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Description of document:	Closing documents for Seven (7) National Archives and Records Administration (NARA) Inspector General (OIG) investigations, 2011-2012
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Source of document:	FOIA Request Office of the Inspector General FOIA Request 8601 Adelphi Road, Room 1300 College Park, MD 20740 Fax: 301-837-3197

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OFFICE of  
INSPECTOR GENERAL

April 23, 2013

Via email

Re: Request for Multiple OIG Reports of Investigations (NARA OIG FOIA 13-07)

This letter is in response to your letter, received March 4, 2013 requesting the "Report of Investigation (ROI), final report, closing memo and referral letter/memo for each of the following closed NARA IG Investigations: 11-0011-I 12-0003-I 12-0004-I 12-0007-I 12-0009-I 12-0018-I 12-0019-I." A search was done of our computerized case management system and responsive documents are attached. Your request encompassed several different types of investigations and the documentation varies slightly between the cases. Please contact me if the provided documentation does not satisfy your request.

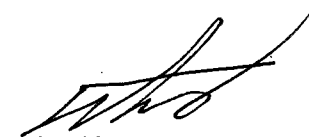
I am releasing the attached documents from the OIG files with information redacted mainly under FOIA Exemptions b(6) and b(7)(C) due to the privacy interests of the parties involved. Redactions pursuant to Exemptions b(6) and b(7)(C) included information that constituted a clearly unwarranted invasion of personal privacy and/or records compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. Please note all redactions on the disclosed pages were done by replacing information with a black line. While these investigations are closed final for NARA OIG purposes, some of them represent joint investigations with other law enforcement entities, in those cases redactions were also done as they may continue to be ongoing investigations with that entity. In the interests of getting available information to you as fast as possible, I am disclosing these documents immediately. If you wish for a redaction by redaction breakdown of exemptions, please contact me.

In accordance with Department of Justice guidance, I would also like to notify you that FOIA excludes certain records from the requirements of the FOIA and this response addresses only those records that are subject to the FOIA.

You have the right to administratively appeal this determination by writing to the Archivist of the United States, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD, 20740, within 35 calendar days of the date of this letter. If you choose to appeal, your appeal letter and its envelope should be clearly marked "Freedom of Information Act Appeal," and you should explain why you believe NARA should release the withheld information.

If you have any questions, you may contact me at 301-837-1966 or [john.simms@nara.gov](mailto:john.simms@nara.gov). Thank you for contacting the NARA OIG.

Sincerely,

A handwritten signature in black ink, appearing to read "John Simms", with a stylized flourish extending from the end.

John Simms  
Counsel to the Inspector General  
National Archives & Records Administration



NATIONAL  
ARCHIVES

OFFICE of  
INSPECTOR GENERAL

Date : November 9, 2011

Reply to

Attn of : Paul Brachfeld, Inspector General

Subject : **Investigation Referral:** [REDACTED] (11-011-I)

To : Analisa Archer, Chief Human Capital Officer  
Gary M. Stern, General Counsel

This is to communicate relevant findings of an investigation concerning [REDACTED], Federal Records Center - Lenexa. This investigation substantiated allegations that [REDACTED] opened a sealed box containing sensitive IRS records and provided statements to [REDACTED] supervisor about the incident that conflicted with those of a witness [REDACTED] admitted to the Office of Investigations (OI) and the Treasury Inspector General for Tax Administration (TIGTA) that [REDACTED] opened the sealed box out of "curiosity", removed a file and then read the contents of that file [REDACTED] further admitted [REDACTED] lied to [REDACTED] supervisor about the incident.

My office has referred the full investigative results detailed in the enclosed Report of Investigation because I believe there is sufficient cause for the Agency to consider administrative action against [REDACTED].

Please report to the OI any resultant administrative action taken against [REDACTED]. OI will close this investigation pending a written response to this referral and will retain the investigation file for future reference in accordance with the Office of Inspector General records retention schedule. If you have questions or require further information, please do not hesitate to contact my Assistant Inspector General for Investigations, Matthew Elliott, at 7-2941.

Enclosure

cc: Debra Wall, Deputy Archivist  
[REDACTED], Chief, Labor/Employee Relations and Benefits Branch  
[REDACTED], Associate General Counsel

# REPORT OF INVESTIGATION

Investigation Number: 11-011-I	Case Title: [REDACTED]	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input type="checkbox"/> Criminal <input type="checkbox"/> Civil <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Information		Period of Investigation: April 2011- June 2011

## SUBJECT(S) OF INVESTIGATION

Primary Subject:

[REDACTED]  
Federal Records Center - Lenexa  
17501 W. 98th, [REDACTED]  
Lenexa, KS 66219

## BASIS FOR INVESTIGATION

On May 12, 2011, [REDACTED] (AFO-LX), National Archives and Records Administration (NARA), reported to the Office of Investigations (OI) allegations that [REDACTED], AFO-LX, accessed Internal Revenue Service (IRS) records in violation of NARA policy.

## ALLEGED VIOLATION(S)

NARA 1608, Protection of Personally Identifiable Information (PII): Defines the rules of behavior to protect PII from unauthorized disclosure and emphasizes the role of NARA users in ensuring the appropriate physical and technical safeguards are in place to protect all NARA systems (both textual and electronic) that contain PII.

NARA 300, Appendix 752A, Penalty Guide:

13. Knowing and willful misstatement or omission of material facts on, or unlawful concealment, removal, mutilation, or destruction of, official documents, contract files, or administrative records.

Prepared by: [REDACTED]	Approved by: Matthew Elliott, AIGI	Date of Report: November 9, 2011
Sig [REDACTED]	Signature: [Signature]	

NAR [REDACTED] 011)

Office of Inspector General  
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**REPORT OF INVESTIGATION (Continued)**

17. Misconduct, whether or not in violation of a criminal statute, which impairs job performance or trustworthiness of the employee or otherwise impairs the ability of a NARA unit to perform its mission.

31. Unauthorized use, removal, or possession of Government records, artifacts, or exhibits

32. Personally Identifiable Information

a. Failure to properly safeguard personally identifiable information

b. Unauthorized access, use, modification, destruction, or disclosure of personally identifiable information

26 U.S.C. § 7213(a)(1): It shall be unlawful for any officer or employee of the United States or any person described in section 6103 (n) (or an officer or employee of any such person), or any former officer or employee, willfully to disclose to any person, except as authorized in this title, any return or return information.

18 U.S.C. § 1001: False Statements: Except in limited circumstances it is unlawful in any matter within the jurisdiction of the Executive branch to knowingly and willfully falsify, conceal or cover up by any trick, scheme, or device a material fact; make any materially false, fictitious, or fraudulent statement or representation; or make or use any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

**RESULTS OF INVESTIGATION**

This investigation determined [REDACTED] opened a sealed box containing sensitive IRS records, which likely contained personally identifiable information, and then provided statements to [REDACTED] supervisor about the incident that conflicted with those of a witness.

[REDACTED] admitted to OI and the Treasury Inspector General for Tax Administration (TIGTA) that [REDACTED] opened a box of IRS records sealed with blue tape bearing the words "Do Not Open" out of "curiosity". [REDACTED] then removed a file and read its contents - an act [REDACTED] knew violated NARA policy. [REDACTED] further admitted [REDACTED] provided false information in two written statements [REDACTED] provided to [REDACTED] supervisor and in [REDACTED] initial statements to OI and TIGTA.

In June 2011, the criminal section of the United States Attorney's Office for the District of Kansas declined to prosecute this investigation.

Investigation Number:  
11-011-I

Case Title:  
[REDACTED]

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## REPORT OF INVESTIGATION (Continued)

INVESTIGATIVE SUMMARY

## OI INTERVIEW OF [REDACTED]

An interview of [REDACTED] and a review of emails [REDACTED] provided to OI revealed that [REDACTED], AFO-LX, alleged [REDACTED] accessed the contents of a box containing IRS records without proper authorization. [REDACTED] was subsequently interviewed about the allegations by [REDACTED], AFO-LX, who then collected two type-written statements from [REDACTED] and provided a statement [REDACTED] about the interview. [REDACTED] also reported [REDACTED] signed two annual acknowledgements that [REDACTED] understood the sensitive nature of IRS records<sup>1</sup> (Exhibit 1).

## OI AND TIGTA INTERVIEW OF [REDACTED]

[REDACTED] explained [REDACTED] is assigned to [REDACTED] and works as [REDACTED] during the disposal of records set for destruction. [REDACTED] further explained that the destruction process involves three or more NARA employees who pull boxes from the stacks while [REDACTED] cross references each pulled box with [REDACTED] disposal list. The boxes set for destruction are removed from the stacks and placed on carts after being marked with the letter "D" to signify destruction. The boxes are then transported to the loading dock where one or more NARA employees unload the boxes and place them on pallets for shrink wrapping and shipment to the destruction site.

On or about March 28, 2011, [REDACTED] was assigned [REDACTED] for a disposal team consisting of Archives Technicians [REDACTED] and [REDACTED]. [REDACTED] stated [REDACTED], and [REDACTED] were pulling boxes marked for destruction and placing them on carts while [REDACTED] was at the loading dock transferring boxes to pallets for shrink wrapping. As [REDACTED] moved [REDACTED] cart to the loading dock [REDACTED] observed [REDACTED] looking at the contents of a box marked for destruction. [REDACTED] recalled the box was sealed with IRS "blue ribbon" tape, which [REDACTED] acknowledged meant the box contained sensitive IRS records pertaining to criminal investigations.

[REDACTED] explained only "authorized persons" are allowed to review the contents of sealed boxes containing IRS records. Based on [REDACTED] experience, [REDACTED] knew NARA employees are not authorized to unseal an IRS box containing either blue or red tape. [REDACTED] stated if the IRS requests a file contained in a box that is sealed with red or blue tape, NARA ships the entire box unopened to the IRS.

[REDACTED] stated that when [REDACTED] saw [REDACTED] enter the loading dock, [REDACTED] quickly placed the file back in the

<sup>1</sup> In accordance with IRS and NARA policy all AFO-LX employees are required annually to watch a training video produced by the IRS on unauthorized access to taxpayers' accounts (UNAX). Signed acknowledgments are then kept on file.

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Case Title: [REDACTED]

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**REPORT OF INVESTIGATION (Continued)**

box. After [REDACTED] placed the folder back in the box [REDACTED] told [REDACTED] the box had a seal on it that stated it was not to be opened but [REDACTED] was curious to see what was inside. [REDACTED] started to explain to [REDACTED] what [REDACTED] read in the file, but [REDACTED] abruptly stopped the conversation and told [REDACTED] didn't want to know.

[REDACTED] advised the sealed box [REDACTED] opened had been destroyed along with the other boxes marked for destruction on that day. [REDACTED] reported the security incident to NARA management in accordance with NARA policy, and provided a written statement to [REDACTED] supervisor documenting the incident (Exhibit 2).

**INTERVIEW OF [REDACTED]****Unauthorized Access to IRS Records**

OI and TIGTA showed [REDACTED] two *Acknowledgement of Privileged Nature of Records* forms signed and dated [REDACTED] 2010 and [REDACTED] 2011. [REDACTED] reviewed both forms and confirmed [REDACTED] read and signed both forms [REDACTED] further acknowledged [REDACTED] understood the requirements as outlined on both forms including the following passage:

*"I understand that scanning or reading records out of idle curiosity will not be tolerated and it is my official duty and responsibility to report such a practice to my supervisor."*

[REDACTED] admitted [REDACTED] was curious to see what the contents of the box were based on the special blue tape sealing the box, which indicated "Do Not Open." [REDACTED] admitted [REDACTED] did not have permission from [REDACTED] to open any boxes prior to loading them on pallets for destruction. [REDACTED] admitted to breaking the blue tape that sealed the box and removing a file to read. [REDACTED] couldn't recall what [REDACTED] read from the file, but confirmed [REDACTED] put it back in the box when [REDACTED] entered the loading dock area and caught [REDACTED] with the file in [REDACTED] hands.

[REDACTED] acknowledged [REDACTED] failed to report [REDACTED] unauthorized access into the box and admitted [REDACTED] actions directly violated NARA policy and the protection of privileged records (Exhibit 3).

**False Statements**

OI and TIGTA showed [REDACTED] two typed statements, [REDACTED], wherein [REDACTED] claimed [REDACTED] opened a sealed box to determine why the box was "so heavy" and to make sure it did not contain any "nontext items." [REDACTED] read the statements and confirmed [REDACTED] prepared and signed both. [REDACTED] further confirmed [REDACTED] provided the statements to NARA management to describe the reason why [REDACTED] opened the sealed box containing IRS records.

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[REDACTED]

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**REPORT OF INVESTIGATION (Continued)**

OI and TIGTA confronted [REDACTED] with the disparity between the two written statements [REDACTED] provided and an independent witness account of what occurred. [REDACTED] initially reiterated [REDACTED] opened the box to determine why it was so heavy but eventually admitted that was not true. [REDACTED] then clarified [REDACTED] opened the box out of "curiosity", not because [REDACTED] thought it contained heavy "nontext items" (Exhibit 3).

Investigation Number:

11-011-I

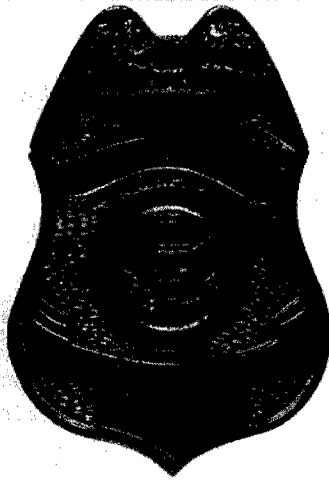
Case Title:

[REDACTED]

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Office of Inspector General  
National Archives and Records Administration





**OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**REPORT OF INVESTIGATIONS**

Case Number:

12-0003-I

**WARNING**

The attached document may contain information protected by Federal confidentiality statutes prohibiting unauthorized access and disclosure of its contents to any person other than the intended recipient(s) or those with an official need for access. The contents of this document should not be left unattended.

# REPORT OF INVESTIGATION

Investigation Number: 12-0003-I	Case Title: [REDACTED]	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input checked="" type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Administrative <input type="checkbox"/> Information		Period of Investigation: October 2011 – February 2012

## SUBJECT(S) OF INVESTIGATION

Primary Subject:

None Identified

## BASIS FOR INVESTIGATION

On October 4, 2011, the National Archives and Records Administration (NARA), Office of Inspector General (OIG), Office of Investigations (OI) met with the Federal Bureau of Investigations (FBI). The FBI reported that while investigating [REDACTED] they discovered that classified information may have been downloaded from NARA systems and then transmitted to other unauthorized individuals.

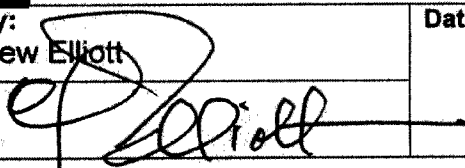
## ALLEGED VIOLATIONS

- 18 U.S.C. § 793. Gathering, transmitting or losing defense information
- 18 U.S.C. § 794. Gathering or delivering defense information to aid foreign government
- 18 U.S.C. § 798. Disclosure of classified information
- 18 U.S.C. § 1030. Fraud and related activity in connection with computers

## RESULTS OF INVESTIGATION

### FBI Briefing

[REDACTED]

Prepared by: [REDACTED]	Approved by: AIGI Matthew Elliott	Date of Report: June 18, 2012
	Signature: 	

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**REPORT OF INVESTIGATION (Continued)****OI Investigation**

[REDACTED]

The OI determined that the data provided by the FBI had been collected from the Access to Archival Databases (AAD) system<sup>2</sup>. The OI contacted the system administrator for the AAD who provided the OI Computer Crimes Unit (CCU) with system logs containing dates and times specific Internet Protocol (IP) addresses visited the AAD.

**OI Forensic Analysis of logs provided by the FBI and AAD Administrators**

The CCU analyzed the CD provided by the FBI and the logs provided by the AAD system administrator and determined [REDACTED] used a computer script to automate data searches and downloads from the AAD. The information gathered [REDACTED] from the AAD is from State Department cables held in Record Group 59, General Records of the Department of State Central Foreign Policy File, 1973-1976. These records were declassified in June 2005 and made publically available in September 2010.

An analysis of AAD access logs also revealed a large number of requests from an IP address originating from Amsterdam, Netherlands. The data requests were made in January, February and December 2011.

**Conclusion**

The OI found no evidence classified information was obtained from NARA computer systems or that any NARA systems were compromised to gather the information. All information gathered from the AAD is publically accessible and available. The OI provided all investigative results to the FBI and that FBI has requested no further investigation.

<sup>2</sup> AAD is a publically available search engine on NARA's website into some of NARA's holdings of electronic records. There are databases and indexes from more than 30 archival series, including over 350 data files totaling well over 50 million unique records.

Investigation Number:  
12-0003-I

Case Title:  
[REDACTED]

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# REPORT OF INVESTIGATION

Investigation Number: 12-0004-I	Case Title: ART - Loss of IRS Records, San Bruno FRC/ Kingsridge FRC	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Information		Period of Investigation: August 2011 - June 2012

## SUBJECT

None Identified

## BASIS FOR INVESTIGATION

On August 29, 2011, the National Archives and Records Administration (NARA), Holdings Protection Team (HPT) notified the Office of Inspector General (OIG), Office of Investigations (OI) that Kingsridge Federal Record Center (FRC) staff discovered Internal Revenue Service (IRS) records beneath the door of a transshipment<sup>1</sup> trailer from the San Bruno FRC. Kingsridge FRC staff opened the transshipment trailer and found boxes of IRS records tipped over. After conducting an inventory of the shipment, Kingsridge FRC staff could not account for five IRS records.

## ALLEGED VIOLATIONS

Privacy Act of 1974

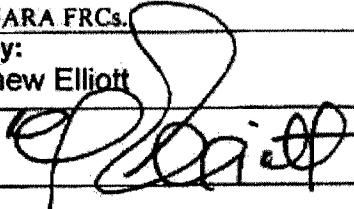
NARA 1608, Protection of Personally Identifiable Information (PII)

National Archives and Records Administration (NARA) Storage and Servicing of IRS Records, IRS Interagency Agreement Number: TIRNO-11-00003 (NARA/IRS Agreement).

## RESULTS OF INVESTIGATION

The OI found no evidence San Bruno, FRC staff committed any wrongdoing or failed to follow existing policies and procedures. The OI also coordinated with the Treasury Inspector General for Tax Administration (TIGTA) and established that only four IRS records remained unaccounted for. Additionally, TIGTA is responsible for notifying the tax filers their personally identifying information

<sup>1</sup> Transshipment refers to the transport of IRS records between NARA FRCs.

Prepared by: [REDACTED]	Approved by: AIGI Matthew Elliott	Date of Report: July 17, 2012
[REDACTED]	Signature: 	

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**REPORT OF INVESTIGATION (Continued)**

"(PII) may have been lost.

The OI also reviewed NARA's agreement with the IRS to store and service IRS records and found the agreement has no specific packing requirements for IRS records transshipped between NARA facilities. Finally, FRC management officials told the OI that additional security measures are now being taken when packing IRS records for transshipment and a directive relating to IRS transshipments is forthcoming.

**INVESTIGATIVE SUMMARY****Transshipment of IRS Records between San Bruno and Kingsbridge FRCs****OI Interview of [REDACTED], Kingsridge FRC:**

[REDACTED] stated [REDACTED] staff discovered IRS records sticking out from beneath the transshipment trailer door of a shipment that had recently arrived from the San Bruno FRC. [REDACTED] suspected the IRS records blew out of the truck while in transit. [REDACTED] conducted an inventory of the shipping trailer and determined five individual IRS tax returns were missing.

**OI Interview of [REDACTED], San Bruno**

[REDACTED] said the San Bruno FRC does not have written procedures for loading IRS record transshipments. The San Bruno FRC staff has been told verbally that shipping pallets containing IRS records should be stacked in the shipping trailers in a "sixteen and five high" pattern. The records are also shrink-wrapped and labeled with a description of contents. Twenty-four pallets are loaded per truck and the last two pallets are wrapped with security tape. [REDACTED] explained the FRC is currently drafting written procedures for packing IRS transshipments.

[REDACTED] believed the truck encountered rough sections of roadway during shipment, which caused the pallets of IRS records to tip over. [REDACTED] also stated the San Bruno FRC is instituting additional security measures for preparing transshipments because of this incident. The measures include adding shrink wrap and empty pallets between the records and the trailer door to prevent tipping.

Finally, [REDACTED] indicated the San Bruno FRC does not maintain records of which NARA employee(s) load particular IRS record transshipments.

**Coordination with TIGTA**

TIGTA confirmed through the Fresno, California IRS office that four of the individual tax returns from the transshipment are missing. TIGTA will notify these tax filers of the potential loss of their PII.

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ART - Loss of IRS Records, San Bruno FRC/ Kingsridge FRC

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**REPORT OF INVESTIGATION (Continued)**

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**NARA Transshipment Policies****OI Coordination with [REDACTED], Federal Record Center Program**

[REDACTED] explained in an email to the OI that the only procedures for handling IRS records are contained in the NARA/IRS Agreement. [REDACTED] also indicated that a NARA Directive on the transshipment of U.S. Government records is forthcoming.

**Coordination with [REDACTED] NARA Contracting [REDACTED], and review of NARA/IRS Agreement**

The OI reviewed the NARA/IRS Agreement dated April 1, 2011 and found no specific procedures for packing transshipment trailers. However, Task 9.1 does require that *"All transportation methods used by NARA to transport IRS records will have been reviewed and approved by the IRS COTR."*

[REDACTED] explained the San Bruno FRC is required to define packing procedures for the transshipment of IRS records from that facility.

**OI Interview of [REDACTED], IRS [REDACTED]**

[REDACTED] confirmed Task 9 contains guidance describing procedures for transshipping IRS records. However, [REDACTED] explained [REDACTED] reviewed NARA's transshipment methods, but did not receive or review specific trailer loading procedures.

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# REPORT OF INVESTIGATION

Investigation Number: 12-0007-I	Case Title: [REDACTED]	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Information		Period of Investigation: September 2011 – August 2012

## SUBJECT(S) OF INVESTIGATION

Primary Subject:

[REDACTED]

## BASIS FOR INVESTIGATION

[REDACTED] questioned the entire [REDACTED] charged to NARA and paid [REDACTED] indicated that [REDACTED] costs were unsupported because [REDACTED] failed to provide [REDACTED] with adequate supporting documentation. As a result, the NARA OIG, Office of Investigation (OI) initiated an investigation to identify evidence of fraud.

## ALLEGED VIOLATIONS

18 U.S.C. § 1001: Statements for entries generally (False statements)  
18 U.S.C. § 287: False, fictitious or fraudulent claims

<sup>1</sup> In 2005, LM was awarded a \$317.4 million cost-plus award fee contract by NARA for the purpose of building a permanent Electronic Records Archives (ERA) system for preserving and managing electronic records for the federal government. Lockheed Martin, Transportation and Security Solutions Division, awarded [REDACTED] [REDACTED]

Prepared by: See CMTS Chronology	Approved by: Matthew Elliott, AIG	Date of Report: 12 Sep 12
Signature: entry dated 12 Sep 12	Signature: [Signature]	

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**REPORT OF INVESTIGATION (Continued)****RESULTS OF INVESTIGATION**

The investigation found no evidence [REDACTED] provided false statements or submitted fraudulent subcontractor cost submissions through LM to NARA.

**OI Meeting with LM Contract and Program Management**

On February 1, 2012, the OI met with LM employees: [REDACTED]

[REDACTED]. All representatives agreed LM would provide the OI with documentation outlining: LM contract management processes; internal controls for monitoring subcontracts; documentation that supported [REDACTED] citizenship; and documentation supporting [REDACTED] timesheet and travel reimbursements for work on the subcontract.

The meeting also disclosed that LM had implemented a Vendor Invoice Processor (VIP) tool to track subcontractor invoices in connection with labor costs and work orders. LM agreed to provide the OI with a Defense Contractor Audit Agency (DCAA) audit report in which DCAA deemed the VIP system and LM's internal controls and procedures as adequate.

**OI Review of Documentation Submitted by Lockheed Martin Corporation**

LM and [REDACTED] provided the OI with the following documentation:

- LM Program Office Directives
- Subcontract modifications issued under [REDACTED]
- Defense Contract Audit Agency Audit Report regarding LM's VIP
- Subcontractor invoice data
- Monthly subcontractor expenses
- LM Advance Control Account Manager processes
- Virtual Private Network (VPN) logs for [REDACTED]
- LM facility electronic access log for [REDACTED]
- LM subcontractor invoices with summary explanation of charges for [REDACTED]
- Travel invoices and expenses summary for [REDACTED]

An OI review of a random sample of the documentation provided found no evidence to substantiate [REDACTED] submitted false or fraudulent invoices to LM that were then submitted to NARA as claims for payment.

Because all relevant information obtained in the course of this investigation and [REDACTED] has been or will be reported through other correspondence, the OI will close this investigation with no formal referral. The

Investigation Number:  
12-0007-I

Case Title:  
[REDACTED]

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**REPORT OF INVESTIGATION (Continued)**

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investigation will be retained in OI files for future reference and if additional actionable information or evidence is received, this investigation may be reopened.

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12-0007-I

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# REPORT OF INVESTIGATION

Investigation Number: 12-0009-I	Case Title: ART: Einsatzgruppen Interrogation Records	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input checked="" type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Administrative <input type="checkbox"/> Information		Period of Investigation: September 2010 - May 2012

## SUBJECT(S) OF INVESTIGATION

Primary Subject:

[REDACTED]

## BASIS FOR INVESTIGATION

On September 10, 2010, [REDACTED], United States Department of Justice, alleged to the National Archives and Records Administration (NARA), Office of Inspector General (OIG), Office of Investigation (OI) that [REDACTED] possesses draft U.S. Government interrogation reports for defendants in the Einsatzgruppen Trial<sup>1</sup>.

## ALLEGED VIOLATIONS


18USC 641: Public money, property, or records

## RESULTS OF INVESTIGATION

### OI Investigation

According to [REDACTED] a former U.S. Army interrogator, donated many of his papers (which included draft interrogation reports) to [REDACTED] after his death. Both also believe

<sup>1</sup> The "Einsatzgruppen Trial" was officially designated United States of America vs. Otto Ohlendorf, et al. This trial has become known as the "Einsatzgruppen Trial" because all of the defendants were charged with criminal conduct arising out of their functions as members of the Einsatzgruppen, a German term that may be roughly translated "Special Task Forces."

Prepared by: [REDACTED]	Approved by: AIGI Matthew Elliott	Date of Report: June 18, 2012
[REDACTED]	Signature: 	

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**REPORT OF INVESTIGATION (Continued)**

██████████ may have given some of the draft reports to ██████████, but could only speculate as to why.

██████████ gave NARA digital images of the draft defendant interrogation reports ██████████ suspects are in possession. After NARA Research Services (RD-DC) reviewed the images, ██████████ and ██████████, Archivist, told ██████████ and the OI that RD-DC was not interested in recovery because NARA has the original, final Einsatzgruppen Trial interrogation reports. Nonetheless, ██████████ and ██████████ indicated RD-DC would conduct an additional review if ██████████ provided the original documents.

██████████ remains in contact with ██████████ who has indicated ██████████ is willing to provide the reports to NARA for review.

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12-0009-I

Case Title:  
ART: Einsatzgruppen Interrogation Records


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Office of Inspector General  
National Archives and Records Administration



**NATIONAL  
ARCHIVES**

**OFFICE of  
INSPECTOR GENERAL**

Date : June 22, 2012  
Reply to :  
Attn of : Paul Brachfeld, Inspector General   
Subject : Report of Investigation (12-0018-I)  
To : Joe Jackson, Director, Human Resources (HT)  
Gary Stern, General Counsel, Office of General Counsel (NGC)

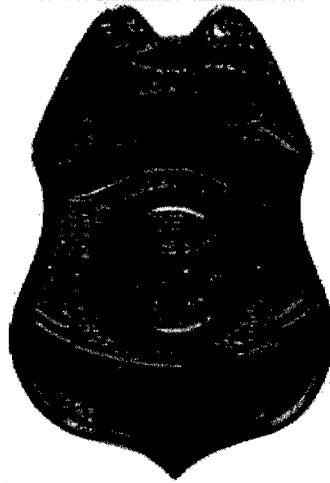
This is to communicate relevant findings of an investigation concerning [REDACTED], and [REDACTED]. This investigation substantiated [REDACTED] had sexual contact with [REDACTED] in Archives II in exchange for money. Both employees admitted to the behavior in sworn statements to the Office of Investigations (OI).

My office has referred the full investigative results detailed in the enclosed Report of Investigation because I believe there is sufficient cause for the Agency to consider administrative action against [REDACTED] and [REDACTED]. Please note that Exhibit 1 is not attached to the Report of Investigation because it is too voluminous; however, my office will provide a copy if requested.

Please report to the OI any resultant administrative action taken against [REDACTED] or [REDACTED]. OI will close this investigation pending a written response to this referral and will retain the investigation file for future reference in accordance with the Office of Inspector General records retention schedule. If you have questions or require further information, please do not hesitate to contact my Assistant Inspector General for Investigations, Matthew Elliott, at 301-837-2941.

**Enclosure**

cc: Debra Wall, Deputy Archivist (ND)  
[REDACTED] Chief, Labor/Employee Relations and Benefits Branch (HTL)  
[REDACTED], Associate General Counsel, Office of General Counsel (NGC)



**OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS  
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**REPORT OF INVESTIGATIONS**

Case Number:

12-0018-I

**WARNING**

The attached document may contain information protected by Federal confidentiality statutes prohibiting unauthorized access and disclosure of its contents to any person other than the intended recipient(s) or those with an official need for access. The contents of this document should not be left unattended.

# REPORT OF INVESTIGATION

Investigation Number: 12-0018-I	Case Title: [REDACTED] and [REDACTED] (Prostitution)	Type of Report: <input type="checkbox"/> Interim <input checked="" type="checkbox"/> Final <input type="checkbox"/> Supplemental
Type of Investigation: <input checked="" type="checkbox"/> Criminal <input type="checkbox"/> Civil <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Information		Period of Investigation: May 2011–May 2012

## SUBJECT(S) OF INVESTIGATION

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## BASIS FOR INVESTIGATION


While conducting investigation 11-0012-I, the National Archives and Records Administration (NARA), Office of Inspector General, Office of Investigations (OI) discovered email communication between [REDACTED] and [REDACTED] that suggested [REDACTED] was paying [REDACTED] to perform sexual acts during work hours at [REDACTED].

## ALLEGED VIOLATIONS

[REDACTED] Criminal Law § [REDACTED] Prostitution-Business  
[REDACTED] Criminal Law § [REDACTED] Prostitution-General  
NARA Policy and Procedure: May be in violation of NARA Policy

## RESULTS OF INVESTIGATION

The OI investigation established that after meeting two years ago, [REDACTED] and [REDACTED] began emailing each other using their NARA email accounts. [REDACTED] soon began giving [REDACTED] money "to help" [REDACTED]. When [REDACTED] accepted the money from [REDACTED], [REDACTED] intentionally exposed [REDACTED] to [REDACTED]. The email correspondence between the two became more sexual and

Prepared by: [REDACTED]	Approved by: AIGI Matthew Elliott	Date of Report: June 22, 2012
[REDACTED]	Signature: 	

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**REPORT OF INVESTIGATION (Continued)**

approximately one year ago, [REDACTED] started grabbing [REDACTED] through [REDACTED] pants in exchange for money. The sexual activity occurred usually once a week at Archives II during duty hours.

[REDACTED] and [REDACTED] both admitted to the sexual contact in sworn statements to the OI.

The U.S. Attorney's Office (USAO) for the [REDACTED] and the [REDACTED] Attorney's Office (USAO) for [REDACTED] County both declined this case for prosecution.

**INVESTIGATIVE SUMMARY****OI Forensic Analysis of [REDACTED] and [REDACTED] GroupWise Email Accounts**

The OI Computer Crimes Unit analyzed NARA email correspondence between [REDACTED] and [REDACTED] sent between August 2010 and July 2011. The analysis revealed sexually explicit email communication that described: 1) sexual activity; 2) suggested meeting times; 3) locations where the two intended to meet; and 4) either the amount of money [REDACTED] wanted or the amount [REDACTED] was willing to pay. The emails also indicated both [REDACTED] and [REDACTED] initiated the sexual encounters. [REDACTED] often indicated a desire to meet and a willingness to pay when asking [REDACTED] to meet. [REDACTED], however, tended to request meetings out of a need for money (Exhibit 1).

**OI Interview of [REDACTED]**

[REDACTED] explained that [REDACTED] met [REDACTED] approximately two years ago in the lobby [REDACTED]. [REDACTED] and [REDACTED] then began emailing one another. [REDACTED] told [REDACTED] [REDACTED] had financial troubles, so [REDACTED] offered [REDACTED] money. For approximately the first year [REDACTED] gave [REDACTED] money in [REDACTED] and [REDACTED] intentionally exposed [REDACTED] to [REDACTED] as [REDACTED] placed [REDACTED] money into [REDACTED].

[REDACTED] and [REDACTED] email communication became more sexually explicit and starting in approximately March 2012, [REDACTED] began squeezing [REDACTED] through [REDACTED] pants in exchange for money. The weekly encounters lasted only a few minutes and took place outside the first floor elevators near [REDACTED]. [REDACTED] stood in the elevator with the doors open while [REDACTED] remained outside the elevator. [REDACTED] stated [REDACTED] never exposed [REDACTED] or had an orgasm in [REDACTED] presence. [REDACTED] further explained that [REDACTED] after meeting with [REDACTED].

[REDACTED] typically gave [REDACTED] \$40 or more for each time they met and [REDACTED] squeezed [REDACTED]. Finally, [REDACTED] said that [REDACTED] sometimes gave [REDACTED] as much as \$150 to \$200 a week (Exhibit 2).

Investigation Number: 12-0018-I	Case Title: Prostitution
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REPORT OF INVESTIGATION (Continued)

OI Interview of [REDACTED]

[REDACTED] admitted [REDACTED] accepted money from [REDACTED] in exchange for sexual contact and corroborated [REDACTED] description of that contact. However, [REDACTED] minimized the frequency of encounters and stated [REDACTED] only grabbed [REDACTED] on five occasions (Exhibit 3).

Coordination with USAO for the [REDACTED] and [REDACTED] AO for [REDACTED] County

On September 2, 2011, the USAO for the [REDACTED] declined the case for prosecution.

On April 30, 2012, the [REDACTED] AO for [REDACTED] County declined the case for prosecution.

Investigation Number: 12-0018-I	Case Title: Prostitution
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Date: November 27, 2012

Reply to  
Attn of: [REDACTED] Director, Computer Crimes Unit (CCU)

Subject: Closing NARA OIG Case No. 12-0019-I (Assistance to FCC OIG [REDACTED])

To: File

On May 16, 2012, the Director of the Computer Crimes Unit (CCU), met with representatives from the Federal Communications Commission (FCC) Office of Inspector General (OIG) to discuss an ongoing FCC OIG investigation involving employee misconduct. Based on that meeting, NARA OIG established NARA OIG Case No. 12-0019-I (Assistance to FCC OIG [REDACTED]) to provide computer forensic support to FCC OIG.

On October 17, 2012, the Director of the Computer Crimes Unit (CCU), accepted a permanent position with the FCC OIG effective December 3, 2012. As a result of this action, NARA OIG is closing NARA OIG Case No. 12-0019-I (Assistance to FCC OIG [REDACTED]) and transferring the case file to FCC OIG.