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Description of document: Seventeen (17) Selected Department of Energy (DOE)
Inspector General (OIG) Investigations Closed 2018-2019

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Source of document: FOIA Request
Inspector General
FOIA Request Service Center
1000 Independence Avenue, SW
Mail Stop MA-46
Washington, DC 20585
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[DOE Headquarters FOIA Request Form](#)

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Department of Energy
Washington, DC 20585

October 26, 2021

VIA EMAIL

Re: Freedom of Information Act Request, HQ-2021-00810-F

This is a response from the Department of Energy (DOE) Office of Inspector General (OIG) to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request sought copies of the following information:

A copy of the final report, report of investigation, referral letter/memo and any other conclusory document describing the results of the investigation for each of these DOE Office of Inspector General (OIG) closed investigations. I understand that there is typically only one such conclusory document for each investigation.

18-0004-W, closed 22 March 2018	18-0037-I, closed 15 November 2019
18-0005-W, closed 26 March 2018	18-0038-I, closed 16 November 2018
18-0008-W, closed 30 April 2018	18-0051-I, closed 14 May 2019
18-0009-I, closed 11 July 2018	18-0059-I, closed 09 July 2019
18-0013-W, closed 20 August 2018	18-0061-I, closed 09 November 2018
18-0019-I, closed 07 September 2018	18-0069-I, closed 05 September 2018
18-0026-I, closed 31 October 2019	18-0070-I, closed 04 March 2019
18-0027-I, closed 28 September 2018	18-0073-I, closed 03 April 2019
18-0031-I, closed 01 August 2019	

The OIG completed a search of its files and identified 17 documents responsive to your request. A review of the documents and a determination concerning their release has been made pursuant to the FOIA. Based on this review, we determined that certain material should be withheld from these documents pursuant to 5 U.S.C. § 552(b)(5), 5 U.S.C. § 552(b)(6) and 5 U.S.C. § 552(b)(7)(C) of the FOIA, hereinafter referred to as Exemptions 3, 6 and 7(C), respectively. Specifically, the OIG review determined:

Documents 1 and 3-17 are being released to you with certain material withheld pursuant to Exemptions 6 and 7(C).

Document 2 is being released to you with certain material withheld pursuant to Exemptions 3, 6, and 7C.

Exemption 3 protects from disclosure information "specifically exempted from disclosure by statute;" in this case, the qui tam provisions of the False Claims Act, 31 U.S.C. § 3730(b), provides that False Claims Act complaints brought by individuals on behalf of the United States shall be filed in camera and remain under seal for at least 60 days, and shall not be served on the defendant until the court so orders. The information being withheld under Exemption 3 remains under seal pursuant to 31 U.S.C. § 3730(b).

Exemption 6 protects from disclosure "personnel and medical and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" Exemption 7(C) provides that "records or information compiled for law enforcement purposes" may be withheld from disclosure to the extent the production of such documents "could reasonably be expected to constitute an unwarranted invasion of personal privacy. . . ."

Names and information that would tend to disclose the identity of certain individuals have been withheld pursuant to Exemptions 6 and 7(C). Individuals involved in OIG enforcement matters, which in this case include subjects, witnesses, sources of information, and other individuals, are entitled to privacy protections so that they will be free from harassment, intimidation, and other personal intrusions.

In invoking Exemptions 6 and 7(C), we have determined that it is not in the public interest to release the withheld material. We have determined that the public interest in the identity of certain individuals who appear in these files does not outweigh these individuals' privacy interests. Those interests include being free from intrusions into their professional and private lives.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

To the extent permitted by other laws, DOE will make records available which it is authorized to withhold under 5 U.S.C. 552 whenever it determines that such disclosure is in the public interest.

As required, all releasable information has been segregated from the material that is withheld and is provided to you. *See* 10 C.F.R. § 1004.7(b)(3).

This decision may be appealed to the Office of Hearings and Appeals within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals must be in writing and addressed to the Director, Office of Hearings and Appeals, HG-1 /L'Enfant Plaza Building, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You may also submit your appeal by email to OHA.filings@hq.doe.gov. The appeal must be clearly marked "Freedom of Information Appeal" on the envelope and letter, and if submitted by email, in the subject line of the email. *See* 10 C.F.R. § 1004.8(b).

Once your administrative remedies are exhausted, judicial review will be available to you in the United States District Court in the district in which you reside, or have your principal place of business, in the district in which the records are situated, or the District of Columbia. *See* 10 C.F.R. § 1004.8(d)(3).

If you have any questions about the processing of your request, you may contact our FOIA Public Liaison, Mr. Alexander Morris. He may be contacted to discuss any aspect of your request by phone at (202) 586-3159 or by email at Alexander.Morris@hq.doe.gov. Please know that you also have the right

to seek dispute resolution services from the FOIA Public Liaison or the Office of Government Information Services (<https://ogis.archives.gov>) at (202) 741-5770; (877) 684-6448 (toll free); by fax: (202) 741-5769, or by email at ogis@nara.gov.

Sincerely,

**Kenneth
Dieffenbach**

Digitally signed by
Kenneth Dieffenbach
Date: 2021.10.26
11:37:51 -04'00'

Lewe Sessions
Assistant Inspector General
for Investigations
Office of Inspector General

Enclosures



Department of Energy

Washington, DC 20585

March 26, 2018

VIA ELECTRONIC MAIL AND
U.S.MAIL

(b)(6) (b)(7)(C)

Re: Retaliation Complaint of (b)(6) (b)(7)(C) against
Princeton Plasma Physics Laboratory, OIG Case No.
18-0197-C/18-0005-W

Dear Mr. (b)(6) (b)(7)(C):

This letter is in reference to the whistleblower retaliation complaint you filed with the U.S. Department of Energy (DOE), Office of Inspector General (OIG), pursuant to Title 41, United States Code, Section 4712, "Enhancement of contractor protection from reprisal for disclosure of certain information" (Section 4712).

We carefully analyzed the materials you provided in your original complaint as well as the supporting documentation you provided to our office. Based upon the available information, we have determined that the OIG will not open an inquiry into this matter as the available facts do not support a Section 4712 investigation and these matters are more appropriately addressed in another forum.

You may want to consider taking your allegations to another office within DOE with jurisdiction to address the specific concerns you have raised. Those agencies include the Department of Energy, Contractor Employee Protection Program (10 CFR Part 708).

If you have additional information you would like us to consider, or if your circumstances change, please feel free to contact our Hotline at: IGHotline@hq.doe.gov, or 800-541-1625.

Sincerely,

(b)(6) (b)(7)(C)

Assistant Inspector General for
Investigations



U.S. Department of Energy
Office of Inspector General

August 28, 2018

MEMORANDUM

FROM:

SA (b)(6) (b)(7)(C)

TO:

(b)(6) (b)(7)(C)

Region 3 Investigations

SUBJECT:

Closing Memorandum for OIG Investigation 18-0019-I

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (Department), Office of Inspector General (OIG), Office of Investigations, Region 3 Investigations.

(b)(3):31 U.S.C. § 3730 (b)(6) (b)(7)(C)

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Please do not hesitate to contact me at (412) 386-(b)(6)
(b)(7)(C) if you have any questions or if I may be of further assistance to you.

(b)(6) (b)(7)(C)

Special Agent

(b)(6) (b)(7)(C)

Digitally signed by (b)(6) (b)

(b)(6)

Date: 2018.08.29 16:37:48

+04 00'

Concur:

(b)(6) (b)(7)(C)



Department of Energy
Washington, DC 20585

October 30, 2019

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Region 2 Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0026-I

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (Department), Office of Inspector General (OIG), Office of Investigations, Region 2 Investigations.

As background, the investigation was predicated on information received from the National Nuclear Security Administration (NNSA) reporting that AREVA, who at the time of the referral, teamed with the Chicago Bridge & Iron Company (hereafter referred to as MOX Services) to build the Mixed Oxide Fuel Fabrication Facility (MFFF) at the Savannah River Site, may have violated 10 C.F.R. Part 810. Specifically, the NNSA officials reporting the matter were concerned that AREVA may have violated the Part 810 regulation by sharing the "Americanized" MFFF technology with entities and/or individuals that are not involved in the MFFF project.

The investigation found that NNSA had approved the Technology Control Plan (TCP) for MOX Services. The TCP approved the transfer of MFFF technology including "Americanized" technology, to foreign nationals, including foreign national employees of MOX Services and foreign entities, foreign partners, vendors, and manufacturers that have been approved to work on the MFFF project and "are involved in the [MFFF] project."

Additionally, the Technology Transfer Fee Agreement (TTFA) between the NNSA and COGEMA, Inc. (a U.S. affiliate of French COGEMA, now AREVA), allowed COGEMA and COGEMA affiliates the right to use, free of charge, for any of its facilities and any of the engineering projects worldwide, in which COGEMA and COGEMA affiliates are involved or intend to be in the future, the MFFF design including improvements, the manufacturing design, the software design, and construction, testing, start up and deactivation experience developed under the MFFF project.

Further correspondence between NNSA and MOX Services regarding Part 810 authorization took place going back to 2008. In a June 18, 2008, letter, NNSA confirmed

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“that Part 810 authorization is not required for the transfer of “Americanized” MOX technology by [MOX Services] to foreign nationals or entities involved in the MOX project who have been approved by DOE to work on the project.”

In summary, the investigation did not find evidence supporting that a violation of 10 CFR Part 810 occurred, based on the information available to the OIG. Furthermore, releasing of “Americanized” technology may have been covered by previous NNSA and MOX Services communications, the TCP or the TTFA. As such, any future concerns relating to the potential release of the Americanized technology must be addressed on a case-by-case basis to determine whether such a release was authorized in accordance with the above-described.

As a result, this matter is being recommended for closure as all prudent investigative activities are complete and further expenditure of investigative resources is not warranted.

(b)(6) (b)(7)(C)
Special Agent

X (b)(6) (b)(7)(C)

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U.S. Department of Energy
Office of Inspector General

May 13, 2019

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Cyber Investigations and Forensic Analysis

SUBJECT: Closing Memorandum for OIG Investigation 18-0051-I

This memorandum serves to recommend closure of OIG File Number 18-0051-I. The initial complaint alleged (b)(6) (b)(7)(C) was involved in child pornography. An interview of (b)(6) (b)(7)(C), who was the alleged original source of the information that the complainant initially provided, revealed the information the complainant (b)(6) (b)(7)(C) provided to be unsupported. A further review of computer network logs for two separate six-month periods of activity on (b)(6) (b)(7)(C) computer user profile showed there was no evidence (b)(6) (b)(7)(C) had either viewed or downloaded child pornography. This case is recommended for closure as no further investigative steps are warranted.

Please contact SA (b)(6) (b)(7)(C) (803) 725-(b)(6) (b)(7)(C) or at (b)(6) (b)(7)(C)@srs.gov should you have questions regarding this matter.

(b)(6) (b)(7)(C)
Digitally signed by (b)(6) (b)(7)(C)
Date: 2019.05.13 12:14:32 -0400

(b)(6) (b)(7)(C)
Special Agent

Concur:

(b)(6) (b)(7)(C)
Digitally signed by (b)(6) (b)(7)(C)
Date: 2019.05.14 06:41:09 -0400

(b)(6) (b)(7)(C)

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DOE F 1325.8
(08-93)

United States Government

Department of Energy

Memorandum

Office of Inspector General

DATE: July 9, 2019

REPLY TO:

ATTN OF:

(b)(6) (b)(7)(C)

SUBJECT: Closing memorandum for OIG Case 18-0059-J

TO: (b)(6) (b)(7)(C), Acting ASAC, Region 6 Investigations

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (DOE), Office of Inspector General (OIG), Office of Investigations, Richland, Washington.

This complaint originated on July 27, 2018, when OIG agents met with (b)(6) (b)(7)(C) a DOE subcontractor employee / former DOE OIG supervisory employee. During the course of the meeting, (b)(6) (b)(7) reported employment concerns pertaining to (b)(6) (b)(7)(C) (b)(6) (b)(7) a (b)(6) (b)(7)(C), DOE Richland Operations Office (RL). Allegedly, in addition to her Federal employment, she is simultaneously employed as a Consultant under a subcontractor to Mission Services Alliance (MSA). (b)(6) (b)(7) reported that as part of her duties, she works on matters that impact MSA. (b)(6) (b)(7) expressed belief that she has been working as a Federal employee in Richland for approximately (b)(6) (b)(7)(C), and that she may have been subcontracted for consulting services since then.

(b)(6) (b)(7) stated that he first learned of this concern after he was approached by DOE Finance Division employee (b)(6) (b)(7)(C). Reportedly, (b)(6) (b)(7) and (b)(6) (b)(7), another DOE Finance employee, were conducting invoice reviews for allowable costs focusing on a sample of MSA's consulting costs when they observed an invoice for (b)(6) (b)(7)(C) consulting services in the process. (b)(6) (b)(7) did not have knowledge on the specific time frame or the amount of the invoice, but advised that he had seen the invoice which listed her name as a consultant.

The case was opened on August 9, 2018. During the course of the investigation, OIG agents interviewed (b)(6) (b)(7)(C) DOE Finance, (b)(6) (b)(7)(C), DOE Office of Chief Counsel, (b)(6) (b)(7)(C), (b)(6) (b)(7)(C), and Ms. (b)(6) (b)(7)(C).

Ultimately, the results of the interviews and a review of relevant documents failed to substantiate that Ms. (b)(6) (b)(7)(C) violated 18 U.S.C. 208 (Financial Conflict of Interest). In 2007, Ms. (b)(6) (b)(7)(C) sought and obtained approval to engage in outside employment with Applied Geotech Engineering and Construction (AGEC) from DOE's Office of Chief Counsel. She also listed AGEC on her Annual Confidential Financial Disclosure form (OGE-450) every year. In June of 2018, an issue was presented to DOE's Office of Chief

Counsel concerning the fact that AGECE had a subcontract with MSA that Ms. (b)(6) (b)(7)(C) performed work on. In her capacity as (b)(6) (b)(7)(C) DOE-RL, Ms. (b)(6) (b)(7)(C) has no supervisory authority and is not responsible for reviewing and/or approving Hanford Site contractor invoices. The DOE Finance Oversight Team is responsible for reviewing and approving invoices. Ms. (b)(6) (b)(7)(C) is primarily responsible for ensuring that Hanford Site contractor financial statements are DOE compliant. The majority of her work in this area involves (b)(6) (b)(7)(C). After reviewing all of the facts and after consultation with DOE-HQ, Ms. (b)(6) (b)(7)(C) was provided ethics guidance by the Office of Chief Counsel to refrain from further work with AGECE. Specifically, Ms. (b)(6) (b)(7)(C) was provided this guidance because of the sensitivity associated with the Finance Department's review of contractor and subcontract invoices. On June 30, 2018, Ms. (b)(6) (b)(7)(C) contacted (b)(6) (b)(7)(C) (b)(6) (b)(7)(C), by telephone and terminated her employment.

Considering all of the facts and information outlined above, I recommend case closure at this time.

(b)(6) (b)(7)(C)
X
(b)(6) (b)(7)(C) Special Agent

7/9/2019

X (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C)
Signed by (b)(6) (b)(7)(C)

Concur.
Case 18-0059-I is closed.

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Number	Title	Current Status	Current Status Date
18-0069-I	(b)(5) (b)(7) (C) Child Pornography; WAPA	Closed	05Sep2018

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Department of Energy
Washington, DC 20585

February 7, 2019

MEMORANDUM FOR (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)
CYBER INVESTIGATIONS & FORENSIC ANALYSIS

FROM: (b)(6),(b)(7)(C)

SUBJECT: Case Closing Summary (OIG File No. 18-0070-1)

This memorandum served to recommend closure of an investigation conducted by the U.S. Department of Energy, Office of Inspector General (OIG), Office of Investigations, Cyber Investigations & Forensic Analysis (CIFA).

On September 4, 2018, (b)(6),(b)(7)(C) Bernalillo County Sheriff's Office (BCSO), contacted the DOE OIG regarding a Search Warrant served at the home of (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) Office of Secure Transportation (OST), National Nuclear Security Administration (NNSA), DOE, Albuquerque, NM. (b)(6),(b)(7)(C) explained the search warrant was based on allegations a Yahoo! online messaging account linked to (b)(6),(b)(7)(C) residence contained possible child pornography. In addition, child pornography images were believed to be associated with a mobile phone belonging to (b)(6),(b)(7)(C).

When notified of the allegations, (b)(6),(b)(7)(C) CIFA, OIG, DOE, Albuquerque, NM collected a U.S. Government (USG) mobile phone, desktop computer assigned to (b)(6),(b)(7)(C) as well as email and data files associated with (b)(6),(b)(7)(C) USG computer accounts. No child pornography materials or otherwise inappropriate materials were found. Discussions with OST personnel revealed (b)(6),(b)(7)(C) USG mobile phone was a highly restricted device used only during vehicle convoy operations. (b)(6),(b)(7)(C) did not have physical access to the device except during those operations. Further, during convoy operations, (b)(6),(b)(7)(C) were permitted to also carry a personal mobile phone. Given these facts, there was no reason to believe the USG mobile phone used by (b)(6),(b)(7)(C) would contain any evidence of a crime.

(b)(6),(b)(7)(C) OST, NNSA, DOE, Albuquerque, NM reported (b)(6),(b)(7)(C) was placed on administrative leave pending the outcome of the BCSO investigation. (b)(6),(b)(7)(C) reported he would address (b)(6),(b)(7)(C) employment and security clearance status as the investigation and subsequent legal proceedings developed.

Given a lack of evidence DOE computer/network resources were used to commit a crime, this investigation was recommended for closure as all prudent investigative activities were completed and further expenditure of investigative resources was not warranted.

Please contact (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) via telephone at (505) (b)(6),(b)(7)(C) or via email at (b)(6),(b)(7)(C)@doe.gov should you have questions regarding this matter.

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Department of Energy
Washington, DC 20585

November 12, 2019

MEMORANDUM FOR (b)(6),(b)(7)(C)
CYBER INVESTIGATIONS & FORENSIC ANALYSIS

FROM: (b)(6) (b)(7)(C) (b)(6) (b)(7)(C)

SUBJECT: Case Closing Summary (OIG File No. 18-0037-I)

This memorandum served to recommend closure of an investigation conducted by the U.S. Department of Energy, Office of Inspector General (OIG), Office of Investigations, Cyber Investigations & Forensic Analysis (CIFA).

On April 13, 2018, (b)(6) (b)(7)(C) was contacted by (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) for National Energy Technology Laboratory (NETL) – Morgantown, WV, about a possible case of child pornography by an employee of the site (b)(6),(b)(7)(C).

Analysis of (b)(6),(b)(7)(C) records indicated the Internet browsing of pornography was likely being performed by (b)(6),(b)(7)(C) a Federal employee at NETL. (b)(6),(b)(7)(C) worked at the NETL Morgantown, WV Site as a (b)(6),(b)(7)(C). Several search terms located on the (b)(6),(b)(7)(C) appear to be indicative of searching for child pornography.

Review of the browsing history from user (b)(6) (b)(7)(C) between April 12, 2018 and April 13, 2018, identified 1,340 attempts to access content blocked by the Department of Energy network filter. Many of the URLs attempted relate to nudism. The network logs identified 12,008 successful connections to (b)(6),(b)(7)(C) for the same time period. These connections correspond with Bing Image searches, which included terms associated with child pornography, identified during a forensic review of the desktop computer assigned to (b)(6),(b)(7)(C).

On May 2, 2018, a search warrant was issued for (b)(6) (b)(7)(C) office, located on NETL property, by a Magistrate Judge for the Western District of West Virginia.

Continuing on May 2, 2018, at approximately 1816 hours, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) conducted a search of (b)(6),(b)(7)(C) office, located in (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) on the NETL Morgantown, WV site. As a result of the search, one desktop computer and one USB flash drive were imaged.

On May 3, 2018, (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) conducted an interview of (b)(6),(b)(7)(C) at the NETL in Morgantown, WV. (b)(6),(b)(7)(C) was advised the interview was voluntary and was provided with a copy of The Department OIG Federal Employee Warning and Assurances Voluntary Disclosure Form, which Mr. (b)(6),(b)(7)(C) read and acknowledged by signing. During the interview, (b)(6),(b)(7)(C) admitted to searching for material containing child pornography using his Government issued computer.

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On May 23, 2018, an Information was issued for (b)(6), (b)(7)(C) by the United States Attorney's Office, Western District of West Virginia.

On April 24, 2019, (b)(6), (b)(7)(C) pled guilty to one count of 18 USC 2252a, Certain Activities Relateing to Material Constituting or Containing Child Pornography.

On October 23, 2019, (b)(6), (b)(7)(C) was sentenced to incarceration of one year and one day, followed by five years of supervised release. (b)(6), (b)(7)(C) was also required to register as a Sex Offender with the District.

Due to the conviction and sentencing being completed, there are no further investigative or judicial actions needed by the OIG. It is recommended that this case be closed.

Note: Case was placed in "Open; Pending External Action" on November 7, 2018, thus making quarterly file reviews unnecessary. There were no file reviews from July 24, 2019 to the close date of November 12, 2019.

Please contact SA (b)(6), (b)(7)(C) via telephone at (859) (b)(6), (b)(7)(C) or via email at (b)(6), (b)(7)(C)@oig.pppo.gov should you have questions regarding this matter.

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U.S. Department of Energy
Office of Inspector General

May 13, 2019

MEMORANDUM FOR THE CASE FILE

FROM: (b)(6), (b)(7)(C)
Eastern Field Office - Region I Investigations

TO: (b)(6), (b)(7)(C)
Region I Investigations, Eastern Field Office

SUBJECT: Closing Memorandum for OIG Investigation 18-0031-I

The purpose of this memorandum is to document closure of (OIG Case No. 18-0031-I).

ALLEGATION

On February 1, 2018, the U.S. Department of Energy (DOE), Office of Inspector General (OIG) received a referral from the U.S. Department of Defense, OIG involving an anonymous complainant who alleged a DOE employee, (b)(6), (b)(7)(C), employed (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), to assist her with classified and nuclear work-related matters. It was reported that on days (b)(6), (b)(7)(C), teleworked, (b)(6), (b)(7)(C), signed in and completed classified work for (b)(6), (b)(7)(C). It was also alleged that (b)(6), (b)(7)(C), bragged about access to nuclear documents. This case was referred to DOE Counterintelligence (IN-20) who determined that (b)(6), (b)(7)(C) did not have regular and ongoing access to classified or nuclear material in her capacity as a contracting officer (CO). (b)(6), (b)(7)(C) was identified as a contracting officer for the Defense Information Systems Agency (DISA).

POTENTIAL STATUTORY OR REGULATORY VIOLATIONS

This investigation focused on alleged violations of 18 U.S. Code § 1905 – Disclosure of Confidential Information, 18 USC § 2701 – Unlawful Access to Stored Communications, and 41 USC § 423 – Procurement Integrity.

INVESTIGATIVE FINDINGS

The OIG did not substantiate the allegations purported in the original complaint. However, a review of (b)(6), (b)(7)(C) unclassified email account revealed that since October 2010, she shared a minimum of 20 Department procurement sensitive documents via email with (b)(6), (b)(7)(C) doing so as recently as 2017. These documents included draft

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modifications of contracts, pre- negotiation plans, sole source justifications, requisition-type information, technical evaluations, documents containing "Unclassified//FOUO" markings, and competitive thresholds.

On certain occasions, (b)(6) (b)(7)(C) returned (b)(6) (b)(7)(C) attachments containing what appeared to be minor formatting and grammar edits on Department documents.

The OIG conducted interviews, which revealed COs are expected to be well-versed in the Procurement Integrity Act (PIA); however, it was difficult to determine (b)(6) (b)(7)(C) level of PIA awareness because there did not appear to be a repository for this training.

The OIG interviewed (b)(6) (b)(7)(C) who admitted to sending various procurement sensitive documents to (b)(6) (b)(7)(C) (b)(6) (b)(7)(C) stated her intent was to obtain (b)(6) (b)(7)(C) guidance and input based upon (b)(6) (b)(7)(C) experience as a CO. (b)(6) (b)(7)(C) explained that she and (b)(6) (b)(7)(C) never received any financial benefits for removing procurement sensitive documents from Department networks, nor did they release the information to any foreign governments, companies doing business with the federal government, or other unauthorized personnel.

(b)(6) (b)(7)(C) was adamant that she never allowed (b)(6) (b)(7)(C) to sign into her computer in order to complete any Department work. Her classified account was deemed inactive; however, it was determined (b)(6) (b)(7)(C) coordinated with individuals within the Office of Intelligence and Counterintelligence (IN) to send classified emails in a Sensitive Compartmented Information Facility (SCIF) on her behalf via the hardware abstraction layer (HAL) network. These emails were sent for procurement purposes.

(b)(6) (b)(7)(C) stated she did not know exactly what types of documents could not be released outside of the Department despite being a CO with a Federal Acquisition Certification in Contracting (FAC-C) Level III designation and having received training on the PIA. During the interview, (b)(6) (b)(7)(C) also expressed confusion with why certain draft counterintelligence and cybersecurity documents might be considered sensitive.

The OIG also interviewed (b)(6) (b)(7)(C) who provided no information contrary to (b)(6) (b)(7)(C) statements.

INVESTIGATIVE OUTCOMES

On January 23, 2019, the OIG issued an Investigative Report to Management (IRM) as a result of this investigation. The IRM was directed to the (b)(6) (b)(7)(C) Office of Headquarters Procurement Services, Acquisition Management, Office of Management (MA-642), making the following five recommendations:

1. Determine if any administrative actions are warranted against (b)(6) (b)(7)(C)
2. Develop a mechanism to track the recurring training of the PIA, to include a process for obtaining COs' signatures as acknowledgement of the material;
3. Ensure appropriate markings are used on all Official Use Only (OUO) emails and documents, in accordance with DOE

- Order 471.3;
4. Develop a standardized method for COs to be held accountable for preventing the release of procurement sensitive information as it pertains to each contract, potentially through the use of Non-Disclosure Agreements; and
 5. Ensure that COs working on classified projects have access to their own classified accounts for accountability and oversight purposes.

On February 22, 2019, the [REDACTED] Office of Headquarters Procurement Services, provided written response determining no administrative actions against [REDACTED] were warranted, and upholding the four remaining recommendations.

RECOMMENDATION

This case is being recommended for closure as the complainant's claims of unauthorized disclosure of confidential information, and unlawful access to stored communications were unsubstantiated. Investigative steps taken in this case determined an Investigative Report to Management recommending changes and improvements to training and internal controls was the most appropriate course of action.

Should you have any questions, please do not hesitate to call me at 202-586-[REDACTED]

[REDACTED]

Eastern Field Office
Office of Inspector General

[REDACTED]

Concur:

[REDACTED]

Eastern Field Office
Office of Inspector General



Department of Energy

Washington, DC 20585

March 22, 2018

VIA ELECTRONIC MAIL AND
U.S.MAIL

(b)(6) (b)(7)(C)

Re: Retaliation Complaint of (b)(6) (b)(7)(C) against
Fermi National Accelerator Laboratory, OIG Case
No. 18-0151-C/18-0004-W

Dear Mr. (b)(6) (b)(7)(C):

This letter is in reference to the whistleblower retaliation complaint you filed with the U.S. Department of Energy (DOE), Office of Inspector General (OIG), pursuant to Title 41, United States Code, Section 4712, "Enhancement of contractor protection from reprisal for disclosure of certain information" (Section 4712).

We carefully analyzed the materials you provided in your complaint as well as the supporting documentation you provided to our office. Based upon the available information, we have determined that the OIG will not open an inquiry into this matter as the available facts do not support a Section 4712 investigation and these matters are more appropriately addressed in another forum.

You may want to consider taking your allegations to another office within DOE with jurisdiction to address the specific concerns you have raised. Those agencies include the Department of Energy, Contractor Employee Protection Program (10 CFR Part 708).

If you have additional information you would like us to consider, or if your circumstances change, please feel free to contact our Hotline at: IGHOTline@hq.doe.gov, or 800-541-1625.

Sincerely,

(b)(6) (b)(7)(C)

Assistant Inspector General for
Investigations



Department of Energy

Washington, DC 20585

April 30, 2018

VIA ELECTRONIC MAIL AND
U.S.MAIL

(b)(6) (b)(7)(C)

Re: Retaliation Complaint of (b)(6) (b)(7)(C) against
Los Alamos National Laboratory, OIG Case No. 18-
0270-C/18-0008-W

Dear Ms (b)(6) (b)(7)(C):

This letter is in reference to the whistleblower retaliation complaint you filed with the U.S. Department of Energy (DOE), Office of Inspector General (OIG), pursuant to Title 41, United States Code, Section 4712, "Enhancement of contractor protection from reprisal for disclosure of certain information" (Section 4712).

We carefully analyzed the materials you provided in your original complaint as well as the supporting documentation you provided to our office. Based upon the available information, we have determined that the OIG will not open an inquiry into this matter as the available facts do not support a Section 4712 investigation and these matters are more appropriately addressed in another forum.

You may want to consider taking your allegations to another office within DOE with jurisdiction to address the specific concerns you have raised. Those agencies include the Department of Energy, Contractor Employee Protection Program (10 CFR Part 708).

If you have additional information you would like us to consider, or if your circumstances change, please feel free to contact our Hotline at: IGHOTline@hq.doe.gov, or 800-541-1625.

Sincerely,

(b)(6) (b)(7)(C)

Assistant Inspector General for
Investigations



Department of Energy

Washington, DC 20585

August 20, 2018

VIA ELECTRONIC MAIL AND
U.S.MAIL

(b)(6) (b)(7)(C)

Re: Retaliation Complaint of (b)(6) (b)(7)(C) against
Lawrence Livermore National Laboratory, OIG Case
No. 18-0404-C/18-0013-W

Dear (b)(6) (b)(7)(C):

This letter is in reference to the whistleblower retaliation complaint you filed with the U.S. Department of Energy (DOE), Office of Inspector General (OIG), pursuant to Title 41, United States Code, Section 4712, "Enhancement of contractor protection from reprisal for disclosure of certain information" (Section 4712).

We carefully analyzed the materials you provided in your original complaint as well as the supporting documentation you provided to our office. Based upon the available information, we have determined that the OIG will not open an inquiry into this matter as the available facts do not support a Section 4712 investigation. We have also reviewed the decision by the Office of Hearings and Appeals. We believe the OHA report is a thorough review of your case and do not see cause to reconsider their findings.

If you have additional information you would like us to consider, or if your circumstances change, please feel free to contact our Hotline at: IGHOTline@hq.doe.gov, or 800-541-1625.

Sincerely,

(b)(6) (b)(7)(C)

Assistant Inspector General for
Investigations



U.S. Department of Energy
Office of Inspector General

July 9, 2018

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Region 3 Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0009-I

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (DOE), Office of Inspector General (OIG), Office of Investigations, Region 3 Investigations.

As background, the investigation was predicated upon a complaint made to the OIG by (b)(6) (b)(7)(C) of the Oak Ridge Police Department (ORPD). (b)(6) (b)(7)(C) informed the Oak Ridge Investigations office of a complaint he received from Ms. (b)(6) (b)(7)(C) a Y-12 Security Complex (Y-12) contract employee who claimed she had been harassed and stalked at work. Specifically, Ms. (b)(6) (b)(7)(C) alleged someone on the Y-12 complex used a Facebook account to send her harassing messages.

The ORPD identified the IP address used to send the messages to Ms. (b)(6) (b)(7)(C) and tracked it to Mr. (b)(6) (b)(7)(C). At the onset of the investigation, Mr. (b)(6) (b)(7)(C) worked as a (b)(6) (b)(7)(C) for ARS Aleut, performing remediation work.

On November 6, 2017, the case agent and ORPD conducted an interview of Mr. (b)(6) (b)(7)(C) during which he made a full confession and provided a sworn statement admitting to the alleged behavior. As a result of the investigation, Mr. (b)(6) (b)(7)(C) site access badge was collected and his access to Y-12 was restricted.

On November 8, 2017, ORPD filed an affidavit of complaint against Mr. (b)(6) (b)(7)(C) on the offense of stalking, "Tennessee Code Annotated 39-17-315," with a demand to appear in Anderson County Tennessee General Sessions Court, Division II. A court hearing was scheduled for May 3, 2018. Ultimately, the charges against Mr. (b)(6) (b)(7)(C) were dismissed upon payment of court costs, no further trouble and no contact with the victim. Mr. (b)(6) (b)(7)(C) record was expunged upon dismissal.

The DOE OIG case is requested to be closed, as there are no further investigative or administrative steps needed to be taken by the DOE OIG.

(b)(6) (b)(7)(C)
Digitally signed by
(b)(6) (b)(7)(C)
Date: 2018.07.09
15:15:39 -04'00'

(b)(6) (b)(7)(C)
Special Agent

Concur:

(b)(6) (b)(7)(C)
(b)(6) (b)(7)(C)



Department of Energy
Washington, DC 20585

September 27, 2018

MEMORANDUM FOR THE CASE FILE

FROM: (b)(6) (b)(7)(C)
Special Agent
Region I Investigations

TO: (b)(6) (b)(7)(C)
Region I Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0027-1

The purpose of this memorandum is to document closure of OIG Case No. 18-0027-1.

ALLEGATION

On January 18, 2018, the Federal Bureau of Investigation (FBI) contacted this office concerning (b)(6) (b)(7)(C), incoming (b)(6) (b)(7)(C) (b)(6) (b)(7)(C) reportedly made approximately \$2 million in wire payments to a Kazakhstan citizen, (b)(6) (b)(7)(C) in France in 2013. It is believed these payments were used to pay for (b)(6) (b)(7)(C) living quarters at a villa in France. (b)(6) (b)(7)(C) is the (b)(6) (b)(7)(C), who is (b)(6) (b)(7)(C) long term girlfriend and cohabitant. (b)(6) (b)(7)(C) has reportedly been a fugitive from the Kazakhstan government since (b)(6) (b)(7)(C). The FBI requested potential assistance on the case.

POTENTIAL STATUTORY OR REGULATORY VIOLATIONS

This investigation focused on alleged violations of 18 U.S. Code § 1956 - Laundering of monetary instruments.

INVESTIGATIVE FINDINGS

Obtained and reviewed the (b)(6) (b)(7)(C) personnel information via DOEinfo. The review revealed that (b)(6) (b)(7)(C) began working as the (b)(6) (b)(7)(C) on (b)(6) (b)(7)(C). A review on DOEinfo on June 26, 2018, revealed that (b)(6) (b)(7)(C) separated from the Department on (b)(6) (b)(7)(C). (b)(6) (b)(7)(C)

INVESTIGATIVE OUTCOMES

(b)(6) (b)(7)(C) separated from the Department and from Federal service on (b)(6) (b)(7)(C). As a result, the FBI advised that Department assistance in this case was no longer needed.

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RECOMMENDATION

This case is recommended for closure as there is no longer any Department nexus to the FBI investigation. Should you have any questions, please do not hesitate to call me at 202-586-(b)(6)
(b)(7)(C).

(b)(6) (b)(7)(C) Digitally signed by (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C) Date: 2018.09.27 17:35:02 -0400

Special Agent
 Region 1 Investigations
 Eastern Field Office
 Office of Inspector General

Concur: (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C)
(b)(6) (b)(7)(C)

Region 1 Investigations
 Eastern Field Office
 Office of Inspector General

~~OFFICIAL USE ONLY~~



Department of Energy
Washington, DC 20585

March 29, 2019

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Region 2 Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0073-I

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (Department), Office of Inspector General (OIG), Office of Investigations, Region 2 Investigations.

As background, the investigation was predicated upon information provided by the U.S. Army, Criminal Investigation Division that Edgar J Hosey, Materials Management Coordinator, MOX Services, LLC, Savannah River Site, Aiken, SC, was involved in a scheme with David P. Dempsey, an inmate at Perry Correction Institute in South Carolina, where Dempsey directed Hosey to receive extorted funds, sent in Hosey's name, on Dempsey's behalf. As part of the scheme, an Army Soldier was contacted by a female named "Katie" on the social network Plenty of Fish stating she was 20 years old. "Katie" encouraged the exchange of nude photos of themselves and then informed the Soldier that she was 16 years old. Following the exchange, the Soldier was contacted by a person claiming to be Katie's father. The father reported to the Soldier that Katie cut herself when she broke her computer and demanded \$1,100 to fix the computer or he would contact the police and report the nude photograph exchange. The Soldier subsequently submitted \$1,100, in two payments, to Hosey at Dempsey's request. Hosey further participated in additional instances of receipt of extorted funds on behalf of Dempsey.

This case is originated as a joint investigation with Army CID, NCIS, AFSOI, IRS-CID as part of a Joint Counter-Extortion Task Force.

In summary, the OIG investigation identified that Hosey participated in the scheme to extort soldiers for money and served as a "mule" byway of receiving and transferring funds as part of a larger criminal enterprise. On November 14, 2018, Hosey was indicted with one count of Conspiracy to Commit Wire Fraud in violation of 18 USC 1343 and 1349, and one count of Money Laundering in violation of 18 USC 1956(h). On December 13, 2018, Hosey pled not-guilty plea in Federal District Court and was released on \$25,000 bond.

~~OFFICIAL USE ONLY~~

In light of these investigative findings, this matter is being recommended for closure as all prudent investigative activities are complete and further expenditure of investigative resources by the OIG is not warranted.

(b)(6) (b)(7)(C)

X

(b)(6) (b)(7)(C)

Special Agent

(b)(6) (b)(7)(C)

X

Concurrence

(b)(6) (b)(7)(C)



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U.S. Department of Energy
Office of Inspector General

Sep 13, 2018

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Region 7 Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0038-1

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (Department), Office of Inspector General (OIG), Office of Investigations, Region 7 Investigations.

On April 19, 2018, Mr. (b)(6) (b)(7)(C) (b)(6) (b)(7)(C), Western Area Power Administration (WAPA) contacted the OIG to report an allegation his office received regarding an alleged rape that occurred during work hours on April 19, 2018 at the Western Area Power Administration's Desert Southwest Regional office in Phoenix, AZ. According to Mr. (b)(6) (b)(7)(C) the victim, Ms. (b)(6) (b)(7)(C) a WAPA GS-12 employee reported to WAPA management that she was raped by Mr. (b)(6) (b)(7)(C) WAPA's (b)(6) (b)(7)(C), and a member of the Senior Executive Service (SES).

Mr. (b)(6) (b)(7)(C) also notified the OIG that the incident was also reported to the Department's Office of Corporate Executive Management, the Federal Protective Service (Incident: 18016192) and the Phoenix Police Department (PD), which opened a criminal investigation (IR-201800000686394) into the matter jointly with the Federal Bureau of Investigation (FBI).

The OIG conducted a forensic examination of Mr. (b)(6) (b)(7)(C) and Ms. (b)(6) (b)(7)(C) government emails. The OIG determined that no emails were exchanged between the individuals between May 1, 2017 and May 1, 2018.

The OIG was notified by the Phoenix PD the criminal investigation was closed and the investigation was unable to substantiate the allegation.

On August 29, 2018, Mr. (b)(6) (b)(7)(C) informed the OIG that Mr. (b)(6) (b)(7)(C) had voluntarily resigned from federal service in July, 2018.

This matter is being recommended for closure as all prudent investigative activities are complete.

(b)(6) (b)(7)(C)
Digitally signed by (b)(6) (b)(7)(C)
Date: 2018.09.13 17:19:50
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Concur (b)(6) (b)(7)(C)
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~~OFFICIAL USE ONLY~~



U.S. Department of Energy
Office of Inspector General

November 9, 2018

MEMORANDUM

FROM: Special Agent (b)(6) (b)(7)(C)

TO: (b)(6) (b)(7)(C)
Region 4 Investigations

SUBJECT: Closing Memorandum for OIG Investigation 18-0061-I

This memorandum serves to recommend closure of an investigation conducted by the U.S. Department of Energy (Department) Office of Inspector General (OIG), Office on Investigations (OI), Region 4 Investigations.

As background, the investigation was predicated on information provided by the OIG's Office of Audits (OA) that through their inspection related to a State of NM Audit Report (Report), allegations of DOE grant funds received by the Regional Coalition of LANL Communities (RCLC) may have been used to pay for prohibited lobbying activities between July 1, 2014 and June 30, 2018. OI opened and assigned this investigation in conjunction with OIG OA as a result of potential criminal statutory violations.

This Report, among other items, alleged that the RCLC received a \$300,000 DOE grant, and some of those funds were used to pay for lobbying activities for (b)(6) (b)(7)(C) (b)(6) (b)(7)(C). The Report was unable to indicate any specific expenditures related to prohibited activities or other significant fraudulent activity.

OA advised OI that they were pursuing all unallowable costs under grant DE-EM0003780. OA explained that any costs that the RCLC could not provide expenses for, or that were unallowable under the terms of the grant, to include alleged costs claimed for prohibited lobbying activities, would be questioned and included in their recommended recovery amount.

After review of the information provided, it is not recommended that OI pursue this matter for the following reasons:

- Not sufficient evidence of chargeable criminal statute. Ms. (b)(6) (b)(7)(C) did not submit the original proposal to DOE for grant DE-EM0003780.
- OA could not provide specific detail as to how much Ms. (b)(6) (b)(7)(C) claimed for alleged prohibited lobbying activities, only the total amount claimed by Ms. (b)(6) (b)(7)(C) for all services provided.
- OA is pursuing administrative action for all unallowable costs, to include alleged prohibited lobbying activities by the RCLC.

As a result, this matter is being recommended for closure as all prudent investigative activities are complete and further expenditure of investigative resources is not warranted.

(b)(6) (b)(7)(C)
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Date: 2018.11.09 09:21:36
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(b)(6) (b)(7)(C)
Special Agent

(b)(6) (b)(7)(C)
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Concur

(b)(6) (b)(7)(C)

OFFICIAL USE ONLY