted] and [redacted] are my parents," or "Fran Fleisch is a great friend of mine and recommended that I apply," that should carry some weight for an application, at least initially. Human Resources could talk to the reference to help ensure that the applicant is worthy. I realize that there would have to be some way to gauge how "valuable" the reference is, and there would be nepotism issues

to overcome, but at least this would be one way to get past the fact that not all "thinkers" major in the areas currently listed as required for the Intelligence Analyst jobs. The whole point of a liberal arts education is to get students to do the kind of thinking that the agency needs -- to understand and make connections, to think in unconventional ways, and to express those thoughts coherently and effectively.

Second, my experience with the online application process has been far from pleasant. I filled out all of the information and applied for several jobs, but when I tried to go back and add "resume objectives" and "other professional details," the system wouldn't let me type in the boxes. I called 1-866-NSA-HIRE and was told to use Internet Explorer. I tried with that browser, and it still didn't work. I'll call again, but this doesn't make sense. (As a side note, I couldn't believe that an agency as technologically advanced as NSA would suggest that an applicant use IE; most young people today use Google Chrome or Firefox because of the better security, better use of tabs, and the overall speed. If someone were to ask me what the best part of Explorer is, I would say the ability to download Google Chrome!)

Lastly, the 30-day automatic email updates that are sent to applicants are not helpful at all in determining one's progress with the agency. For example, the email says, "We have not been able to match your submission with the requirements of our vacancies." Looking back at the requirements for the positions that I applied for, I have ALL that are listed. The 30-day email makes it sound as if I am not qualified, but maybe another position will open up for which I will be qualified. But in that case, wouldn't I have to apply online for that new position? Why don't the 30-day emails just say "thank you for your submission, you are still in the running"?

As someone who knows that they could make a big difference at NSA, where both of my parents have worked (and thrived) for over 30 years, the application process has been extremely discouraging. The organization could make drastic improvements in the ways in which it attracts and screens potential employees as well as to the system/technology that is used for the application process. The agency is state-of-the-art, so why is it using a hiring system that looks (at least from the applicant's perspective) like it was developed in the '90s?

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Thank you very much for taking the time to read my feedback. I don't really expect any major changes to be made (I know that it's almost impossible for an organization that is the size of NSA to turn on a dime), but it's just important to hear feedback.

Best Regards,

[redacted]

NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

16 April 2013

[redacted]

Dear [redacted]

(b) (6)

As you probably know, I have had the opportunity to work with your mother. I am always heartened to hear from the children of our employees, particularly those who have an interest in following their parents into public service.

I appreciate the interest you have shown in the National Security Agency and the time you have invested in exploring employment opportunities with us. I have also shared your letter with our Office of Recruitment so they can benefit from the feedback you've provided to me.

Our recruitment staff and hiring managers take the staffing process very seriously here at NSA and go to great lengths to ensure the process is as fair as possible to all who apply. NSA regularly receives applications from numerous candidates with extremely strong qualifications. The highly competitive nature of the current hiring environment means our hiring officials often have to make tough decisions. Your feedback is appreciated and will be considered as we continue to upgrade our web site functionality and refine our communications strategy to applicants.

I encourage you to continue to monitor our current job openings for a position that fits your background and skill set. If you would like to discuss your application further please feel free to contact the [redacted] of Recruitment, [redacted]

I wish you every success in your future endeavors.

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

[redacted]

FRANCES J. FLEISCH
Executive Director

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
Fort George G. Meade, Maryland 20755-6000

March 31, 2014

(b) (6)

Dear

We appreciate the interest you have shown in the National Security Agency and the time you have invested in exploring employment opportunities with us. After a thorough review of the various factors pertinent to selection for employment with the Agency, we have determined that we are unable to give further consideration to your application.

It is important to understand that our employment decisions are often the result of a comprehensive evaluation of many factors. Such factors include, but are not limited to, individual qualifications, personnel security guidelines, psychological standards, test results, and prior work experience, where appropriate. Selections are then made through a comparative assessment of these factors with respect to all candidates who are competing for a particular position(s). With only a limited number of vacancies, the selection process for employment is highly competitive. Questions regarding this decision may be addressed in writing:

National Security Agency
Attn: Employee Relations
Suite 6781
9800 Savage Road
Fort George G. Meade, MD 20755-6781

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

We wish you every success in your future endeavors.

Sincerely,

National Security Agency
Office of Recruitment and Staffing

[redacted]

From: [redacted]
Sent: Friday, May 09, 2014 6:10 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Checking on Letter Sent to Fran
Attachments: [redacted]o fran.pdf

Classification: UNCLASSIFIED/~~/FOUO~~

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

(b) (6)

Hi [redacted],

Here's the letter that [redacted] sent to Fran on 6 April. If she (or anyone) would like more info, I can provide that as well (more has happened since 6 April). There are serious issues with the process, and I'm very interested in helping to bring them to light and work towards improving things (as much as I can from a non-HR perspective).

I am obligated to say that I am not advocating for my son's being hired. I am using the fact that I work here to find out if Fran ever received the letter so that a response might be sent out.

For what it's worth, I have raised numerous concerns about the hiring process, first to Teresa, and then, at Teresa's request, to [redacted] and Kathy Hutson. [redacted] has been very interested in what I've said and has looked into the issues that I have raised. I have not heard from Kathy Hutson. I contacted [redacted] of Recruitment, because she's familiar with [redacted] (Fran referred him to [redacted] in a letter she sent to him last year), and she has been fantastic to deal with.

Please let me know if you guys ever got the letter.

Thanks –

[redacted]

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

(U/~~/FOUO~~)

[redacted]

From: [redacted]
Sent: Thursday, May 08, 2014 2:29 PM
To: [redacted]
Subject: RE: (U) Checking on Letter Sent to Fran

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

Hi [redacted],

I know….can't believe she is retiring! So…I've not seen the letter so far, my guess he mailed it to the agency address with attention to Fran? Hard to believe we haven't received it yet, however mail system is slow and it would be logged

thru our DIR registry before coming to Fran. Give me today/tomorrow to investigate and I'll let you know by COB tomorrow. I've been off a few days so there is a chance [redacted] may have seen it. She's off today, but back in tomorrow morning. I'll check with her first and get back with you.
Thanks!

[redacted]

NSA Executive Director
[redacted]
963-6513s [redacted]
[redacted]

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

From: [redacted]
Sent: Thursday, May 08, 2014 2:14 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Checking on Letter Sent to Fran

Classification: UNCLASSIFIED//~~FOUO~~
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(b) (6)

Hi [redacted]

I'm wondering if you can help me. My son [redacted] sent a letter (outside mail) to Fran in early April. It had to do with some issues he ran into with regard to the hiring process (he had corresponded with her about a year earlier on the same subject). My guess is that if it did come in to your office, it was sent to HR to be worked. With Fran getting ready to retire (which is a really sad thing for the Agency – she is amazing), I figured I'd see if the letter was even received, and if you think an answer will be sent at some point.

If there's someone else I should ask, please let me know.

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(b) (6)

Thanks –
[redacted]

(U/~~FOUO~~)

[redacted]

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Classification: UNCLASSIFIED//~~FOUO~~

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

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Classification: UNCLASSIFIED//~~FOUO~~

April 6, 2014

Ms. Fran Fleisch
Executive Director
[redacted]
National Security Agency
9800 Savage Road
Fort George G. Meade, MD 20755-6000

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

Dear Ms. Fleisch,

My name is [redacted] my parents are long-time Agency employees [redacted] and [redacted]. You may recall that I wrote to you a little over a year ago because I had applied for an NSA job and had some feedback about the application process. You responded to my letter, and referred me to [redacted] of Recruitment, which I very much appreciated. I wanted to take the opportunity to give you additional feedback about the hiring process by telling you the rest of my story. I also have a question.

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

As I indicated in my letter from last March, I had applied for several NSA jobs. On June 16th, I got a conditional job offer, and I was quite excited. I quickly filled out and returned all of the required paperwork. In July, I learned that, because I had indicated that I [redacted] of college, I would have to wait until it had been a year since I last did so, and reapply. In November, I reapplied, and quickly received another conditional offer on December 13th. I submitted the paperwork again, and things seemed to be moving along. On February 5th, I had my polygraph and psychological evaluation. Afterwards, my recruiter told me that I would hear something in 8-12 weeks and that "no news is good news" and that things were progressing as they should. Over the next few weeks I started to get concerned because none of the people I named on my forms (girlfriend – [redacted] college roommate/friends, neighbors, co-workers, etc.) had been contacted, but I didn't want to seem pushy, so I told myself that everything must be going as it should because I hadn't heard anything. After all - no news is good news. About a month went by, and on March 19th, I sent another e-mail to my recruiter indicating my concern that nobody had been contacted. This time she replied that Security was using the investigation that had been done on me three years ago when I applied for a summer internship (and no problems had surfaced with that investigation). Then, on March 28th, I got an e-mail saying that the agency was not able to consider me for employment at this time. Needless to say, I was really surprised, and I had no idea what could have gone wrong.

Based on what I have been able to learn from speaking with [redacted] of Personnel Security, it seems as though something happened in my polygraph when we were talking about [redacted]. I said, as I had on my forms, that I had last [redacted] in November 2012. I kept saying that I had never [redacted] and that I had not [redacted] since that time. I was focused on my [redacted] When I realized that the polygrapher was asking about my [redacted] I remembered that, in January or February of 2013, [redacted] I told that to the polygrapher, and I said that my girlfriend had [redacted]

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Release 2022-3
NSA 19123

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

suggested that I could apply again after a year, but I don't know if that means a year after the incident (in which case I would be eligible for re-processing now), a year from when the Applicant Panel said no, or something else completely.

I also want to let you know that [redacted] and [redacted] have been very helpful. I talked with and e-mailed [redacted] a few times throughout my processing, and she was responsive and willing to answer my questions. I only talked to [redacted] once, but I really appreciated his taking the time to help me understand what happened. I did send a letter to Employee Relations asking for the details of my case, but I don't know how long it will take for me to get an answer from them so I figured I'd write to you in the meantime.

Once again, I really appreciate your time.

[redacted]

(b) (6)

April 3, 2014

National Security Agency
Attn: Employee Relations
Suite 6781
9800 Savage Road
Fort George G. Meade, MD 20755-6781

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

Dear Chief of Employee Relations,

I received an email informing me that I could write to this address to request information regarding why my processing was discontinued. If you could please let me know the specifics as to why the Applicant Panel deemed me unfit to work for the agency, I would like to know all the details. I have spoken with [redacted] of Personnel Security, and he informed me that I never got to the background investigation phase and that my processing stopped with HR. Any information that you can provide to shed some light on this very surprising decision would be very much appreciated.

I answered everything honestly on my security forms, as well as in my polygraph, so I am very anxious to learn what happened. I have nothing to hide and would be very willing to explain or clarify anything that seemed questionable.

Thanks,

[redacted]

(b) (6)

NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

17 April 2014

(b) (6)

RESTRICTED DELIVERY

[redacted]

Dear [redacted]

This letter replies to your recent correspondence, which requests information pertaining to the decision to discontinue your employment processing with the National Security Agency (NSA). NSA has established standards for employment to promote the efficiency of the service. As a result of your history of [redacted] we have determined that you do not currently meet our standards for employment.

This decision is final and is not subject to appeal; however, it does not preclude you from reapplying in the future. Should you decide to reapply, please do so at www.nsa.gov. Please keep in mind that information gathered during your processing will be evaluated to determine your eligibility for a position of trust at NSA.

Please also note that this decision was reached before a determination could be made regarding your eligibility for a security clearance. If you would like to obtain a copy of your records, which includes information relied upon to make this decision, please submit your written request to our Freedom of Information Act (FOIA) office at: NSA/CSS FOIA, National Security Agency, 9800 Savage Road, Suite 6248, Ft. Meade, Maryland 20755-6248. If you have questions pertaining to your records or the FOIA process, please contact the FOIA office directly at (301) 688-6527.

I hope the above information is helpful and responsive to your request, and I wish you much success in your employment endeavors.

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

Sincerely,

[redacted]

Personnel Evaluation Panel

Doc ID: 6756719

April 23, 2014

[redacted]

National Security Agency
Suite 6781
9800 Savage Rd.
Ft. Meade, MD 20755-6781

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

Hello [redacted]

About a month ago, my recruiter let me know that my processing had been discontinued and that she recommended that I write into the Employee Relations office to get a detailed explanation as to why. I sent my letter in the next day, and received the response this morning. While I appreciate your response, I do have a few follow-up questions and would like some more information. The note from the Personnel Evaluation Panel says that, "NSA has established standards for employment to promote the efficiency of the service. As a result of your history of [redacted] we have determined that you do not currently meet our standards for employment." I'd like to understand exactly what [redacted] led to the decision.

(b) (6)

The security forms asked if I've used any [redacted] in the past 10 years; I indicated that I had [redacted] while in college, but not since November 2012. Why does the form ask about the previous 10 years if having done something in that time will disqualify someone from employment?

My polygrapher asked me if I had any other involvement with [redacted] and I told her about every single incident I could think of, from [redacted] I was there to make sure they were OK – that nobody did anything dangerous or stupid. There was never even the slightest chance that I was going to do what they were doing, but I also felt obligated to make sure they remained safe while they did it.

The only other [redacted] and I told my polygrapher that I would not do it anymore (and I haven't).

The response also says that I am not able to appeal the decision, but that I am able to reapply in the future – when am I able to reapply? It has been more than a year since I [redacted], and almost exactly a year since I graduated, which means that I have not been around anyone [redacted] in a year. At what point will my "history of [redacted]" no longer affect my eligibility?

Both of my parents have worked at NSA for over 30 years, so, from hearing their conversations, I know that there is always the possibility of an exception to the rule; is

Release 2022-3
NSA 19127

there any way that I can come in and help clear up anything that enabled the Evaluation Panel to deem me unfit for employment?

Lastly, I had my polygraph on the 5th of February and was not informed until the 28th of March that I was being discontinued. From what I understand now, no background investigation took place (even though I was told that it was happening). Why did it take almost two momths to learn that NSA thinks that I am unsuitable for the job?

I feel like it might be more efficient to discuss this over the phone or email, rather than mail; however, I do understand the importance of each of us having records of the correspondence. That said, you have my permission to send your response to me as regular first class USPS, as opposed to any sort of registered mail.

I really hope that you can shed some light on this situation. Thank you very much for your time and I look forward to hearing from you soon.

Best Regards,

[redacted] (b) (6)

Doc ID: 6756719

NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

12 May 2014

(b) (6)

RESTRICTED DELIVERY

[redacted]

Dear [redacted]

This letter replies to your most recent correspondence, dated 23 April 2014, which requests additional information pertaining to the decision to discontinue your employment processing with the National Security Agency (NSA). As stated in our previous correspondence, NSA has established standards for employment and, as such, we have determined that you do not meet the appropriate standards.

At this time, I must direct you to submit all future written requests to our Freedom of Information Act (FOIA)/Privacy Act (PA) office at: NSA/CSS FOIA/PA, National Security Agency, 9800 Savage Road, Suite 6248, Ft. Meade, Maryland 20755-6248, for a copy of your records; which includes information relied upon to have made our decision. If you have questions pertaining to your records or the FOIA/PA process, please contact the FOIA/PA office directly at (301) 688-6527.

You are not precluded from applying to NSA in the future and you may do so at www.nsa.gov.

I wish you much success in your employment endeavors.

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

Sincerely,

[redacted]

Personnel Evaluation Panel

Release 2022-3
NSA 19129

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

12 June 2013

Hi [redacted]

Thank you very much for taking the time to meet with and interview me today – it was great learning about the business directorate and everything that it does. While a lot of what you said went over my head (the government financial language!), it sounds like the education and training that I'll go through will thoroughly prepare me for the position. I'm also really interested in the career path spreadsheet that you said you have created for new analysts; it's fantastic that you're able to help guide and mentor new hires on their potential career paths.

I realize that there is no way to know how long the rest of the hiring process will take, but I'm very much looking forward to beginning the clearance and background check. I know that I have the education, skills, and passion that would make me a great asset for your team. I really enjoyed meeting you, and hope to hear from and work for your team in the very near future!

Best Regards,

[redacted] (b)(6)

April 10, 2014

[redacted]
National Security Agency
9800 Savage Road
Fort George G. Meade, MD 20755-6000

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

Hi [redacted]

My name is [redacted] – you interviewed me last year on June 11th for the Budget Analyst position. The interview went very well, and six days later I received a conditional job offer from HR. I then submitted (and was completely honest on) my security forms and was told that, because I had [redacted] in the last year, that I would need to wait until it had been a year (November 2013) to reapply. On November 15th, the date that [redacted] told me it was okay to reapply, I did so, and was quickly given another conditional job offer on December 13th of 2013. Everything seemed like it was picking up right where it had left off last time. I came in on the 5th of February for my polygraph and psychological battery, after which I was told that no news was good news and that I just need to go through HR and security processing.

(b) (6)

I heard nothing for about 7 weeks, and none of the contacts on my security forms had been contacted, so I reached out to my recruiter (on March 19th) to make sure that everything was going as it should – I would have thought that the people on my forms would have been contacted, especially given my [redacted] issue, which caused me to have to wait out the year that ended last November. My recruiter told me that everything was going fine and that security was using the information from the background investigation from the last time I was going through the security process (for a summer internship, three years ago). This seemed a little strange from my perspective, but her response made me feel better, so I went back to thinking that everything was going fine. On March 28th, I got another email saying that HR was no longer able to consider me for NSA employment at this time.

Needless to say, I was rather surprised. Since then, I've spoken to [redacted] of Personnel Security, who told me that some sort of issue arose when the polygrapher was asking about [redacted] a few minutes I remembered – and told the polygrapher – that I had [redacted] It was a completely innocent mistake on my part – I was just focused on my [redacted] – and as soon as I remembered the incident I talked about it. I've also written to the Employee Relations office to ask for the reasoning behind my discontinuation. Had a background investigation taken place, I am absolutely confident that it would have been clear that I pose no threat to national security and that I am an honest, hardworking, conscientious person. Both my parents have worked at the agency for over 30 years, so I'm used to being in a house where the NSA lifestyle is the norm.

I wanted to let you know the latest, but I also wanted to ask you if there is anything that you might be able to do to help me get to the bottom of this. Is there anything that I, myself, can do to get another shot? From our conversation in June, this position seemed like a great fit for me and I'd hate to see it not work out, especially for an innocent mistake. I know that you don't have a public-facing position at the agency, but any advice that you can offer will be greatly appreciated.

Best Regards,

[redacted]

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

From:
Sent: Monday, April 07, 2014 7:45 AM
To: Hudson Kathleen A NSA-M USA CIV
Cc:
Subject: (U) Forwarding at Teresa Shea's Request – Comments re Hiring Process
Attachments: FW: (U) Message from (19.9 KB); FW: (U) Looking for your opinion, please (21.1 KB)

Classification: UNCLASSIFIED//~~FOUO~~

Kathy,

As you'll see at the bottom of this thread, on 25 March, Teresa asked her Leadership Team to let her know how SID can be more effective with its hiring efforts. Since I have been seeing the hiring process close-up for the past year because of my son I took the opportunity to send some of my observations and ideas to Teresa. She asked me to share my comments with each of you.

(b) (6)

In addition to the notes that I sent to Teresa (below, in this thread), I have also attached e-mails that I sent to and Kemp Ensor.

I'd be happy to speak with you about the process anytime. If you want the perspective of someone who has experienced it from the outside, would be glad to meet with you, as well. He certainly serves as an exemplar when it comes to the millennials we're looking to hire, and he has his own ideas about the hiring process and where it can be improved, as well.

I have stressed with every e-mail that I have sent on this topic that I am commenting on the process, that I am not advocating for being hired. Obviously I have an opinion about that, but the comments, questions, and suggestions you will see here relate to the hiring process itself. We need to think differently about what we do from the first moment a kid makes contact with us via nsa.gov and then through the entire process – every step of the way.

Please let me know if you need any additional info, or if you'd like to meet (with me or with

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

Thanks –

(U//~~FOUO~~)

From:
Sent: Sunday, April 06, 2014 8:12 AM
To: Shea Teresa H NSA-S USA CIV
Cc:
Subject: RE: (U) attracting millennials to federal service

Classification: UNCLASSIFIED/~~/FOUO~~

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(b) (6)

Teresa,

Thanks for getting back to me. I'll be happy to share the info with [redacted] and HR. There's a Part II, though, which adds to the process-related concerns I've described. A few hours after I sent my note to you, [redacted] learned that his processing was being discontinued. No reason was given, although he was told that he'd be able to write in (to Employee Relations, it turns out) to get details (he sent that letter last week). I sent a note to Kemp (about the process) and he put [redacted] in touch with [redacted] of Personnel Security). From what [redacted] was able to tell [redacted] it seems as though someone thought there was a discrepancy between what [redacted] first said in his polygraph (that he [redacted] in his junior year and hadn't [redacted] since November 2012) and what he said when he was asked further questions about his [redacted] He was (as he told us at home) focused on his [redacted] so he kept saying he [redacted] in November 2012. Then he remembered that he had gone with [redacted] Per [redacted] he told this to the polygrapher as soon as he shifted his thinking from his [redacted] However, here on the inside, some flag was raised and his case went to the Applicant Panel, which decided he was not worthy of further consideration.

(b) (6)

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

Obviously I cannot cross the nepotism line, but I can certainly continue to tell anyone who will listen that the process is messed up. If they bring some applicants back for additional polygraphs, why not bring some back for further questioning? Or, why don't they just go ahead with the investigation and see if the people the investigators talk to indicate that the person is good, decent, honest, trustworthy, smart, hard-working, etc., or if they say that the person is a total idiot? I have no doubt that with [redacted] it would be the former, but the system doesn't even allow for the confirmation to be made (either way).

Between the bizarre occurrences that we saw throughout [redacted] processing, it's not at all surprising to me that we are not as effective as we could be in our hiring. I have e-mailed both Kemp and [redacted] (about the process). Both have been willing to listen – neither has told me to back off. As I said, Kemp very kindly put [redacted] in touch with [redacted] and [redacted] indicated that she'd like to hear more of my thoughts/ideas about the process. [redacted] is in the middle of a note to Fran, because he sent a letter to her a year ago with some of his initial thoughts about the process and she thanked him and gave him [redacted] name at that time.

Back in the late 80s, [redacted] So we clearly understood the value of that field to the corporation. Yet we have such a tough time either recognizing when we have processes that need improving, or actually doing something to improve them. It's frustrating enough to watch that as an employee, but this, as you can imagine, goes way beyond frustrating. When it comes to hiring the best and the right people, there's a great deal of room for improvement. And while I know that I cannot advocate for [redacted] being hired, I also know that he is exactly the kind of person we need to have in here. How many other kids who would be really great for us have this sort of thing happen to them?

Again, thanks for listening. I'll contact [redacted] and Kathy Hutson.

[redacted]

(U//~~FOUO~~)

[redacted]

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

Release 2022-3
NSA 19133

[redacted]

From: [redacted]
Sent: Monday, April 07, 2014 7:17 AM
To: [redacted]
Subject: FW: (U) Looking for your opinion, please

Classification: UNCLASSIFIED//~~FOUO~~

From: [redacted]
Sent: Monday, March 31, 2014 7:49 AM
To: Ensor Leoinel K NSA-Q USA CIV
Subject: RE: (U) Looking for your opinion, please

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

Classification: UNCLASSIFIED//~~FOUO~~

Thank you – I do appreciate your looking into it.

[redacted]

(U//~~FOUO~~)

[redacted]

From: Ensor Leoinel K NSA-Q USA CIV
Sent: Monday, March 31, 2014 7:44 AM
To: [redacted]
Subject: RE: (U) Looking for your opinion, please

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

[redacted]

Let me look into this. I agree that based on what the HR recruiter told you that this does require some explanation.

I will get back to you regarding the process. As you know I cannot share specifics with regards to your sons case because of Privacy Act
Considerations, but I know you already know that.

v/r
Kemp

From: [redacted]
Sent: Monday, March 31, 2014 7:30 AM

Release 2022-3
NSA 19134

Doc ID: 6756719

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

To: Ensor Leoinel K NSA-Q USA CIV
Cc: [redacted]
Subject: (U) Looking for your opinion, please

Classification: UNCLASSIFIED//~~FOUO~~

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Good Morning Kemp,

(U) I'm hoping you'll be able to shed some light on something regarding the process used for investigating prospective employees. This relates to my son's recent experience. He will be requesting detailed information relating to his particular situation, but as a 30+-year-employee who has been reinvestigated many times, who is married to a 30+-year employee who has been reinvestigated many times, and who knows many others who have been reinvestigated many times, something seems not to add up and I would like to learn more about the process. Please note that *I am not advocating for the hiring of my son; I am trying to get information about the process used to investigate prospective employees, and see if what I describe below makes sense to you.*

(b) (6)

(U) On 13 December 2013, my son [redacted] received a conditional job offer from the Agency. He sent his Security forms in on 23 December. On 9 January, he got an e-mail asking for follow-up information, to which he replied immediately. He had his psych evaluation and polygraph on 5 February. His recruiter told him he'd hear something in 8-12 weeks, and that "no news is good news." He was concerned because none of the people he named on his forms (girlfriend – [redacted] college roommate/friends, neighbors, co-workers, etc.) had been contacted by anyone conducting an investigation. He asked his recruiter about this (on 6 February) and was told that things were progressing and that he'd hear something at some point. She told him that Security doesn't keep HR updated during the investigation process. More time went by, and on 21 March he sent another e-mail indicating his concern that nobody had been contacted (as far as he knew). This time, she replied that "it looks like the reason none of your contacts have been contacted is because a new background investigation wasn't necessary and they were able to use information from a previous background investigation [redacted] had applied for a summer internship three years ago] so no worries, your processing is progressing as it should."

(U) To me, that made perfect sense as a starting point, but not as the ending point because he indicated on his latest forms that a) [redacted] who hadn't been mentioned three years ago, and that b) he had [redacted] since that last investigation. In fact, he had received a conditional job offer earlier in 2013 and when the [redacted] issue came up he was told to reapply when it had been one year since he last [redacted] that year ended in November 2013. He reapplied then and quickly got his (second) conditional job offer. So I'd have thought that some checking would have been done to verify, at the very least, that he did, in fact, not [redacted] after the date given on his forms (his college friends/girlfriend could have been asked about that), and that his girlfriend isn't an issue. Yet he had no indication from anyone than an investigator had been looking into him at all. Especially in the current climate in which we find ourselves operating, that seems to make no sense.

(U) On 28 March, one week after being told that a new investigation was not needed and that things were progressing as they should, he got an e-mail from his recruiter saying, "we will not be able to further consider you for NSA employment at this time." Needless to say, this was quite a surprise because it seems as though no investigation took place. I suppose it's also possible that he failed the polygraph and nobody did anything about that for seven weeks, but his recruiter telling him "no news is good news" shortly after the polygraph would seem to negate that as a possibility. I realize that I don't have all of the facts, but it certainly looks like either:

1) He didn't do well on 5 February and his file sat on someone's desk for seven weeks, or
2) No investigation was done at all

Release 2022-3
NSA 19135

Doc ID: 6756719

(U) I realize that it's possible that the office on whose behalf the conditional job offer was made may have decided that it no longer needed to fill the position for which [redacted] had been selected, but the tone of the recruiter's 28 March e-mail sounds like the issue is Security-related.

(U) From a process standpoint, does this make sense to you? That's really all I am asking. I know that you cannot give me information regarding [redacted] specific situation. I am focusing only on the investigation process itself. From my perspective, something is off. There had been some mix-ups with [redacted] information a couple of times (in the recruiter's office), so this adds to the perplexing occurrences that we've seen take place. I'd appreciate any insight you can offer. Does what I have described make sense to you?

(U) If you'd like me to contact someone else, please let me know.

Thanks-

[redacted]

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

(b) (6)

(U//~~FOUO~~)

[redacted]

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Classification: UNCLASSIFIED/~~/FOUO~~

Release 2022-3
NSA 19136

Doc ID: 6756719

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

From:
Sent: Sunday, April 06, 2014 8:12 AM
To: Shea Teresa H NSA-S USA CIV
Cc:

Subject: RE: (U) attracting millennials to federal service

(b) (6)

Classification: UNCLASSIFIED//~~FOUO~~

Teresa,

Thanks for getting back to me. I'll be happy to share the info with and HR. There's a Part II, though, which adds to the process-related concerns I've described. A few hours after I sent my note to you learned that his processing was being discontinued. No reason was given, although he was told that he'd be able to write in (to Employee Relations, it turns out) to get details (he sent that letter last week). I sent a note to Kemp (about the process) and he put in touch with of Personnel Security). From what was able to tell it seems as though someone thought there was a discrepancy between what first said in his polygraph (that he in his junior year and hadn't since November 2012) and what he said when he was asked further questions about his He was (as he told us at home) focused on his so he kept saying he in November 2012. Then he remembered that he had gone with

Per he told this to the polygrapher as soon as he shifted his thinking from his However, here on the inside, some flag was raised and his case went to the Applicant Panel, which decided he was not worthy of further consideration.

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

Obviously I cannot cross the nepotism line, but I can certainly continue to tell anyone who will listen that the process is messed up. If they bring some applicants back for additional polygraphs, why not bring some back for further questioning? Or, why don't they just go ahead with the investigation and see if the people the investigators talk to indicate that the person is good, decent, honest, trustworthy, smart, hard-working, etc., or if they say that the person is a total idiot? I have no doubt that with it would be the former, but the system doesn't even allow for the confirmation to be made (either way).

Between the bizarre occurrences that we saw throughout processing, it's not at all surprising to me that we are not as effective as we could be in our hiring. I have e-mailed both Kemp and (about the process). Both have been willing to listen – neither has told me to back off. As I said, Kemp very kindly put in touch with and indicated that she'd like to hear more of my thoughts/ideas about the process. is in the middle of a note to Fran, because he sent a letter to her a year ago with some of his initial thoughts about the process and she thanked him and gave him name at that time.

Back in the late 80s, So we clearly understood the value of that field to the corporation. Yet we have such a tough time either recognizing when we have processes that need improving, or actually doing something to improve them. It's frustrating enough to watch that as an employee, but this, as you can imagine, goes way beyond frustrating. When it comes to hiring the best and the right people, there's a great deal of room for improvement. And while I know that I cannot advocate for being hired, I also know that he is exactly the kind of person we need to have in here. How many other kids who would be really great for us have this sort of thing happen to them?

Again, thanks for listening. I'll contact and Kathy Hutson.

(b) (6)

Release 2022-3
NSA 19137

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

(U//~~FOUO~~)

From: Shea Teresa H NSA-S USA CIV
Sent: Friday, April 04, 2014 6:30 PM
To: Shea Teresa H NSA-S USA CIV
Cc:
Subject: RE: (U) attracting millennials to federal service

Thanks for these insightful comments. I would ask that you share experience more broadly with and HR, this feedback could be invaluable.
Thanks,
Teresa

(U//~~FOUO~~)
Teresa H. Shea
SIGINT Director
963-3333s,
(U//~~FOUO~~)

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

From: **On Behalf Of**
Sent: Friday, March 28, 2014 6:40 AM
To: Shea Teresa H NSA-S USA CIV
Cc:
Subject: RE: (U) attracting millennials to federal service

Classification: UNCLASSIFIED/~~FOUO~~
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(b) (6)

Teresa,

I hope you don't mind my responding – I realize your questions were meant for SID leadership, but I'm watching the hiring process now as my son, who is 23, goes through it, so I have some observations to offer.

With regard to the process itself, I'm not sure how to make it take less time, but we can certainly make it more pleasant and inviting. It's cumbersome, opaque, bureaucratic, and frustrating. If my son didn't have parents who work here and are able to give him pep talks when he expresses his dismay, he very well may have moved on. The issues start with the application process – the website is not set up well, it takes a very long time to fill out the forms, and it doesn't seem to make use of current technology has commented many times that he can't believe NSA doesn't use

Release 2022-3
NSA 19138

"state-of-the-art technology"). Once the person gets the conditional job offer and starts processing, the seeming lack of concern for the applicant/prospective employee continues. [redacted] had his polygraph and psych testing/interview on 5 Feb. He was scheduled to meet with his HR POC at a particular time. When he got to the desk at [redacted] he was told that she wasn't around and not to worry about it. How can that be OK? He's now almost in the "8-12 weeks window" in which he's supposed to hear something. In the meantime, he's heard nothing from anyone unless he initiates the communication, and the responses he gets seemed canned and impersonal. In addition, on two separate occasions, he's gotten e-mails from two different people telling him "I'm your recruiter now." After the first one, the person who's been his recruiter told him that was a mistake and she's still his recruiter. The second one was just two nights ago, and he immediately wrote to the person who's been his recruiter asking if something had changed, was she still his recruiter, did this mean he had moved on to a new phase in processing, etc. She got back to him saying that she was still his recruiter and she didn't know why he kept getting the e-mails. In addition, nobody [redacted] named on his security forms has mentioned to him that they've been contacted. He's asked about that a few times and the recruiter told him that Security doesn't tell them anything but she's sure things are moving ahead. In his last note to her he pointed out that he's almost 8 weeks post-polygraph and he's concerned that nobody has been contacted. She apparently checked into it and replied that they are using the investigation they did three years ago when he applied for a summer internship. Why couldn't he have been told that when he first asked?

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

(b) (6)

It should not be this hard for an applicant/prospective employee to get information about his/her status. I realize we process a huge number of people every year, but we need to keep in mind that while we understand what's going on in the inside, these kids have no clue, and the hiring process is the first opportunity we have to show them the kind of place we are. We're a technology organization, not a people organization, and that leads to us having a hiring process that doesn't consider the perspective of the people we're trying to bring on board. We need to take a serious look at how HR interacts with these kids. We need them to get the idea that they matter to us, that we want them to join us, and that we will keep them informed. Even if we cannot tell them exactly what is going on with their investigation, we can do things like send them links positive press, post videos on a special applicant web page where new/young employees talk about why they like working here, etc. HR seems only to care about the internal process, not about the people on the outside who are in the dark. I have no doubt that we lose some really good people because they just don't want to keep waiting, or because they think we're a mess. This boils down to smart communication practices, which we tend not to think about (unfortunately).

The other comment I have, specifically with regard to SID, has to do with the fact that, in some cases, we focus on particular majors instead of particular skills. Specifically with regard to the IA field, I think that leads to our losing some people who have excellent critical thinking and analytic skills, but who didn't major in International Relations, International Affairs, Political Science, Regional Studies, etc. [redacted] went to a small liberal arts school that focuses on critical thinking, but he majored in [redacted] He has the kind of head we want IAs to have, but he was blocked from applying for an IA position because his major didn't match the list. We should be going after critical thinkers first, and political science majors second. We can train people to understand particular areas of the world, but we can't really train them to think critically.

I'll volunteer [redacted] to share his impressions, and more importantly, his suggestions, with you once he's on board!

[redacted]

(U//~~FOUO~~)

[redacted]

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

Release 2022-3
NSA 19139

From: Shea Teresa H NSA-S USA CIV
Sent: Tuesday, March 25, 2014 6:02 PM
To: [redacted]
Cc: [redacted]
Subject: (U) attracting millennials to federal service

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

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

SID Leaders,

(U~~//FOUO~~) Attached please find two articles relevant to our hiring efforts: a recent Baltimore Sun article entitled, "U.S. Agencies Face Battle to Draw Millennials into Workforce" and the report referenced by Partnership for Public Service entitled, "College Students Are Attracted to Federal Service, but Agencies need to Capitalize on their Interest".

(U//~~FOUO~~) In particular, I welcome your thoughts on the assertion in the Sun article that, "...federal agencies don't focus on the skills they need ... allowing red tape to slow their hiring process, don't brand themselves effectively, and place too much emphasis on experience and not enough on talent and potential."

How can SID be more effective with its hiring efforts?
Thanks,
Teresa

(U//~~FOUO~~)
Teresa H. Shea
SIGINT Director
[redacted]
963-3333s/[redacted]
(U//~~FOUO~~)

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Classification: UNCLASSIFIED/~~/FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~

Release 2022-3
NSA 19140

[redacted]

From: [redacted] (b) (3)-P.L. 86-36 (b) (6)
Sent: Thursday, April 24, 2014 6:43 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Incorrect info on letter from Personnel Evaluation Board

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

Classification: UNCLASSIFIED/~~FOUO~~

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Hi [redacted]

As you may have seen from the e-mail that [redacted] sent to you yesterday, he got the letter from [redacted] I figured I'd let you know that the third paragraph incorrectly mentions FOIA four times. It really should be referring to the Privacy Act as opposed to the FOIA. The point of the paragraph is to give the applicant info re where he/she may go to get copies of their records – *info the government has on that specific person*. The FOIA is used when people want to request Agency records on any topic. The request referred to in the letter would be done under the PA, not under the FOIA.

(b) (6)

I realize that FOIA and PA requests are handled in the same office (DJ4 – FOIA/PA), but the letter doesn't mention PA; it only mentions FOIA. The paragraph should read:

"...If you would like to obtain a copy of your records, which includes information relied upon to make this decision, please submit your written request to our Privacy Act (PA) Office at: NSA/CSS PA, National Security Agency, 9800...If you have questions pertaining to your records or the PA process, please contact the PA office directly at..."

I understand that this latest issue might not have anything to do with your office directly, but I figured I'd add it to what I've already provided to you. I also get that most recipients wouldn't know the difference ([redacted] certainly didn't), but the point should be that the letter is accurate.

I was also surprised, from an accountability standpoint, that the letter wasn't signed. [redacted] initialed it, but under the initials it only says "Personnel Evaluation Board."

One other thing – in [redacted] case, the letter indicates that the decision "does not preclude you from reapplying in the future," but doesn't say when he will be able to. So he has to write back and wait to get that question answered. From a process standpoint, why can't the letter answer that question. Some people might have moved on and won't care about that detail, but some – like [redacted] – still want to work here and would like to know. It seems as though we make more work for ourselves by not just providing the info in the letter. Maybe there's a reason that I can't think of, but it just looks like we have not considered things from the perspective of the recipient.

If you want me to send this to [redacted] let me know. I'm happy to contact him about it.

Take care –

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

(U//~~FOUO~~)

[redacted]

Doc ID: 6756719

[redacted]

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

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Classification: UNCLASSIFIED/~~FOUO~~

Release 2022-3
NSA 19142

[redacted]

From: [redacted]
Sent: Friday, May 09, 2014 4:03 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Checking to see if you received a follow-up letter from [redacted]
Attachments: [redacted] to [redacted] pdf

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

Here's what he sent…

(U//~~FOUO~~)

[redacted]

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

(b) (6)

From: [redacted]
Sent: Friday, May 09, 2014 3:59 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Checking to see if you received a follow-up letter from [redacted]

[redacted]

On 23 April, [redacted] sent a response to your letter. I'm wondering if you received his note. We found out today that the letter he sent to another Agency official never arrived in her office, so he asked me to see if you got what he sent your way.

Can you let me know if you received his follow-up, please?

Thanks –

[redacted]

(U//~~FOUO~~)

[redacted]

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

Release 2022-3
NSA 19143

April 23, 2014

[redacted]

National Security Agency
Suite 6781
9800 Savage Rd.
Ft. Meade, MD 20755-6781

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

Hello [redacted]

About a month ago, my recruiter let me know that my processing had been discontinued and that she recommended that I write into the Employee Relations office to get a detailed explanation as to why. I sent my letter in the next day, and received the response this morning. While I appreciate your response, I do have a few follow-up questions and would like some more information. The note from the Personnel Evaluation Panel says that, "NSA has established standards for employment to promote the efficiency of the service. As a result of your history of [redacted] we have determined that you do not currently meet our standards for employment." I'd like to understand exactly what [redacted] led to the decision.

(b)(6)

The security forms asked if I've used any [redacted] in the past 10 years; I indicated that I had [redacted] while in college , but not since November 2012. Why does the form ask about the previous 10 years if having done something in that time will disqualify someone from employment?

My polygrapher asked me if I had any other involvement with [redacted] and I told her about every single incident I could think of, from [redacted] I was there to make sure they were OK – that nobody did anything dangerous or stupid. There was never even the slightest chance that I was going to do what they were doing, but I also felt obligated to make sure they remained safe while they did it.

The only other [redacted] and I told my polygrapher that I would not do it anymore (and I haven't).

The response also says that I am not able to appeal the decision, but that I am able to reapply in the future – when am I able to reapply? It has been more than a year since I [redacted], and almost exactly a year since I graduated, which means that I have not been around anyone [redacted] in a year. At what point will my "history of [redacted] no longer affect my eligibility?

Both of my parents have worked at NSA for over 30 years, so, from hearing their conversations, I know that there is always the possibility of an exception to the rule; is

there any way that I can come in and help clear up anything that enabled the Evaluation Panel to deem me unfit for employment?

Lastly, I had my polygraph on the 5th of February and was not informed until the 28th of March that I was being discontinued. From what I understand now, no background investigation took place (even though I was told that it was happening). Why did it take almost two momths to learn that NSA thinks that I am unsuitable for the job?

I feel like it might be more efficient to discuss this over the phone or email, rather than mail; however, I do understand the importance of each of us having records of the correspondence. That said, you have my permission to send your response to me as regular first class USPS, as opposed to any sort of registered mail.

I really hope that you can shed some light on this situation. Thank you very much for your time and I look forward to hearing from you soon.

Best Regards,

[redacted]

(b) (6)

[redacted]

From: [redacted]
Sent: Monday, May 05, 2014 6:22 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Follow-up re prospective employee

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

Classification: UNCLASSIFIED//~~FOUO~~

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

(b) (6)

Hello,

[redacted] asked me to see if you got the note that I dropped off for him with your office a few weeks ago. He also wanted me to let you know that he reapplied over the weekend (for the budget analyst position).

[redacted]

(U//~~FOUO~~)

[redacted]

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Release 2022-3
NSA 19146

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

From:
Sent: Monday, May 19, 2014 8:14 AM
To:
Cc:
Subject: RE: (U) Continuation of Issue

Classification: UNCLASSIFIED//~~FOUO~~

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(b) (6)

Thanks – I will tell him to call you.

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

I have done a great deal of research on nepotism, and this doesn't touch it because I am not advocating for his hiring. I have not advocated for his being hired with anyone to whom I have corresponded on this issue. In every e-mail I send, except this morning's to [redacted] (because I have already said it to her numerous times), I state explicitly that I am not advocating for [redacted] hiring, and I mean that. I am seeing flaws in the process, and opportunities for improvement and I am raising issues with the people who are in positions to look into them and do something about them.

With regard to the Privacy Act, having worked in the Office of Policy, I am very familiar with that, as well. I am not asking when [redacted] can reapply, and I am not asking for anyone to give me answers that should go to [redacted] I am asking how he can get an answer to his question. The info he will get in response to his PA request most likely will not include the answer to that question. I cannot understand why this is being made so difficult (not by [redacted] you). Someone has the answer to the question, but nobody will provide it to the outsider who has no way to get it. That's the kind of thing I've been pointing out all along.

[redacted]

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Monday, May 19, 2014 8:06 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Continuation of Issue

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[redacted]

This email acknowledges my receipt of the information below.

(b) (6)

As you are probably aware, I cannot provide you with any information regarding this situation due to nepotism rules and privacy obligation MB has to your son regarding his employment application and pre-employment processing.

[redacted] is welcome to call me to discuss his current status, as he has with [redacted] I am here all week and on the same phone number as [redacted] I welcome a conversation with him.

Thank you,

[redacted]
[redacted] NSA Recruitment (MB)
968-6400s, [redacted]

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

Please place large attachments in my DropBox account.

From: [redacted]
Sent: Monday, May 19, 2014 7:29 AM
To: [redacted]
Cc: [redacted]
Subject: FW: (U) Continuation of Issue

Classification: UNCLASSIFIED//~~FOUO~~

Hello,

I'm forwarding this to you per [redacted] out-of-office message. I'm assuming that she's filled you in on the issue she and I have been discussing for a few months (she's been talking to my son, as well).

Thanks –
[redacted]

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

(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Monday, May 19, 2014 7:23 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Continuation of Issue

Classification: UNCLASSIFIED//~~FOUO~~

Release 2022-3
NSA 19148

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

[redacted] got the latest response from [redacted] on Friday. As you may recall, he had asked some questions about what he was found to have done, and he also asked when he will be able to reapply. [redacted] response answered not a single question – it didn't even acknowledge that [redacted] had asked any questions. It was clear from the letter that [redacted] is done with this and has no interest in entertaining further correspondence. [redacted] again, referred [redacted] to the PA process, and ended the letter saying, "You are not precluded from reapplying to NSA in the future and you may do so at www.nsa.gov."

How is that helpful? Someone asks a very specific question, for which there must be an answer. It's either one week, one month, one year, a particular date, etc., or never. We know it's not never, because [redacted] has been told a couple of times that he's not precluded from reapplying. [redacted] did tell me that, on the phone last week, you told him that [redacted] said something along the line of, "he can reapply a year after he did the thing." What thing?! A year after he last [redacted] – we know that is long past. A year after he went with his girlfriend when [redacted] Also long past. A year after he was in the room when [redacted] Also long past. A year after he last [redacted] He's still in that window. Is there a way that he can get a definitive answer to the question he's been asking?

If we could only look at things from the perspective of the applicant, this kind of thing wouldn't happen. I continue to be amazed at how this is unfolding. I thought of ccing [redacted] on this note, but decided to only send it to you.

I keep saying it, but I really do appreciate your time and attention. I continue to document all of this and will put a comprehensive package together for someone – I'm just not sure yet who that will be.

[redacted]

(U//~~FOUO~~)

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

(b) (6)

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Classification: UNCLASSIFIED//~~FOUO~~

Release 2022-3
NSA 19149

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

APPENDIX G

(U//~~FOUO~~) [redacted]'s email response to Ms. Brooks

Release 2022-3
NSA 19150

[redacted]

From: [redacted]
Sent: Wednesday, June 04, 2014 6:22 AM
To: Brooks Elizabeth R NSA-DC USA CIV
Cc: [redacted]
Subject: RE: (U) Observations About and Problems with the Hiring Process

Classification: UNCLASSIFIED/~~/TOUO~~

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

Liz,

Thanks for the response. I hope you know that I was/am not looking for any intervention from anyone on behalf of my son. I am well aware that that would be nepotism. The comments and observations I provided about the process stemmed from what I have seen as [redacted] has made his way through that process, so his tale is integral. Were it not for what he's been experiencing, I would not have had the opportunity to make those observations. Our perspectives are clearly and necessarily different. I appreciate your time.

[redacted]

(U/~~/TOUO~~)

[redacted]

(b) (6)

From: Brooks Elizabeth R NSA-DC USA CIV
Sent: Tuesday, June 03, 2014 6:44 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Observations About and Problems with the Hiring Process

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

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[redacted]

(U/~~/TOUO~~) I have been asked to respond to your note on Rick's behalf. As you may appreciate, senior leadership is not in a position where we intervene or appear to intervene in the hiring of the son or daughter of an agency employee especially where it involves advocacy by the parent. Thus, I am restricting my comments solely to the hiring process as a whole. Our hiring process is in a constant state of review and change and we use comments of applicants and observers to help shape our hiring practices. For example, based on feedback HR is pursuing changes to the on-line application tool to make it more user friendly and is working with each of the Directorates to sensitize Hiring Managers to the importance of frequent engagement with applicants. They are looking at new ways to engage applicants using social media as well and are bringing to closure implementation of the Lean Six Sigma hiring study recommendations. From my perspective, the people responsible for handling issues with hiring are doing just that. I appreciate how much you care about our ability to continue to attract and hire the kind of work force we need to keep us successful long into the future. I share your interest and will continue to engage Kathy Hutson and others to ensure we are postured for success.

Release 2022-3
NSA 19151

Regards,
Liz

Liz Brooks
NSA/CSS Chief of Staff
[redacted]
963-3444(s) [redacted]

From: [redacted]
Sent: Tuesday, June 03, 2014 9:05 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Observations About and Problems with the Hiring Process

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

Classification: UNCLASSIFIED//~~FOUO~~

[redacted]

Can you please confirm that you guys received the note I sent to Rick on 23 May? It's below, but I'm not sending the attachments this time since there were so many. If you didn't get the note the first time, I'll re-send the whole thing.

Many thanks –

[redacted]

(U//~~FOUO~~)

[redacted]

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

From: [redacted]
Sent: Friday, May 23, 2014 5:59 AM
To: Ledgett Richard H Jr NSA-D USA CIV
Cc: [redacted]
Subject: (U) Observations About and Problems with the Hiring Process

Classification: UNCLASSIFIED//~~FOUO~~

Rick,

This e-mail concerns the Agency's hiring process. Over the last year, I've had the opportunity to see firsthand what happens when a prospective employee goes through it. I've noticed a lot of issues that I think need to be looked at and addressed. The attached "[redacted] letter to Rick" tells you everything. I've also attached the enclosures referenced in the letter. I really would welcome the opportunity to talk with anyone about any of the issues I've highlighted/asked about. I'm sorry to have to add this to the list of issues your office has to deal with, but as you'll see, I'm not getting what I consider to be good answers from the people who, in my opinion, should be handling this.

Release 2022-3
NSA 19152

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

I am obligated to add that I am not advocating for the hiring of my son. I am asking questions about, and pointing out inconsistencies in, the process we use for getting the best people to come work here. We need to have a systematic and non-arbitrary way of hiring people – one that enables us to make informed decisions.

Please let me know if you need additional info. I appreciate your time. I have carefully thought through the decision to send this to you. At this point, I don't know what else to do.

[redacted] – I have a hard copy of all of the attachments that I can bring up to you if you want it. Let me know)

[redacted]

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

(U/~~/FOUO~~)

[redacted]

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Release 2022-3
NSA 19153

APPENDIX H

(U//~~FOUO~~) [redacted]'s response to the tentative conclusion

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

Release 2022-3
NSA 19154

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

From:
Sent: Wednesday, May 13, 2015 10:25 AM
To:
Cc:
Subject: (U) RESPONSE -- RE: (U) NSA/CSS Office of the Inspector General (OIG) tentative conclusion

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

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Thank you for letting me know of the tentative conclusion. I appreciate the opportunity to respond. I'll be honest – on the one hand, I wonder why I should bother. Given the outcome of the investigation, it seems clear to me that people did not look at the actual words I used or consider the actual points I was trying to make. Whatever was considered seems to have glossed over the facts as I stated them, which is quite unfortunate, to say the least. So I can't help but ask myself why I should spend more time on this. On the other hand, I think that the record should include my comments, despite the fact that I don't think anyone will care about them.

Words are extremely important to me. I am very careful when I use them, and I do my absolute best to make sure that I use them well. I say what I mean and I mean what I say. So when I said, over and over, that I was not trying to influence the hiring process in any way that could have affected my son's opportunity, I meant it. When I said, over and over, that I was pointing out process issues that were (are) in need of attention/improvement, I meant it. If "people are our most important resource," then it would follow that those responsible for the hiring process should be interested in hearing what someone with experience in process improvement thinks about it, regardless of whether that person is involved in the process, or if his/her relative has applied for a job at the Agency. That clearly was not the case here (with the exception of [redacted] but I was dumb enough to keep trying to provide my observations to someone who might care.

In my last job, in which I worked on [redacted] I was in the room for many high-level discussions in which issues with the hiring process were brought up and talked about in detail. Many of them were the same as those I raised in my correspondence with the appropriate POCs. The issues (such as bottlenecks, lack of communication between the Agency and potential employees, etc.) are no less valid when an employee observes them because a relative is going through the process than they are when the SIGINT Director talks about them with her/his staff.

As I said above, words matter. I choose mine carefully regardless of the situation. That was the case in all of the correspondence you saw, and it's the case with this response. By the time you see this, I will have gone over it, edited it, and revised it many times.

Had anyone who received input from me ever taken a moment of their time to talk to me about my observations (again, [redacted] is the exception), it would have been clear to him/her that my communications were ***exclusively*** about the process, not about the hiring of any particular person.

The bottom line for me is that, regardless of the conclusion, my conscience is 100% clear. As far as I am concerned, the fraud/waste/abuse began when your office had to undertake the investigation into my actions. I have done nothing wrong. As a result of this experience, I will no longer speak up when I see something that warrants attention, improvement, fixing, etc. I will do my job as well as I always do, regardless of what my job is, but I'm done trying to make a difference in terms of process improvements for the Agency. There's more waste there, since, as I told you back

Release 2022-3
NSA 19155

in December [redacted] but seems uninterested in taking advantage of the education I received in that program.

So after spending a great deal of my time and energy documenting my observations regarding the hiring process last year, I've now spent more time and energy on this response, likely for no purpose other than to have it on the record. After this experience, I cannot help but think that if someone (besides you) does actually read it, they won't care what it says – just like what happened with the material I provided regarding the hiring process.

[redacted]

P.S. Will I be able to see the final report?

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

[redacted]

From: [redacted]
Sent: Thursday, May 07, 2015 7:21 PM
To: [redacted]
Subject: (U) NSA/CSS Office of the Inspector General (OIG) tentative conclusion

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

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[redacted],

The OIG has reached a tentative conclusion concerning the allegation that you became directly involved on behalf of your son in his efforts to gain employment with NSA. Based upon the preponderance of evidence, the OIG is tentatively concluding that your actions were in violation of 5 Code of Federal Regulations (C.F.R.) §§ 2635.101(b)(8) & (14); 5 C.F.R. 2635.502(a), and the NSA/CSS Personnel Management Manual 30-2, Chapter 366, Section 1-3 (C), (G) & (H) by involving yourself in your son's application process, using non-public information for personal gain, and failing to properly use Federal funds and equipment.

The OIG has also tentatively concluded that you did not violate 5 United States Code § 3110, Employment of Relatives, Restrictions, since you were not a public official with authorization to appoint, promote, or advance an individual.

You are not required to respond to this tentative conclusion. However, if you choose to respond, please do so by reply email no later than 20 May 2015. Any response you provide will be considered and included into the final Report of Investigation.

Regards,

[redacted]
NSA/CSS Office of the Inspector General
[redacted]
963-0928s.

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NSA 19156