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Description of document:	Selected Department of Defense (DoD) Office of Inspector General (OIG) Investigations Closed in Recent Years
Requested date:	13-January-2025
Release date:	30-July-2025
Posted date:	11-August-2025
Source of document:	FOIA Request Department of Defense Office of Inspector General ATTN: FOIA Requester Service Center, Suite 10B24 4800 Mark Center Drive Alexandria, VA 22350-1500 Facsimile: (571) 372-7498 Email: foiarequests@dodig.mil FOIA.gov

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INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

INFO MEMO

June 5, 2023

FOR: SECRETARY OF DEFENSE

DepSecDef Action _____

FROM: Robert P. Storch, Inspector General 

SUBJECT: Release of Inspector General Report, "Report of Investigation: Former Principal Deputy and Acting Assistant Secretary of Defense for International Security Affairs," June 7, 2023

- **Purpose.** To inform you of the release of the subject report of investigation regarding allegations of misconduct against Mr. Michael Cutrone, former Principal Deputy and Acting Assistant Secretary of Defense for International Security Affairs.
- As detailed in the report, the Department of Defense Office of Inspector General (DoD OIG) substantiated allegations that Mr. Cutrone failed to treat subordinates with dignity and respect, negatively affecting readiness, mission accomplishment, trust, and organizational cohesion within his office; and that he created an intimidating, hostile, and offensive work environment for his subordinates. Additionally, we substantiated the allegation that Mr. Cutrone consumed alcohol with his subordinates in the Pentagon without authorization.
- Mr. Cutrone resigned from Government service on January 14, 2021. We recommend that a copy of the report be placed in Mr. Cutrone's personnel file.
- As the DoD OIG recently has seen a number of allegations related to the consumption of alcohol in the Pentagon, we also recommend that the Washington Headquarters Services Director update, re-issue, and publicize guidance contained in the 2016 memorandum, "Control of Alcoholic Beverages on the Pentagon Reservation and in Leased Facilities in the National Capital Region (NCR)."
- The unredacted report at TAB A is designated Controlled Unclassified Information. We will provide the redacted report at TAB B to the appropriate congressional committees on June 6, 2023. We will post the redacted report on the DoD OIG public website on June 7, 2023. We request that you not further distribute or release information from the report until then.

Attachments:

TAB A – Unredacted Report

TAB B – Redacted Report

RECEIVED ON

JUN 05 2023

DoD OIG ExecSec

cc:

General Counsel of the Department of Defense

Prepared by: Marguerite C. Garrison, Administrative Investigations

Phone Number: (b) (6), (b) (7)(C)

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

Controlled by: DoD OIG
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 CUI Category: PRIG/INV/WHSTL
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OFFICE OF INSPECTOR GENERAL

DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

7 June 2023

Mr. Michael Cutrone

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

Reston, VA 20195

(sent via e-mail to counsel (b) (6), (b) (7)(C) @averydooley.com)

Dear Mr. Cutrone:

We have completed an investigation to address allegations that, while serving as Acting Assistant Secretary of Defense (International Security Affairs) (ASD [ISA]) and Principal Deputy ASD (ISA), you created a hostile work environment and failed to treat subordinates with dignity and respect. Our investigation also addressed the allegation that you consumed alcohol in the Pentagon with your subordinates without authorization.

By letter dated January 23, 2023 we gave you the opportunity to comment on the preliminary results of our investigation. In your response, dated February 13, 2023, you disagreed with our findings and asked us to reexamine our evidence and adjust portions of the preliminary report of investigation. After reviewing the documents you provided, we stand by our conclusions.

Thank you for your cooperation during the investigation and your timely response to the preliminary results of our investigation. We provided the Secretary of Defense a copy of the report.

We will publish a redacted version of the final report on our public website on June 7, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C),
(b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C)

Sincerely,

GARRISON.MARGUERITE.CHERYL
TE.CHERYL (b) (6), (b) (7)(C)

Digitally signed by
GARRISON.MARGUERITE.CHERYL.
(b) (6), (b) (7)(C)

4

Date: 2023.06.07 08:24:45 -04'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



~~CUI~~

INSPECTOR GENERAL

U.S. Department of Defense

AUGUST 01, 2023



Report of Investigation:

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

~~Controlled by: DoD OIG~~

~~Controlled by: AI, Investigations of Senior Officials Directorate~~

~~CUI Category: PRIIG/INV/WHSTL~~

~~Distribution/Dissemination Control: FEDCON~~

~~POC: (b) (6), (b) (7)(C)~~

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REPORT OF INVESTIGATION:

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

Introduction and Summary

Complaint Origin and Allegations

The DoD Office of Inspector General (DoD OIG) received a complaint on April 4, 2022, that contained numerous allegations against the (b) (6), (b) (7)(C)

After reviewing the complaint, the DoD OIG initiated an investigation on June 23, 2022, into allegations that (b) (6), (b) (7)(C):

- traveled to San Juan, Puerto Rico, in (b)(6), (b)(7)(C) on military aircraft and official Government travel orders for primarily personal reasons;
- personally contacted, or directed members of his staff to contact, the White House Military Office (WHMO) for personal access to seats in the President of the United States' box (hereafter "President's Box") at the John F. Kennedy Center for the Performing Arts (hereafter "Kennedy Center");¹ and
- forwarded, or directed his staff to forward, his friends' resumes to WHMO and applied pressure to advance their candidacies for potential Government positions.

We evaluated these misconduct allegations against the applicable standards summarized throughout this report. We present the applicable standards in Appendix A.

The complaint also alleged that (b) (6), (b) (7)(C):

- repeatedly engaged in a land swap issue and fundraising efforts for a new Navy museum in southwestern Washington, D.C.;
- used inappropriate language during a senior leaders conference;

¹ The John F. Kennedy Center for the Performing Arts, commonly referred to as the Kennedy Center, is a national cultural center located on the Potomac River in Washington, D.C. The Kennedy Center is a campus of theaters and other artistic spaces that frequently hosts concerts, musicals, plays, and other cultural events. The Kennedy Center also hosts the President of the United States and has presidential boxes located in the Concert Hall, the Opera House, and the Eisenhower Theater. For more information about the Kennedy Center, see "The Kennedy Center" (No Date Available).

- participated in an unscheduled engagement with the Ukrainian Minister of Defense while on official travel abroad; and
- requested official funds (b)(6), (b)(7)(C)

We evaluated these allegations and, based on applicable standards or the lack thereof, found either that no evidence supported the allegations or that the conduct did not violate a standard. Therefore, we did not investigate these allegations. We address these allegations in Appendix B.

The DoD OIG received a second complaint on June 18, 2022. This Complainant alleged that (b)(6), (b)(7)(C) wasted taxpayer money to take (b)(6), (b)(7)(C) and Navy staff on a trip to Australia for primarily personal reasons. The Complainant observed trip highlights posted to the Navy's official Facebook page and labeled the trip as a "vacation." After reviewing this allegation, we contacted the Complainant and requested an official interview. The Complainant was not cooperative, declined our request for an interview, and had no first-hand knowledge of the trip details; and the extent of the Complainant's knowledge of the trip was gleaned from viewing the Navy's official Facebook page. The Complainant provided no information supporting the allegation. Based on the lack of credible information, we did not investigate this allegation. We address this complaint in Appendix B.

Scope and Methodology of the Investigation

Using the information provided in the complaint, we interviewed (b)(6), (b)(7)(C) and 22 witnesses. We reviewed (b)(6), (b)(7)(C) official travel documents and the applicable standards. We reviewed 37.8 million pages of email and various other documents, including memorandums for record, calendars, travel invitations, legal opinions, and ethics guidance.

Conclusions

Misuse of Government Travel

We concluded that the primary purpose for (b)(6), (b)(7)(C) travel to San Juan, Puerto Rico, on military aircraft in January 2022 was to conduct official Navy business and did not violate applicable standards for Government travel. As (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

We found that (b)(6), (b)(7)(C) received an oral invitation from the Spanish Ambassador for (b)(6), (b)(7)(C) to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) and to meet with the King of

Spain.² The King of Spain is the Commander-in-Chief of Spain's armed forces and represents the Spanish Armed Forces in international relations functions. Prior (b) (6), (b) (7)(C) met with the King of Spain on official business because of his Commander-in-Chief role. Before traveling to meet with the King of Spain, (b) (6), (b) (7)(C) approved (b) (6), (b) (7)(C) travel itinerary and produced a justification memo for (b) (6), (b) (7)(C) accompanying him to Puerto Rico. As a (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). However, in response to a staff concern about changing the itinerary to include Puerto Rico, the (b) (6), (b) (7)(C) reviewed the trip documents while (b) (6), (b) (7)(C) trip was already in-progress, and determined the travel to Puerto Rico was official in nature. Although some of (b) (6), (b) (7)(C) staff expressed to him that in their opinions a previously scheduled visit to a U.S. shipyard should be a higher priority, (b) (6), (b) (7)(C) had the authority to determine his priorities and adjust his official travel accordingly.

We found that (b) (6), (b) (7)(C) travel to Puerto Rico and subsequent meetings with the King of Spain provided (b) (6), (b) (7)(C) the opportunity to discuss issues of joint interest to the Navy and to Spain, a North Atlantic Treaty Organization ally. Witnesses and (b) (6), (b) (7)(C) told us that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) attended the scheduled (b) (6), (b) (7)(C) events, met with the King of Spain, and visited the USS *Milwaukee* and its crew that recently had been released from coronavirus disease-2019 (COVID-19) quarantine. We found no evidence that (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) conducted personal business or engaged in tourism or recreation during the 55 hours they were in Puerto Rico. Therefore, we concluded that his travel's primary purpose was official, and we did not substantiate the allegation.

Misuse of Position or Resources

Use of the Kennedy Center President's Box

We concluded that (b) (6), (b) (7)(C) request for his staff to inquire about a Government employee Kennedy Center ticket program was not a misuse of Government resources (staff) for personal or unofficial activities and did not violate applicable standards.

We found that from prior experience (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) was familiar with a process for Government employees to obtain Kennedy Center tickets and to use the President's Box. Witnesses told us that (b) (6), (b) (7)(C) asked his staff if the program was still active. His staff coordinated with the White House liaison, who then contacted WHMO to inquire about the current

² San Juan, Puerto Rico, (b) (6), (b) (7)(C) between September 2021 and June 2022. The event, originally scheduled to take place in 2021 but delayed due to COVID-19, was held January 24 and 25, 2022, with the King of Spain, King Felipe VI, as the invited guest of honor.

ticket policy. His staff spent minimal Government time seeking information consisting of three emails and two phone calls over a 5-month period. We found no information that (b) (6), (b) (7)(C) asked his staff to obtain Kennedy Center tickets for him or that his request for them to find information about the ticket distribution program was improper.

Submitting Resumes to the White House Military Office

We found that (b) (6), (b) (7)(C) followed the guidelines in title 5 Code of (CFR) Section 2635.702, “Use of Public Office for Private Gain,” which allowed him to provide endorsements on candidate resumes for political appointments to Government positions.

We found that the applicable standard allowed endorsements to be on official letterhead with (b) (6), (b) (7)(C) signature block. We found no evidence that (b) (6), (b) (7)(C) used his position to pressure his staff or anyone at the White House to advance the candidacy of the applicant he endorsed.

Report Organization

The following sections of this report provide the detailed results of our investigation. The Background section provides background information on (b) (6), (b) (7)(C). The Analysis of the Allegations section details the allegations we investigated, our findings, and our conclusions.³ The Overall Conclusions section provides our overall conclusions, and the Recommendations section details our recommendations. We present the applicable standards in Appendix A and address other matters in Appendix B.

³ We based our conclusions on a preponderance of the evidence, consistent with our normal process and controlling authorities in administrative investigations.

Background



Analysis of the Allegations

Chronology of Significant Events

Table 1 lists the significant events related to (b) (6), (b) (7)(C) travel to Puerto Rico.

Table 1. Chronology of Significant Events

Date	Event
(b) (6), (b) (7)(C)	
Nov. 2, 2021	A (b) (6), (b) (7)(C) staff member emails the (b) (6), (b) (7)(C) draft 6-month travel plan that includes a Jan. 2022 trip to Mississippi, Florida, Alabama, and North Carolina (MS/FL/AL/NC).
Nov. 24, 2021	A (b) (6), (b) (7)(C) staff member emails a Long Range Trip Planning message to Navy staff members that includes a Jan. 2022 MS/FL/AL/NC trip.
Nov. 30, 2021	(b) (6), (b) (7)(C) attends an engagement with the Spanish Ambassador at the Spanish Embassy where, according to (b) (6), (b) (7)(C) the Spanish Ambassador invites him and (b) (6), (b) (7)(C) to attend San Juan's 500th Anniversary. After the engagement, (b) (6), (b) (7)(C) tell (b) (6), (b) (7)(C) about the invitation.
Dec. 13, 2021	The (b) (6), (b) (7)(C) coordinates with the Spanish Embassy about receiving an official written invitation for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to attend (b) (6), (b) (7)(C).
Jan. 10, 2022	The (b) (6), (b) (7)(C) sends an email to a Puerto Rican military official regarding (b) (6), (b) (7)(C) invitation, details about the event, and "how (b) (6), (b) (7)(C) could best support His Majesty the King [King of Spain] in Puerto Rico during this important and historic visit."
Jan. 11, 2022	A member of the Office of the Secretary of Defense's Country Director for Spain, Portugal, and Malta coordinates with the U.S. Department of State regarding (b) (6), (b) (7)(C) travel to Puerto Rico and a potential meeting with the King of Spain.
Jan. 21, 2022	The (b) (6), (b) (7)(C) receives the official printed invitation from the office of the Governor of Puerto Rico for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to attend (b) (6), (b) (7)(C).
Jan. 21, 2022	The Spanish Ambassador emails the (b) (6), (b) (7)(C) printed invitations for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to attend the state dinner for the King of Spain on Jan. 24, 2022, in Puerto Rico.
Jan. 21, 2022	The (b) (6), (b) (7)(C) staff starts changing the (b) (6), (b) (7)(C) originally planned travel to MS/AL/FL/NC by adding San Juan, Puerto Rico, as his first stop.
Jan. 21, 2022	A (b) (6), (b) (7)(C) staff member emails Navy staff asking for guidance on how to change the originally planned trip to MS/AL/FL/NC and on how to add a stop in Puerto Rico.
Jan. 21, 2022	(b) (6), (b) (7)(C) signs a justification memorandum and attaches it to a Defense Travel Authorization for (b) (6), (b) (7)(C) to accompany him on invitational travel orders aboard a military aircraft to Puerto Rico.

Date	Event
Jan. 21, 2022	A (b) (6), (b) (7)(C) staff member emails the Navy staff version 4 of the Jan. 24 through 28, 2022, Puerto Rico/MS/AL/NC trip planning book intended to be the final version.
Jan. 22, 2022	The (b) (6), (b) (7)(C) drafts an information memorandum containing read-ahead materials for (b) (6), (b) (7)(C) travel to Puerto Rico.
Jan. 24, 2022	(b) (6), (b) (7)(C) supported by the (b) (6), (b) (7)(C) and other Navy staff members, travel to Puerto Rico aboard military aircraft to attend (b) (6), (b) (7)(C) events and meet with the King of Spain.
Jan. 24, 2022	(b) (6), (b) (7)(C) attends the arrival reception for the King of Spain.
Jan. 24, 2022	(b) (6), (b) (7)(C)
Jan. 25, 2022	(b) (6), (b) (7)(C)
Jan. 25, 2022	In response to staff concerns about travel to Puerto Rico, the (b) (6), (b) (7)(C) for Ethics reviews (b) (6), (b) (7)(C) January 21 pre-travel documents and determines that (b) (6), (b) (7)(C) trip to Puerto Rico is for official purpose.
Jan. 25, 2022	(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) attend a state dinner sponsored by the Government of Puerto Rico to honor the King of Spain.
Jan. 26, 2022	(b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) depart Puerto Rico via a commercial airline for Washington, D.C., with (b) (6), (b) (7)(C) ticket purchased using personal funds.
Jan. 26, 2022	(b) (6), (b) (7)(C) and staff members depart Puerto Rico and continue his planned travel via military aircraft to MS/AL/NC.
Jan. 28, 2022	(b) (6), (b) (7)(C) and staff members return to Washington, D.C., via military aircraft.

Source: The DoD OIG.

A. Misuse of Government Travel

The complaint alleged that (b) (6), (b) (7)(C) used official travel and military aircraft to visit Puerto Rico when the purpose of that travel was for primarily personal reasons. According to the complaint, (b) (6), (b) (7)(C) changed his January 2022 travel itinerary for scheduled official visits to locations in Mississippi, Alabama, Florida, and North Carolina by dropping the stop in Florida and adding a stop in San Juan, Puerto Rico. Adding the stop in Puerto Rico enabled (b) (6), (b) (7)(C) attend (b) (6), (b) (7)(C) and visit with the King of Spain, Filipe IV, the event's guest of honor. Some members of (b) (6), (b) (7)(C) staff questioned the Puerto Rico stop's value to the Navy and raised concerns to (b) (6), (b) (7)(C) that it would create the wrong appearance in light of other emerging Navy issues elsewhere.

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

During our review of email, we reviewed an undated and untitled Navy document that listed (b) (6), (b) (7)(C) "Potential Trips," and "Long Range" calendar events. The

first priority under (b) (6), (b) (7)(C)” included a visit to a shipyard in Mississippi and visits to two shipyards in Alabama. It also listed a visit to Camp Lejeune/New River Air Station, Cherry Point, North Carolina. Listed under “Potential Trips” was the item “Southern Trips (2 small trips),” which included visits to shipyards in Mississippi and Alabama, Naval Air Station Pensacola, Florida, and Camp Lejeune/New River Air Station in North Carolina. An entry on the document in February with no year specified, under “Long Range,” included visits to “South Navy (MS/AL/FL/GA)” and “South USMC (NC/SC).”

We asked (b) (6), (b) (7)(C) about the priorities document, and he said that he had not seen the document before and that most likely someone on his staff created it. He said that he did not know if the document was a draft or final version.

Use of Military Aircraft for Government Travel

The [REDACTED] is a designated [REDACTED], [REDACTED] and is required to use [REDACTED], [REDACTED]
Aircraft (military aircraft) for all official travel in accordance with DoD Directive
(DoDD) 4500.56.⁴ The [REDACTED] travels with a contingent of support staff that may
include [REDACTED], [REDACTED]
[REDACTED], and [REDACTED], [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED] [REDACTED], [REDACTED], [REDACTED]
[REDACTED] is the
approval authority for Government and non-Government personnel [REDACTED], [REDACTED]
[REDACTED]. [REDACTED], [REDACTED] signs a justification
memorandum to document the requirement for [REDACTED], [REDACTED]
[REDACTED]. As [REDACTED], [REDACTED], [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Projecting (b) (6), (b) (7)(C) Travel

After (b) (6), (b) (7)(C), the (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) international engagement plan that projected (b) (6), (b) (7)(C) official travel over the course of approximately 12 months. The Navy Senior Advisor told us:

We try and forecast roughly once a quarter (b) (6), (b) (7)(C) has some form of overseas touch point with an international partner and interspersed between those overseas touch points will be CONUS-based engagements, so Washington or locally based engagement with ambassadors or other members of the diplomatic corps so that all engagement doesn't necessarily have to take place overseas. It's kind of a continuum in Washington, and overseas, and capitals.

In November 2021, the (b) (6), (b) (7)(C) staff began drafting a weekly 6-month outlook schedule for (b) (6), (b) (7)(C). A (b) (6), (b) (7)(C) staff member sent an email to another staff member on November 2, 2021, that included a draft 6-month travel plan for (b) (6), (b) (7)(C). The draft plan included travel to Pascagoula, Mississippi; Mobile, Alabama; Pensacola, Florida; and Camp Lejeune, North Carolina, from January 24 through 28, 2022. Subsequently, on November 24, 2021, a staff member sent an email to the Navy staff that contained (b) (6), (b) (7)(C) long-range travel plan. A (b) (6), (b) (7)(C) staff member told us about the draft travel plan and said its purpose was for (b) (6), (b) (7)(C) to visit as many Navy and Marine Corps locations as possible, specifically Mississippi, Alabama, Florida, and North Carolina, before the congressional posture hearings.⁵ By visiting these locations, (b) (6), (b) (7)(C) could speak to the specific issues at each location with first-hand knowledge. (b) (6), (b) (7)(C) was not scheduled to travel with him for any part of the projected Mississippi, Alabama, Florida, and North Carolina trip.

From January 11 through January 20, 2022, (b) (6), (b) (7)(C) staff members continued to plan and coordinate with the Navy staff and Navy commanders in Mississippi, Alabama, Florida, and North Carolina for (b) (6), (b) (7)(C) projected travel from January 24 through 28, 2022.

Verbal Invitation to Attend the (b)(6), (b)(7)(C)

(b) (6), (b) (7)(C) attended a lunch engagement with the Spanish Ambassador at the Spanish Embassy on November 30, 2021. During their engagement, the Spanish Ambassador invited (b) (6), (b) (7)(C) to attend the (b)(6), (b)(7)(C) in San Juan, Puerto Rico. The King of Spain, Felipe IV, who is the Commander-in-Chief of the Spanish Armed Forces, was scheduled to attend the ceremony. The (b) (6), (b) (7)(C) said that after the engagement, (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) that the Spanish Ambassador verbally invited (b)(6), (b)(7)(C) to attend the (b)(6), (b)(7)(C) as the King of Spain, Felipe IV, was scheduled to attend. (b)(6), (b)(7)(C) said:

⁵ Congressional posture hearings are meetings or sessions of a Senate, House, joint, or special committee of Congress, usually open to the public, to obtain information and opinions on proposed legislation, conduct an investigation, or evaluate/oversee the activities of a Government department or the implementation of a Federal law. In addition, hearings may also be purely exploratory in nature, providing testimony and data about topics of current interest. For additional information, see GovInfo, "Congressional Hearings" (No Date Available).

(b) (6), (b) (7)(C)], it was an opportunity to reinforce the U.S.-Spain relationship particularly on the naval side, because the [U.S.] Navy does have significant equities in Spain with four forward-deployed Navy ships

(b) (6), (b) (7)(C) confirmed to us that he met with the Spanish Ambassador at the Spanish Embassy on November 30, 2021, and that the Spanish Ambassador orally invited him to attend the (b)(6), (b)(7)(C) and meet with the King of Spain. (b) (6), (b) (7)(C) said that his staff reviewed the hard-copy printed invitations, and the (b) (6), (b) (7)(C) approved the trip. (b) (6), (b) (7)(C) said that his staff handled the formal invitation and planned his attendance at the event.

A (b) (6), (b) (7)(C) staff member said that the (b) (6), (b) (7)(C) staff built the Mississippi, Alabama, Florida, and North Carolina trip knowing that the King of Spain would be in Puerto Rico around the same time. The staff knew that (b) (6), (b) (7)(C) was focused on Spain as a key partner and that he was interested in engaging with King Felipe IV in Puerto Rico. The (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) was “enthusiastic about the engagement [with the King of Spain]” and that (b) (6), (b) (7)(C) “felt very strongly that the [A]mbassador of Spain had invited him to be present and participate, and [the Spanish Ambassador] welcomed (b) (6), (b) (7)(C) engagement.” The (b) (6), (b) (7)(C) explained that previous (b) (6), (b) (7)(C) set a precedent for meeting with the King of Spain as Commander-in-Chief of Spain’s armed forces.⁶

Obtaining the Official (b)(6), (b)(7)(C) Invitation

The (b) (6), (b) (7)(C) began coordinating to obtain the hard-copy invitation after (b) (6), (b) (7)(C) meeting with the Spanish Ambassador, during which the Spanish Ambassador orally invited him and (b) (6), (b) (7)(C) to attend the (b)(6), (b)(7)(C) and meet with the King of Spain. The (b) (6), (b) (7)(C) first contacted the Spanish Embassy and learned that hard-copy invitations would be forthcoming from the Puerto Rican government. The (b) (6), (b) (7)(C) then confirmed (b) (6), (b) (7)(C) invitation with Puerto Rican government officials and that those officials had begun planning for his attendance. The (b) (6), (b) (7)(C) sent an email to the Spanish Embassy on December 13, 2021, requesting information on the King of Spain’s January 2022 visit to Puerto Rico.⁷

As part of the (b) (6), (b) (7)(C) efforts, she sent an email on January 10, 2022, to a Spanish rear admiral assigned to the Spanish Embassy in Washington, D.C. The (b) (6), (b) (7)(C) wrote:

⁶ Yale Law School, Documents Collection Center, “Spanish Constitution,” October 31, 1978.

⁷ We found no reply from the Spanish Embassy to the Navy Senior Advisor’s December 13, 2021 email.

Analysis of the Allegations

We are in the process of finalizing the (b) (6), (b) (7)(C) travel schedule and would welcome some details from your [E]mbassy regarding the (b) (6), (b) (7)(C) event and how the (b) (6), (b) (7)(C) could best support His Majesty the King in Puerto Rico during this important and historic visit.

The Spanish rear admiral responded by providing (b) (6), (b) (7)(C) with his phone number and scheduled a telephonic meeting between them for January 11, 2022, at 9 a.m. to discuss (b) (6), (b) (7)(C) attendance.

(b) (6), (b) (7)(C) told us that following (b) (6), (b) (7)(C) November 2021 lunch with the Spanish Ambassador, he (b) (6), (b) (7)(C) started researching the (b) (6), (b) (7)(C) and communicating with various offices associated with the event. In mid-January 2022, he contacted the Puerto Rico Governor's office in Washington, D.C., which in turn forwarded him to the San Juan, Puerto Rico, Mayor's office concerning (b) (6), (b) (7)(C) participating in the (b) (6), (b) (7)(C) events. The San Juan Mayor's office only coordinated the (b) (6), (b) (7)(C) events and not the King of Spain's separate planned events in Puerto Rico. The San Juan Mayor's office redirected him through email to the Puerto Rico Department of State protocol office to coordinate (b) (6), (b) (7)(C) visit and attendance at events with the King of Spain.

(b) (6), (b) (7)(C) sent an email on January 10, 2022, to the Executive Director for the Puerto Rico Federal Affairs Administration, Washington, D.C. (b) (6), (b) (7)(C) wrote:

Good afternoon, I work for (b) (6), (b) (7)(C) and he is interested in attending the commemoration of [the] (b) (6), (b) (7)(C) of San Juan, Puerto Rico on 25 January. Do you have a good point of contact I could reach out to in Puerto Rico to gain some more information on what is planned?

The (b) (6), (b) (7)(C) for the Puerto Rico Federal Affairs Administration, Washington, D.C., said that she was not involved and played no role in the event planning. She responded to the email on January 11, 2022, by forwarding it to the (b) (6), (b) (7)(C) of the Mayor of San Juan, the office she identified as being responsible for coordinating all event logistics. The email also contained contact information for the (b) (6), (b) (7)(C) in San Juan, Puerto Rico. The (b) (6), (b) (7)(C) described the event as a celebration of the city of San Juan's founding, and she said that she did not know the Spanish Ambassador had invited anyone to attend the events. Further, the (b) (6), (b) (7)(C) said that she was not aware the King of Spain was scheduled to attend the event.

(b)(6), (b)(7)(C) office staff coordinated with the Office of the Secretary of Defense (OSD) (b)(6), (b)(7)(C) for Spain, Portugal, and Malta on January 11, 2022, regarding (b)(6), (b)(7)(C) attendance at the (b)(6), (b)(7)(C). The OSD (b)(6), (b)(7)(C) for Spain then sent an email to the U.S. Department of State on January 11, 2022, asking if (b)(6), (b)(7)(C) participating at the event was “warranted/desired.”

The (b)(6), (b)(7)(C) sent an email on January 11, 2022, to the Puerto Rico (b)(6), (b)(7)(C), who replied on the same date. The (b)(6), (b)(7)(C) wrote, “We would love to have the (b)(6), (b)(7)(C) join us in PR [Puerto Rico]. We have a meeting tomorrow where we will get the latest confirmation of events. Happy to share the latest tomorrow and set up a call if necessary.”

The (b)(6), (b)(7)(C) said that he first learned that the Spanish Ambassador had invited (b)(6), (b)(7)(C) and that (b)(6), (b)(7)(C) wanted to attend the (b)(6), (b)(7)(C) when the (b)(6), (b)(7)(C) for the Puerto Rico Federal Affairs Administration forwarded him the (b)(6), (b)(7)(C) email on January 11, 2022. During their planning, the Federal Affairs Office intended to invite as many “high-level [U.S.] Federal Government officials” as possible to join and elevate the celebration. Invitees included the President and Vice President of the United States, and several Cabinet members and Members of Congress; however, the (b)(6), (b)(7)(C) said that the Federal Affairs Office did not invite any DoD or Department of State officials to attend the event. Their invitations focused on domestic policy officials, such as the Secretaries of Commerce, Education, and Interior. The (b)(6), (b)(7)(C) said that at the time (b)(6), (b)(7)(C) staff began inquiring about him attending, no “high-level Federal Government officials” accepted their invitations to attend the event. The (b)(6), (b)(7)(C) said:

We were very glad the (b)(6), (b)(7)(C) was here. You know here in Puerto Rico, we, depending on the party the administration is from, sometimes we get more attention, sometimes we get less attention, and given our unique political status, we definitely always welcome visits from high-level officials from the federal governments [U.S. and foreign], given our relationships with them.

According to the Puerto Rico Department of State Protocol Office, (b)(6), (b)(7)(C) was not one of the invitees on the “official list from the Governor’s Office or the [Puerto Rico] Department of State.” The Spanish Ambassador was on the original invite list; however, there was no communication between the Protocol Office and the Spanish Ambassador or his office staff notifying Puerto Rico government officials that the Spanish Ambassador had verbally invited (b)(6), (b)(7)(C) to attend the (b)(6), (b)(7)(C)

After the January 11, 2022 email to the (b) (6), (b) (7)(C), the (b) (6), (b) (7)(C) received the King of Spain's visit agenda from the Puerto Rico Federal Affairs Office. In a response email, the (b) (6), (b) (7)(C) attached a copy of (b) (6), (b) (7)(C) biography the (b) (6), (b) (7)(C) had requested.

The Puerto Rico Department of State Protocol Office is responsible for coordinating and organizing all office events, including visiting dignitaries, special ceremonies, swearing-in ceremonies for new governors, receptions, cocktails, state dinners, and heads of state visits to Puerto Rico. The State Protocol Office first learned that the Spanish Ambassador had invited (b) (6), (b) (7)(C) and that (b) (6), (b) (7)(C) had accepted the Spanish Ambassador's invitation to attend the (b) (6), (b) (7)(C) after receiving a copy of the January 12, 2022 email from the Puerto Rico Federal Affairs Office. This email put the (b) (6), (b) (7)(C) in contact with the Puerto Rico Department of State's Chief of Protocol in their Washington, D.C., office.

Receipt of Hard-Copy Invitation for (b) (6), (b) (7)(C)

The Puerto Rico Department of State Protocol Office sent the (b) (6), (b) (7)(C) an email on January 19, 2022, confirming (b) (6), (b) (7)(C) invitation as a guest with a "plus 1" for the (b) (6), (b) (7)(C) event. The (b) (6), (b) (7)(C) then notified the (b) (6), (b) (7)(C) via email of the confirmation for (b) (6), (b) (7)(C) also to attend the Puerto Rico state dinner with the King of Spain.

The Puerto Rico Department of State Protocol Office sent an email on January 21, 2022, to (b) (6), (b) (7)(C) and attached the hard-copy invitation for (b) (6), (b) (7)(C). The Puerto Rico Department of State Protocol Office "thought that it would be perfect to have ... someone in representation of the U.S. [G]overnment during the [King of Spain's] visit." Further, they included (b) (6), (b) (7)(C) in the welcoming ceremony and state dinner with the King of Spain.

The (b) (6), (b) (7)(C) informed (b) (6), (b) (7)(C) via email on January 21, 2022, that (b) (6), (b) (7)(C) decided to attend the events in Puerto Rico. With (b) (6), (b) (7)(C) decision, the (b) (6), (b) (7)(C) sent an email on behalf of (b) (6), (b) (7)(C) to the Spanish Ambassador requesting a meeting between (b) (6), (b) (7)(C) and the Spanish Ambassador while both would be in Puerto Rico. Additionally, a staff member for (b) (6), (b) (7)(C) sent an email to the (b) (6), (b) (7)(C) advising that (b) (6), (b) (7)(C) wanted to meet with the King of Spain while in Puerto Rico.

The (b) (6), (b) (7)(C) emailed the Department of State on January 21, 2022, informing it of a proposed 15-minute meeting between the King of Spain and (b) (6), (b) (7)(C) to be held on January 26, 2022. In response to the

email, the U.S. Embassy in Madrid, Spain, approved talking points for (b) (6), (b) (7)(C) meeting with the King of Spain.

The (b) (6), (b) (7)(C) sent an email to the Puerto Rico Federal Affairs Office on January 21, 2022, to confirm a proposed meeting between (b) (6), (b) (7)(C) and the Mayor of San Juan and requested an invitation for (b) (6), (b) (7)(C). In its response, the Puerto Rico Federal Affairs Office confirmed the meeting with the San Juan Mayor and, in a subsequent email, provided details about the meeting and the public event with the King of Spain.

The (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) read-ahead information regarding his travel to Puerto Rico. The read-ahead material listed five scheduled events that (b) (6), (b) (7)(C) would attend.

- Lunch with the Spanish Ambassador and the Consul General of Spain to Puerto Rico
- An office call with the Mayor of San Juan
- The official welcoming ceremony for the King of Spain
- The official recognition of the (b)(6), (b)(7)(C) of San Juan
- The state dinner in honor of the King of Spain

In addition to these scheduled events, the read-ahead material reflected that the Spanish Ambassador had requested a private audience for (b) (6), (b) (7)(C) with the King of Spain; however, confirmation of this meeting would not likely occur until after (b) (6), (b) (7)(C) arrival in Puerto Rico.

The Spanish Ambassador sent an email to the (b) (6), (b) (7)(C) on January 21, 2022, and attached the hard-copy invitations for (b) (6), (b) (7)(C) to the reception for the King of Spain. The Puerto Rico Federal Affairs Office later emailed the hard-copy PDF invitations for the state dinner with the King of Spain.

Adding Puerto Rico to the Travel Itinerary

The (b) (6), (b) (7)(C) notified the (b) (6), (b) (7)(C) front office by email on January 21, 2022, of the hard-copy invitation from the Governor of Puerto Rico for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to participate in events for the King of Spain in Puerto Rico. The (b) (6), (b) (7)(C) later informed (b)(6), (b)(7)(C) of this hard-copy invitation.

A (b) (6), (b) (7)(C) staff member sent an email to the Navy staff that included an updated January 24 through 28, 2022 Puerto Rico, Mississippi, Alabama, and North Carolina trip planning book. This version added Puerto Rico as the first stop on January 24 and 25, 2022, and deleted the Florida stop.

Navy Staff Concerns

After receiving the hard-copy invitation, some (b) (6), (b) (7)(C) staff members expressed concern to other staff members about changing the travel itinerary to include Puerto Rico as the first stop. A staff member wrote in an email that, by changing the schedule, (b) (6), (b) (7)(C) would miss the opportunity to engage with two U.S. Senators and two U.S. Congress Members, and a day in Pensacola, Florida, for (b) (6), (b) (7)(C) to learn more about infrastructure issues with the engineering, manufacturing, and development of new ships for the Navy. The staff member also wrote that adding Puerto Rico would be “quite disruptive to the [original] planned trip.”

Various staff members responded to the email with recommendations and questions. One staff member did not know of any Navy equities in Puerto Rico and recommended not going there. Another staff member asked the (b) (6), (b) (7)(C) to provide information on Navy equities in Puerto Rico. In a response to this email, the (b) (6), (b) (7)(C) wrote, “[F]rom an international affairs perspective, there will be very limited engagement and opportunity to advance foreign policy objectives for the (b) (6), (b) (7)(C) while in Puerto Rico.” A member of the Fourth Fleet Commander’s Action Group sent an email to the (b) (6), (b) (7)(C) reporting that the Navy ship *USS Milwaukee* would be in Ponce, Puerto Rico, until January 26, 2022. A staff member responded to the email from the (b) (6), (b) (7)(C), writing, “[T]here seems little to be gained” for (b) (6), (b) (7)(C) to travel to Puerto Rico.

Navy Ethics Review of Puerto Rico Itinerary

While (b) (6), (b) (7)(C) staff updated his itinerary, some staff members expressed concern to (b) (6), (b) (7)(C) about adding Puerto Rico as the first destination and felt this could not be justified as a “legitimate Navy interest.” One staff member told us that (b) (6), (b) (7)(C) “pushed back on that [the staff member’s concerns] and talked to his staff about the importance of building the relationship with Spain.”

After (b) (6), (b) (7)(C) had departed for Puerto Rico, the (b) (6), (b) (7)(C) shared with the (b) (6), (b) (7)(C) on January 25, 2022, staff concerns about a very limited engagement opportunity with foreign counterparts in Puerto Rico. The (b) (6), (b) (7)(C) told us that the trip was justified as consistent with prior precedent that (b) (6), (b) (7)(C) established in meeting with the King of Spain as Commander-in-Chief of Spain’s armed forces. After receiving the (b) (6), (b) (7)(C) justification, the (b) (6), (b) (7)(C) concurred on January 25, 2022 that the trip was for an official purpose. In a reply email to (b) (6), (b) (7)(C)

then (b) (6), (b) (7)(C) on January 25, 2022, the (b) (6), (b) (7)(C) wrote:

Yes, we concur. (b)(6), (b)(7)(C) provided valuable background information regarding the trip, including the fact that the (b) (6), (b) (7)(C) engagements with the King of Spain and other Spanish Government representatives were previously cleared by the Deputy Chief of Mission to Spain.

Travel to Puerto Rico

(b) (6), (b) (7)(C) (b)(6), (b)(7)(C) (b) (6), (b) (7)(C) per (b) (6), (b) (7)(C) (b)(6), (b)(7)(C) and his staff departed Washington, D.C., for Puerto Rico on January 24, 2022.

We reviewed (b) (6), (b) (7)(C) January 2022 draft Puerto Rico trip report. The report highlights (b) (6), (b) (7)(C) discussions with the Spanish Ambassador, which focused on strengthening the Navy partnership with Spain and other regional allies. (b) (6), (b) (7)(C) met privately with the King of Spain to discuss their “views of the Spain-U.S. alliance, the security environment in Europe, and how the Navy can best assist the Spanish military.” The report also reflects that (b) (6), (b) (7)(C) met with both the Governor of Puerto Rico and the Mayor of San Juan separately to discuss the Navy’s relationship with Puerto Rico. (b) (6), (b) (7)(C) also visited with Sailors aboard the USS *Milwaukee* and with members of the Puerto Rico National Guard’s 156th Air Wing.

Witnesses told us that (b) (6), (b) (7)(C) attended “functions that were attended by spouses of foreign dignitaries and foreign military officers with who[m] (b) (6), (b) (7)(C) was meeting in his official capacity.” The (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) completed a Memorandum for Record (MFR) as an official record of his (b) (6), (b) (7)(C). The MFR confirmed (b)(6), (b)(7)(C). The MFR also reported that (b)(6), (b)(7)(C) returned to Washington, D.C., via (b)(6), (b)(7)(C). We found no evidence that (b)(6), (b)(7)(C) engaged in any vacation or tourist activities.

After (b) (6), (b) (7)(C) departed Puerto Rico for Washington, D.C., (b) (6), (b) (7)(C) continued his official travel aboard military aircraft to Mississippi, Alabama, and North Carolina before returning to Washington, D.C., on January 28, 2022.

(b) (6), (b) (7)(C) Response to Travel Allegations

(b) (6), (b) (7)(C) said that the Spanish Ambassador extended the verbal invitation during their lunch on November 30, 2021, for him to attend events in Puerto Rico with the King of Spain. He told us that after receiving the oral invitation, he directed his staff to look for a hard-copy invitation; however, he said that he did not recall which staff member followed up about the invitations. (b) (6), (b) (7)(C) said that although the hard-copy invitations arrived late, his staff had plenty of forewarning to plan if the purpose of travel met official travel standards, as he wanted to accept the invitations and add the trip to his itinerary.

(b) (6), (b) (7)(C) said that some of his staff members were concerned because they would have to make last-minute changes to his itinerary. (b) (6), (b) (7)(C) said that his (b) (6), (b) (7)(C) approved his trip to Puerto Rico before his departure and that his (b) (6), (b) (7)(C) reviewed the trip details and determined the events in Puerto Rico were official rather than personal in nature. (b) (6), (b) (7)(C) told us that the trip was vital to advance Navy policy interests with the governments of Puerto Rico and Spain. He also mentioned that the Navy has four ships based at Rota, Spain. He said that the Spanish Ambassador requested an audience for him with the King of Spain; however, the King of Spain's staff did not confirm the meeting until January 24, 2022, the day he (b) (6), (b) (7)(C) arrived in Puerto Rico. (b) (6), (b) (7)(C) said that he met privately with the King of Spain the following morning at the King's hotel. (b) (6), (b) (7)(C) did not elaborate with specifics about his discussions with the King of Spain; however, he said that they centered on the Navy's interests related to Spain.

(b) (6), (b) (7)(C) said that while in Puerto Rico, he also visited the USS *Milwaukee*. He said that he wanted to visit the ship's crew as they recently had been released from quarantine in Guantanamo Bay, Cuba, due to a COVID-19 outbreak aboard the ship. (b) (6), (b) (7)(C) said that he met with the Puerto Rico National Guard's leadership to discuss recruitment because 25 percent of the recruits who join the Marine Corps and the Navy are Hispanic, and a large number are from Puerto Rico.

(b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) attended all the scheduled official functions to which Spanish and Puerto Rican officials had invited (b) (6), (b) (7)(C) planned to attend an event with the Queen of Spain; however, because of a last-minute change, the Queen did not accompany the King during his visit to Puerto Rico. (b) (6), (b) (7)(C) said that neither he nor (b) (6), (b) (7)(C) conducted any personal activities, such as visits with friends and family, or beach visits, while in Puerto Rico. Further, he said that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C).

DoD OIG Conclusions on Misuse of Government Travel

We concluded that the primary purpose for (b) (6), (b) (7)(C) travel to San Juan, Puerto Rico, on military aircraft in January 2022 was to conduct official Navy business

and did not violate applicable standards for Government travel. As the (b) (6), (b) (7)(C) (b)(6), (b)(7)(C).

We found that (b) (6), (b) (7)(C) received an oral invitation from the Spanish Ambassador for (b) (6), (b) (7)(C) to attend the (b)(6), (b)(7)(C) and to meet with the King of Spain. The King of Spain is the Commander in Chief and has a role in representing Spain in international relations and exercises representational functions of the Spanish Armed Forces. (b) (6), (b) (7)(C) produced an itinerary and a travel justification document prior to travel. As (b)(6), (b)(7)(C) (b) (6), (b) (7)(C) is (b)(6), (b)(7)(C). However, in response to staff concerns about the Puerto Rico leg of travel, the (b) (6), (b) (7)(C) reviewed the travel documents while the travel was in-progress and determined the trip to Puerto Rico was official in nature.

We found that (b) (6), (b) (7)(C) travel to Puerto Rico and subsequent meetings with the King of Spain were for an appropriate official purpose, in that they provided (b) (6), (b) (7)(C) the opportunity to discuss issues of joint interest to the Navy and to Spain, a North Atlantic Treaty Organization ally. Witnesses and (b) (6), (b) (7)(C) told us that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) attended the scheduled (b)(6), (b)(7)(C) events, met with the King of Spain, and visited the USS *Milwaukee* and its crew.

We found no evidence that (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) participated in any personal events or engaged in any vacation or tourist activities during the 55 hours they were in Puerto Rico. Therefore, we concluded that his travel's primary purpose was official, and we did not substantiate the allegation.

B. Misuse of Position or Resources

The complaint alleged that (b) (6), (b) (7)(C) requested or directed members of his staff to contact the White House Military Office (WHMO) for favors attending events, most notably a request for access to the President's Box at the Kennedy Center.

The complaint also alleged that (b) (6), (b) (7)(C) submitted friends' resumes to WHMO to consider for selection to Government positions.

Use of the Kennedy Center President's Box

(b) (6), (b) (7)(C) and knew of a White House program that allowed Government employees to obtain tickets to Kennedy Center events and use the President's Box. (b) (6), (b) (7)(C) asked members of his staff to find information about the current process for obtaining tickets to Kennedy Center events and using the President's Box. He did not ask them to obtain any tickets.

Two of (b) (6), (b) (7)(C) staff members worked to determine the process to obtain Kennedy Center tickets and access the President's Box. One (b) (6), (b) (7)(C) staff member asked a second (b) (6), (b) (7)(C) staff member, who was (b) (6), (b) (7)(C), to find out the process for (b) (6), (b) (7)(C) to obtain tickets and to use the President's Box. The second (b) (6), (b) (7)(C) staff member told us:

When you work at the White House, you are afforded opportunities like access to some events and some things, and it makes sense where they're doing it to give some benefit and just to the staff sections. So Cabinet Members, from what I understand, do have access to the Kennedy Center, and however they run their process is decided by that administration.

The second (b) (6), (b) (7)(C) staff member attempted to find out how to get Kennedy Center tickets and access the President's Box by contacting WHMO, White House Operations, and the White House West Wing. The second (b) (6), (b) (7)(C) staff member sent three emails and placed two telephone calls on the topic to WHMO during a 5-month period.

A WHMO staff member said that one of (b) (6), (b) (7)(C) staff members sent three emails and called twice between September 2021 and February 2022, inquiring about the process to obtain Kennedy Center tickets and use the President's box. The WHMO staff member informed the (b) (6), (b) (7)(C) staff member that WHMO could not help with obtaining Kennedy Center tickets or with using the President's Box.

The WHMO staff member told us that the second (b) (6), (b) (7)(C) staff member became frustrated because it seemed as though the personnel at WHMO, White House Operations, and the White House West Wing were annoyed by the repeated requests for information the second (b) (6), (b) (7)(C) staff member was making, presumably on (b) (6), (b) (7)(C) behalf. The second (b) (6), (b) (7)(C) staff member told us that another (b) (6), (b) (7)(C) staff member asked about the ticket distribution process. The second (b) (6), (b) (7)(C) staff member believed (b) (6), (b) (7)(C) was making these requests, and that made the second (b) (6), (b) (7)(C) staff member feel uncomfortable. The WHMO staff member informed the (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) about the (b) (6), (b) (7)(C) staff's repeated requests for information. Although (b) (6), (b) (7)(C) asked his staff about the ticket distribution process, we found no evidence that (b) (6), (b) (7)(C) asked or pressured his staff for tickets.

The second (b) (6), (b) (7)(C) staff member said that after being told (b) (6), (b) (7)(C) had previously obtained tickets (b) (6), (b) (7)(C), she contacted either the White House West Wing or the White House Operations Center. The second (b) (6), (b) (7)(C) staff member learned that currently there was no set process to obtain tickets for the President's Box due to COVID-19 restrictions, so she stopped inquiring with the White House. The second (b) (6), (b) (7)(C) staff member told us:

[A]t some point, it was just clear [about event tickets and the use of the President's Box], and I related to our office that, "Hey, they haven't—they have not set anything up. The request is definitely in with the White House. They definitely know about it. So I'm going to stop asking."

The second (b) (7), (b) (7)(C) staff member said that because another (b) (6), (b) (7)(C) staff member wanted her to be "proactive" and keep asking for updates on the process, she reached out to the White House "less than five times" with "long periods in between" each request because she knew there was no change in the COVID-19 restrictions.

In an email to WHMO on February 18, 2022, the second (b) (6), (b) (7)(C) staff member wrote:

This is a second follow-up on the ticket distribution for the Kennedy Center on behalf of the Secretary of the Navy. I'm checking to see if there has been any movement on creating a ticket distro and a process that includes non-cabinet-level civilian members. The (b) (6), (b) (7)(C) is interested in applying for tickets in general for the Presidential Suites. Thank you for connecting me to the appropriate POC [point of contact].

Witnesses told us that (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) was still active and that he did not request tickets. Witnesses and (b) (6), (b) (7)(C) told us that they did not obtain tickets to the Kennedy Center President's Box.

A witness told us that White House staff and Cabinet members have access to the Kennedy Center and that each administration establishes its own policy and process for access. WHMO receives requests for Kennedy Center tickets and sometimes serves as a liaison to various DoD entities, but does not obtain tickets or distribute them.

We asked the (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) whether (b) (6), (b) (7)(C) office exerted any pressure regarding event tickets and the President's Box, and she told us:

I certainly would not describe it as feeling pressured. I don't quite know how to classify the word complain. We discussed it, but I would not state it as though they were pressured. We weren't in a position to fulfill it, so I don't know how we could have been pressured to [do so].

(b) (6), (b) (7)(C) Testimony About Kennedy Center Tickets (b) (6), (b) (7)(C)

During this time, a White House program existed through which personnel could apply for and use the President's Box. He said that junior- and mid-grade officers and senior

officials could participate in the program. If selected, the individuals could attend an event and use the President's Box if available.

(b) (6), (b) (7)(C) said that after his confirmation as the (b) (6), (b) (7)(C), he asked his staff, "Does that program still exist?" (b) (6), (b) (7)(C) said that he did not direct a specific (b) (6), (b) (7)(C) staff member to look into the process or to contact WHMO. As an example of who could participate in the program, (b) (6), (b) (7)(C) recalled that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) of his received tickets to an event at the Kennedy Center and thanked him for telling her about the program. (b) (6), (b) (7)(C) said that the current (b) (6), (b) (7)(C) told him that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) advised the current (b) (6), (b) (7)(C) to look into this program. (b) (6), (b) (7)(C) said that he spoke to his (b) (6), (b) (7)(C) about the Kennedy Center.

Witnesses told us that (b) (6), (b) (7)(C) approached his (b) (6), (b) (7)(C) and requested that she draft an MFR for him confirming that she did not make a request for Kennedy Center tickets; however, the (b) (6), (b) (7)(C) never drafted the memorandum. (b) (6), (b) (7)(C) said that he did not recall anything about a memorandum on the topic. (b) (6), (b) (7)(C) did not know who from his staff contacted WHMO and said he had not received any event tickets or used the President's Box.

Submitting Resumes to the White House Military Office

The complaint alleged that (b) (6), (b) (7)(C) passed resumes of friends or associates to WHMO and pressured WHMO personnel to advance their candidacy by directing his staff to forward unsolicited resumes of friends and associates to the White House for potential Government positions.

A (b) (6), (b) (7)(C) staff member said that (b) (6), (b) (7)(C) repeatedly called the White House Presidential Personnel Office (PPO) "to push for his preferred candidates to get positions," primarily political appointments within the Navy. The staff member said that while (b) (6), (b) (7)(C) was persistent, his actions were not inappropriate. The witness said that (b) (6), (b) (7)(C) recommended one "preferred candidate," who served with (b) (6), (b) (7)(C) position. The witness said that there was a "significant barrier to overcome" with hiring this individual and that (b) (6), (b) (7)(C) "had numerous conversations trying to get his [the individual's] nomination approved." The staff member said that the "preferred" candidate's resume was in the White House PPO vetting process with no hiring action taken.

(b) (6), (b) (7)(C) provided the endorsed resume to his immediate staff to forward to the White House PPO. A (b) (6), (b) (7)(C) staff member told us the resume would have been

forwarded to either the White House Liaison Office or WHMO for one of those offices to forward to the PPO.

The (b) (6), (b) (7)(C) told us that WHMO forwarded one resume that (b) (6), (b) (7)(C) endorsed to the PPO. The (b) (6), (b) (7)(C) had no knowledge if (b) (6), (b) (7)(C) pressured anyone at the White House. The (b) (6), (b) (7)(C) told us it was normal for a (b) (6), (b) (7)(C) to recommend people for Government positions, but to forward a resume via WHMO was “out of the normal course of business” and that submitters should provide such resumes directly to the PPO or the White House Liaison.

The WHMO staff member told us that a (b) (6), (b) (7)(C) staff member sent one resume to WHMO by courier and a follow-up email to confirm receipt of the resume. The WHMO staff member said that the subject of the email received on February 3, 2022, was (b) (6), (b) (7)(C) personal correspondence to POTUS.” The WHMO staff member told us that she forwarded the resume and endorsement letter to the (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). The WHMO staff member said that the (b) (6), (b) (7)(C) member only sent one follow-up email about the resume.

The (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) told us that one resume with cover letter addressed as personal correspondence from (b) (6), (b) (7)(C) to the President arrived in courier mail from the Pentagon and she immediately forwarded it to the White House PPO. The (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) said that WHMO receives mail from the Pentagon on a regular basis and then redistributes the correspondence to the appropriate office within the White House. The (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) testified that no one applied any pressure to WHMO regarding the resume.

The (b) (6), (b) (7)(C) told us that 5 CFR Section 2635.702, “Use of Public Office for Private Gain,” provides guidelines for and allows (b) (6), (b) (7)(C) to provide endorsements on resumes. The endorsements can be on official letterhead, and (b) (6), (b) (7)(C) can use his official signature block. The White House PPO is responsible for processing personnel actions for presidential appointments in Federal agencies across the U.S. Government.

(b) (6), (b) (7)(C) *Testimony About Submitting Resumes*

(b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C), he formally submitted one resume to the White House. The resume was for (b) (6), (b) (7)(C)

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

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

(b) (6), (b) (7)(C) told us that the recommendation letter he wrote for this acquaintance was not on his official letterhead and his staff sent the letter to the Director of the White House Personnel Office on February 1, 2022. (b) (6), (b) (7)(C) said he did not know how his staff transmitted the resume to the White House, but they should have sent it to PPO. (b) (6), (b) (7)(C) told us he did not follow up with the White House PPO about the resume and did not direct anyone from his staff to follow up about it.

DoD OIG Conclusions on Misuse of Position or Resources

We concluded that (b) (6), (b) (7)(C) request for his staff to inquire about the status of a Kennedy Center President's Box ticket program for Government employees was not a misuse of staff, and it did not violate applicable standards.

We found that from (b) (6), (b) (7)(C) was familiar with a process for Government employees to obtain Kennedy Center tickets and to use the President's Box. Witnesses told us that (b) (6), (b) (7)(C) asked his staff if the program was still active. His staff coordinated with the White House liaison, who then contacted WHMO to inquire about the current ticket policy. (b) (6), (b) (7)(C) staff spent minimal Government time seeking information about the ticket program, sending three emails and making two phone calls over a 5-month period. We found no information that (b) (6), (b) (7)(C) asked his staff to obtain Kennedy Center tickets for him or that his request for them to find information about the ticket distribution program was improper.

We further concluded that (b) (6), (b) (7)(C) did not violate applicable standards when he endorsed and his staff sent a candidate resume with cover letter to WHMO, and then WHMO forwarded it to PPO. Although the staff sent the resume to WHMO rather than directly to PPO, this did not violate any policies or procedures and WHMO routed it to PPO for consideration.

We found that (b) (6), (b) (7)(C) followed the guidelines in 5 CFR Section 2635.702, "Use of Public Office for Private Gain," which allowed him to provide endorsements on candidate resumes for political appointments to Government positions. We found no evidence that (b) (6), (b) (7)(C) used his position to pressure his staff or anyone at the White House to advance the candidacy of the applicant he endorsed.

Overall Conclusions

We found no evidence to support the allegations that (b) (6), (b) (7)(C) traveled for primarily personal reasons to Puerto Rico, or misused his Government position or resources.

Recommendations

We make no recommendations regarding (b) (6), (b) (7)(C).

Appendix A – Applicable Standards

DoD 5500.7-R, “Joint Ethics Regulation (JER),” August 30, 1993 (Incorporating Changes 1-7, November 17, 2011)

Applicable Standards – Allegation A – Misuse of Government Travel

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees. Chapter 2, “Standards of Ethical Conduct,” Section 1, “Office of Government Ethics Regulation,” incorporates 5 CFR Section 2635, “Standards of Ethical Conduct for Employees of the Executive Branch,” in its entirety.

Chapter 4, “Travel Benefits

Section 1. Acceptance of Official Travel Benefits In Kind or Payment for Official Travel Expenses

Paragraph 4-100(d), “Spousal Travel. The travel approving authorities for travel of a spouse accompanying a DoD employee on official travel that is paid for or provided in kind by a non-Federal source are as follows:

[paragraph omitted]

(2) For DoD employees of Military Departments, the Secretaries concerned or their designees;”

DoD Directive 4500.56, “DoD Policy on the Use of Government Aircraft and Air Travel,” April 14, 2009 (Incorporating Change 5, Effective April 3, 2019)

Enclosure 3: Official, Unofficial, and Other Travel on Government Aircraft

2. REQUIRED USE TRAVEL

“a. The Secretary of Defense will designate key DoD officials as ‘required use’ travelers based on the reasons in section 1 of this enclosure. This designation as ‘required use’ can be for official and in very limited cases for unofficial travel as well. Travel of accompanying unofficial travelers must comply with section 4 of this enclosure. Unofficial travel may be performed by these officials on U.S. Government aircraft only upon advance notification and approval of the Secretary of Defense. All

travelers including family members or other invited guests shall reimburse the Government for any unofficial travel at the full coach fare, as set forth in Reference (b). Requests for changes, additions, or other recommendations to the required use list will be forwarded to the Secretary of Defense through the DoD ExecSec.

b. The President has designated the Secretary of Defense as a ‘required use’ traveler for official and unofficial travel. The Secretary of Defense has determined that the DoD officials in Tiers One and Two have met the criteria for designation as ‘required use’ travelers for official and/or unofficial travel, as indicated.

[paragraphs omitted]

(2) Tier Two. Required use travelers for official travel only:

(a) Secretaries of the Military Departments”

DoD Instruction 4515.13, “Air Transportation Eligibility,” January 22, 2016 (Change 6 Effective March 2, 2022)

Section 12, “Approval Authorities”

Paragraph 12-3, Approval Authorities. Table 4 outlines transportation approval authorities and the types of transportation each may approve.

Table 4. Approval Authorities

Secretaries of the Military Departments, Chairman and Vice Chairman of the Joint Chiefs of Staff, the Chiefs of Staff of the Army and Air Force, the Chief of Naval Operations, and the Commandant of the Marine Corps, Chief, NGB, or Designee	
9	Passengers, cargo, and human remains requirements necessary to execute the responsibilities of the approving DoD Component and in the interest of the DoD, including transportation on rotary wing and rotary tilt assets. This includes foreign nationals, and other Federal departments or agencies and non-governmental directed missions. Travel may be approved on a reimbursable basis in accordance with Section 1535 of Title 31, U.S.C. or other appropriate statutory authority. Unless otherwise authorized by law, non-reimbursable travel may be approved only on a non-interference basis on already-scheduled DoD aircraft. Such approvals are limited to a case-by-case basis only and will not be on a recurring basis.
10	Family members of personnel assigned to the Military Department, Joint Staff, and NGB, in accordance with DoDD 4500.56.

~~CUI~~



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

August 1, 2023

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

1000 Navy Pentagon

Washington, DC 20350

(sent via email to (b)(6), (b)(7)(C))

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

We have completed an investigation to address allegations that while serving as (b) (6), (b) (7)(C) you traveled to San Juan, Puerto Rico in January 2022 on military aircraft for primarily personal reasons, and misused your Government position and Government resources.

We did not substantiate the allegations. We reviewed relevant documents and conducted interviews with persons knowledgeable of the events at issue. We concluded that your travel to Puerto Rico was for official purposes, and that you did not misuse your Government position or Government resources.

Thank you for your cooperation during the investigation. We consider this matter closed.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Sincerely,

GARRISON.MARGUER

Digitally signed by

ITE.CHERYL

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

GARRISON.MARGUERITE.CHERYL.

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

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

Date: 2023.08.01 12:31:40 -04'00'

Marguerite C. Garrison

Deputy Inspector General

for Administrative Investigations

Prepared by: (b)(6), (b)(7)(C), Investigations of Senior Officials
Phone Number: (b) (6), (b) (7)(C)

Controlled by: DoD.OIG
Controlled by: Administrative Investigations
CUI Category: PRIG/INV
Limited Dissemination Controls: FEDCON
POC: (b) (6), (b) (7)(C)

~~CUI~~



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

INFO MEMO

August 2, 2023

FOR: SECRETARY OF DEFENSE

DepSecDef Action _____

FROM: Robert P. Storch, Inspector General

SUBJECT: Investigation Concerning the (b) (6), (b) (7)(C)
 (Case 20220405-076836-CASE-01)

- **Purpose.** To inform you that the Department of Defense Office of Inspector General recently completed an investigation into alleged misconduct by the (b) (6), (b) (7)(C) [REDACTED]
- We did not substantiate the allegations that (b) (6), (b) (7)(C) [REDACTED] traveled to San Juan, Puerto Rico in January 2022 on military aircraft for primarily personal reasons, or that he misused his Government position and Government resources.
- We interviewed (b) (6), (b) (7)(C) [REDACTED] and 22 witnesses, reviewed his official travel documents and the applicable standards, and reviewed voluminous documentation, including email, memorandums for record, calendars, travel invitations, legal opinions, and ethics guidance.
- We concluded that the primary purpose of (b) (6), (b) (7)(C) [REDACTED] travel to Puerto Rico was official, and that he did not misuse his Government position or resources.
- We notified (b) (6), (b) (7)(C) [REDACTED] of our conclusions through his attorney and we consider this matter closed.

Attachments:

None

cc:

DoD Office of General Counsel



**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500**

January 23, 2024

MEMORANDUM FOR DIRECTOR, MISSILE DEFENSE AGENCY

**SUBJECT: Report of Investigation—Ms. Laura M. DeSimone, Executive Director, Missile Defense Agency
Case Number 20210222-069744-CASE-01**

We recently completed an administrative investigation, which we performed in response to complaints that Ms. DeSimone engaged in an inappropriate relationship with a Missile Defense Agency subordinate and that Ms. DeSimone sexually harassed a subordinate while serving at the Naval Surface Warfare Center Dahlgren Division.

We provided Ms. DeSimone our preliminary substantiated conclusions on August 7, 2023, for her review and comment before finalizing our report. Ms. DeSimone provided her response, through her attorney, on September 21, 2023, and disagreed with our preliminary conclusions.

After carefully considering Ms. DeSimone's response, we reexamined previously collected evidence, reviewed additional documents, and adjusted our report where appropriate. The additional review did not change our determination by a preponderance of the evidence that Ms. DeSimone violated DoD 5500.7-R, "Joint Ethics Regulation (JER)," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), when she:

- misused her public office for the private gain of a Missile Defense Agency subordinate;
- created the appearance that she violated ethical standards through her relationship with the subordinate and her involvement in the employment actions concerning the subordinate;
- failed to inform her supervisor in a timely manner of appearance issues her relationship with the subordinate created and failed to recuse herself from promotion actions and another official matter involving the subordinate; and
- misused government communication systems and equipment to further her personal relationship with the subordinate.

We found insufficient evidence to substantiate the allegation that Ms. DeSimone sexually harassed the Naval Surface Warfare Center Dahlgren Division subordinate. However, we determined that Ms. DeSimone used poor judgment by engaging in a sexual relationship with the subordinate.

Controlled by: DoD OIG
Controlled by: Administrative Investigations
CUI Category: PRHGANV/WHSTL
Limited Dissemination Controls: FEDCON
POC: (b) (6), (b) (7)(C)

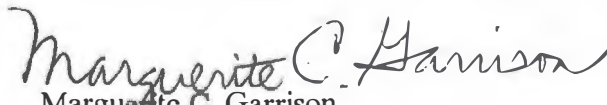
A copy of our report is attached for your review and appropriate action. We provided the redacted report to the Secretary of Defense and will provide the redacted report to appropriate congressional committees on January 24, 2024. We also intend to release the redacted report to our public website on January 25, 2024. We request that you not further distribute or release information from the report until then.

In addition, we are providing a second copy of our report, which has been redacted to protect witness confidentiality and includes citations showing the sources of the evidence that we considered in rendering our conclusions. That version of the report is found in the attached "fact book," marked "Controlled Unclassified Information" (CUI), which contains redacted copies of relevant testimony and documents cited as evidence, as well as the full text of Ms. DeSimone's response to our preliminary conclusions.

You may release the redacted report and any of the documents and testimony in the fact book to Ms. DeSimone at your discretion. If you wish to review additional documentation, please submit a written justification to this office so we can make appropriate arrangements.

We request a response within 60 days addressing actions, if any, taken with regard to Ms. DeSimone.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C), (b)(6), (b)(7)(C), Investigations of Senior Officials, at (b) (6), (b) (7)(C).


Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations

Attachments:
As stated



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

January 25, 2024

Ms. Laura DeSimone
(b) (6), (b) (7)(C) @mda.mil

Dear Ms. DeSimone:

We have completed our investigation to address allegations that you, while serving with the Missile Defense Agency, engaged in an inappropriate senior-subordinate relationship, misused your public office for the private gain of a friend, and misused government communication systems and equipment, and that you, while serving with the Naval Surface Warfare Center Dahlgren Division, sexually harassed a subordinate.

By letter dated August 7, 2023, we gave you the opportunity to comment on the preliminary conclusions of our investigation. In your response, dated September 21, 2023, you disagreed with our preliminary conclusions.

After carefully considering your response, we reexamined previously collected evidence, reviewed additional documents, and adjusted our report where appropriate. The additional work did not change our determination by a preponderance of the evidence that you violated DoD 5500.7-R, "Joint Ethics Regulation (JER)," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), when you:

- misused your public office for the private gain of an Missile Defense Agency subordinate;
- created the appearance that you violated ethical standards through your relationship with the subordinate and your involvement in the employment actions concerning the subordinate;
- failed to inform your supervisor in a timely manner of appearance issues your relationship with the subordinate created;
- failed to recuse yourself from promotion actions and another official matter involving the subordinate; and
- misused government communication systems and equipment to further your personal relationship with the subordinate.

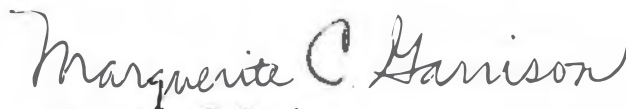
We found insufficient evidence to substantiate that you sexually harassed the Naval Surface Warfare Center Dahlgren Division subordinate. However, we determined that you used poor judgment by engaging in a sexual relationship with the subordinate.

Thank you for your cooperation during the investigation and your timely response to the preliminary results of our investigation. We provided the Director, MDA, a copy of the report along with copies of the underlying documentation on which we based our conclusions.

We will publish a redacted version of the final report on our public website on January 25, 2024.

If you have any questions, please contact me at (b) (6), (b) (7)(C), (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C)

Sincerely,

A handwritten signature in cursive script that reads "Marguerite C. Garrison".

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

INFO MEMO

January 17, 2023

FOR: SECRETARY OF DEFENSE

DepSecDef Action _____

FROM: Robert P. Storch, Inspector General

SUBJECT: Release of Inspector General Report, "Report of Investigation: Mr. Douglas A. Glenn, Former Performing the Duties of the Under Secretary of Defense (Comptroller), Chief Financial Officer," January 19, 2023

- **Purpose.** We recently completed an investigation to address allegations of misconduct against Mr. Douglas A. Glenn, former Performing the Duties of the Under Secretary of Defense, Chief Financial Officer.
- We substantiated allegations that Mr. Glenn failed to treat subordinates with dignity and respect by making sexually suggestive, racially insensitive, and otherwise inappropriate comments to, and in front of subordinates. Additionally, we substantiated the allegation that Mr. Glenn consumed alcohol and provided alcoholic beverages to his subordinates in the Pentagon on at least two occasions without written authorization.
- We recommend that a copy of our report be placed in Mr. Glenn's Department of Defense (DoD) personnel file. Mr. Glenn began employment at the U.S. Office of Personnel Management (OPM) on November 21, 2021. Accordingly, we will forward a copy of our report to the OPM Inspector General.
- The unredacted report at TAB A is designated Controlled Unclassified Information. We will provide the redacted report to the appropriate congressional committees on January 18, 2023. We will post the redacted report to the DoD Office of Inspector General public website on January 19, 2023. We request that you not further distribute or release information from the report until then.

Attachments:

TAB A – Full Report

TAB B – Redacted Report

cc:

General Counsel of the Department of Defense

Prepared by: Marguerite C. Garrison, Administrative Investigations
 Phone Number: (b) (6), (b) (7)(C)

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Controls: FEDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

19 JAN 2023

Mr. Douglas A. Glenn

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

Ashburn, Virginia 20148

By e-mail: (b) (6), (b) (7)(C)@gmail.com

Dear Mr. Glenn:

We have completed an investigation to address allegations that, while serving as the former Performing the Duties of the Under Secretary of Defense (Comptroller), Chief Financial Officer, Office of the Under Secretary of Defense (Comptroller), you engaged in an overall course of conduct that failed to treat subordinates with dignity and respect and created an offensive work environment for your subordinates by:

- making sexually suggestive, racially insensitive, and otherwise inappropriate comments to and in front of subordinates, and
- using the N-word in the workplace.

Additionally, our investigation included an allegation that you consumed alcohol and provided alcoholic beverages to your subordinates in the Pentagon on at least two occasions without written authorization.

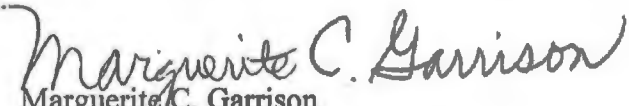
By letter dated September 9, 2022, we gave you the opportunity to comment on the preliminary results of our investigation. In your response, dated October 11, 2022, you stated that you used the N-word during one discussion with subordinates, but you did not intend to offend anyone. You also told us that you consumed alcohol and provided alcoholic beverages to your subordinates in the Pentagon on two occasions without written authorization. You disagreed with our other findings. After carefully considering your response, we stand by our conclusions.

Thank you for your cooperation during the investigation and your timely response to the preliminary results of our investigation. We provided the Secretary of Defense and the Office of Personnel Management Inspector General with copies of the report.

We will publish a redacted version of the final report on our public website on January 19, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C), (b) (6), (b) (7)(C),
(b) (6), (b) (7)(C) Investigations of Senior Official, at (b) (6), (b) (7)(C)

Sincerely,


Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

9 JAN 2023

**MEMORANDUM FOR INSPECTOR GENERAL, OFFICE OF PERSONNEL
 MANAGEMENT**

SUBJECT: Investigation Concerning Mr. Douglas A. Glenn, Senior Executive Service

As authorized under the "Inspector General Act of 1978" (as amended), sections 401-424, title 5, United States Code, and departmental directives, the Department of Defense Office of Inspector General (DoD OIG) conducts investigations of alleged senior official misconduct.

We recently completed an investigation that substantiated allegations that Mr. Glenn, while serving as the former Performing the Duties of the Under Secretary of Defense (Comptroller), Chief Financial Officer, Office of the Under Secretary of Defense (Comptroller), engaged in an overall course of conduct that failed to treat subordinates with dignity and respect and created an offensive work environment for his subordinates by:

- making sexually suggestive, racially insensitive, and otherwise inappropriate comments to and in front of subordinates, and
- using the term n***er in the workplace.

Additionally, we substantiated the allegation that Mr. Glenn consumed alcohol and provided alcoholic beverages to his subordinates in the Pentagon on at least two occasions without written authorization.

On November 21, 2021, Mr. Glenn began employment at the Office of Personnel Management before we completed our investigation. Enclosed is a copy of our redacted report, published to our public website on January 19, 2023. Our report includes a recommendation for the Office of Personnel Management. Accordingly, we refer this matter to you for appropriate action. We request a response within 60 days addressing actions, if any, taken with regard to the recommendation.

If you have any questions, please contact me at (b) (6), (b) (7)(C), or have your staff contact (b)(6), (b)(7)(C), Investigations of Senior Officials, at (b) (6), (b) (7)(C)

Marguerite C. Garrison
 Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Controlled by: DoD OIG.
 Controlled by: Administrative Investigations
 CUI Category: PRIIG/INV/WHSTL
 Limited Dissemination Controls: FIDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

October 25, 2024

MEMORANDUM FOR RECORD

SUBJECT: Proactive Release of the Mr. Robert A. Gold, former Director, Technology and Manufacturing Industrial Base, Office of the Under Secretary of Defense for Research and Engineering
 (Case No. 20220315-076462-CASE-01)

In accordance with Inspector General Instruction (IGDINST) 7000.02, "Public Release of Reports," October 1, 2021, Chapter 2, paragraph C, I approved the public release of the Department of Defense (DoD) Inspector General Report, "Report of Investigation: Mr. Robert A. Gold, former Director, Technology and Manufacturing Industrial Base," dated October 29, 2024. I informed the Inspector General of my decision who, in turn, informed the Secretary of Defense of the report's pending public release.

I applied the factors in IGDINST 7000.02, Chapter 2, paragraph C, and determined the public interest in the public disclosure outweighed any protectable privacy interest because:

- the information involved misconduct in the performance of official duties;
- the report examined the conduct of a high-level Government official;
- the misconduct was substantiated;
- the release of the information is necessary to provide public confidence that the DoD Office of Inspector General (OIG) has conducted a thorough investigation on an important matter;
- the release of the information does not involve family matters, medical issues, or other private issues that the public has a lesser interest in knowing; and
- the release of the information does not pose any risk to sensitive or classified information or operations.

I have coordinated this public release in coordination with the DoD OIG Office of General Counsel. That office provided no legal objection.

GARRISON.MARGUERITE Digitally signed by
E.CHERYL (b)(6), (b)(7)(C) GARRISON.MARGUERITE.CHERYL.
 Date: 2024.10.25 08:56:18 -04'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIC/INV/VHSTL
 Limited Dissemination Controls: FEDCON
 POC: (b)(6), (b)(7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

October 30, 2024

**MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR RESEARCH AND
 ENGINEERING**

SUBJECT: Report of Investigation—Mr. Robert A. Gold,
 (Case No. 20220315-076462-CASE-01)

We recently completed an administrative investigation to address the allegations that Mr. Robert A. Gold, while serving as the Director, Technology and Manufacturing Industrial Base, Office of the Under Secretary of Defense for Research and Engineering, sexually harassed subordinate employees, engaged in or created the perception that he was engaging in sexual relationships with female subordinates, and created an intimidating, hostile, and offensive work environment.

We substantiated the allegations. We concluded that Mr. Gold engaged in an overall course of conduct in which he sexually harassed a female subordinate and harassed two other female subordinates by making gender-based demeaning comments that created an intimidating, hostile, and offensive work environment for each of these employees. Mr. Gold failed to treat these subordinates with dignity and respect.

We provided Mr. Gold the opportunity to comment on our investigation's preliminary conclusions. Mr. Gold provided his response, through his attorney, on July 1, 2024, and disagreed with our conclusions.

We carefully considered Mr. Gold's response, conducted additional investigative work, reviewed the standards we used in analyzing his conduct, and modified our final report where appropriate. This additional work did not change our conclusion, by a preponderance of evidence, that Mr. Gold engaged in the substantiated behavior described in our report. We incorporated Mr. Gold's response into our final report. We informed Mr. Gold, through his attorney, of our conclusions.

Mr. Gold retired from Government service on December 30, 2023, during our investigation. In accordance with our policy, we will provide a redacted copy of our report to the Director, Washington Headquarters Services, and request that it be placed in Mr. Gold's Department of Defense (DoD) DoD personnel file.

We will publish a redacted version of the final report on our public website on October 31, 2024. A copy of our redacted report is attached and must not be released before the DoD Office of Inspector General releases the report.

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Controls: FEDCON
 POC: (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Digitally signed by
GARRISON.MARGUERITE.CHERYL
E.CHERYL, (b)(6), (b)(7)(C)

Date: 2024.10.25 08:57:49 -04'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations

Attachments:
As stated



OFFICE OF INSPECTOR GENERAL
 DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

October 30, 2024

MEMORANDUM FOR DIRECTOR, WASHINGTON HEADQUARTERS SERVICES

SUBJECT: Report of Investigation—Mr. Robert A. Gold
 (Case No. 20220315-076462-CASE-01)

We recently completed an administrative investigation to address the allegations that Mr. Robert A. Gold, while serving as the Director, Technology and Manufacturing Industrial Base, Office of the Under Secretary of Defense for Research and Engineering, sexually harassed subordinate employees, engaged in or created the perception that he was engaging in sexual relationships with female subordinates, and created an intimidating, hostile, and offensive work environment.

We substantiated the allegations. We concluded that Mr. Gold engaged in an overall course of conduct in which he sexually harassed a female subordinate and harassed two other female subordinates by making gender-based demeaning comments that created an intimidating, hostile, and offensive work environment for each of these employees. Mr. Gold failed to treat these subordinates with dignity and respect.

We provided Mr. Gold the opportunity to comment on our investigation's preliminary conclusions. Mr. Gold provided his response, through his attorney, on July 1, 2024, and disagreed with our conclusions.

We carefully considered Mr. Gold's response, conducted additional investigative work, reviewed the standards we used in analyzing his conduct, and modified our final report where appropriate. This additional work did not change our conclusion, by a preponderance of evidence, that Mr. Gold engaged in the substantiated behavior described in our report. We incorporated Mr. Gold's response into our final report. We informed Mr. Gold, through his attorney, of our conclusions.

Mr. Gold retired from Government service on December 30, 2023, during our investigation. Consistent with our practice, we request that you include our report in Mr. Gold's Department of Defense (DoD) personnel file. A copy of our redacted report is attached and must not be released in whole or part before the DoD Office of Inspector General releases the report on our public website on October 31, 2024.

We request a response within 60 days confirming actions taken regarding our request to place the report in Mr. Gold's personnel file.

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C) ,
 (b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

GARRISON.MARGUERITE
 E.CHERYL. (b)(6), (b)(7)(C)

Digitally signed by
 GARRISON.MARGUERITE.CHERYL

Date: 2024.10.25 12:28:09 -04'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Attachment:
 As stated



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

October 31, 2024

Robert A. Gold, Jr.

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

Alexandria, VA 22304-7750

(sent to counsel via email, (b) (6), (b) (7)(C) @fedattorney.com)

Dear Mr. Gold:

We have completed our investigation to address allegations that, while serving as the Director, Technology and Manufacturing Industrial Base, you sexually harassed subordinate employees, engaged in or created the perception that you were engaging in sexual relationships with female subordinates, and created an intimidating, hostile, and offensive work environment.

By letter dated June 3, 2024, we gave you the opportunity to comment on our investigation's preliminary conclusions. In your response, dated July 1, 2024, you disagreed with our preliminary conclusions.

After carefully considering your response, we reexamined previously collected evidence, the standards we applied in analyzing your behavior, and our investigative process, and adjusted our report where appropriate. The additional work did not change our determination by a preponderance of the evidence that you violated Department of Defense (DoD) Directive 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Incorporating Through Change 3, April 17, 1992); DoD Instruction 1020.04, "Harassment Prevention and Responses for DoD Civilian Employees," June 30, 2020; and DoD 5500.7-R, "Joint Ethics Regulation (JER)," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), when you sexually harassed a subordinate and made gender-based demeaning comments directed toward two subordinates, creating an intimidating, hostile, and offensive work environment for each of them. You also failed to treat these subordinates with dignity and respect.

Thank you for your cooperation during the investigation and your timely response to our preliminary conclusions. We provided the Director, Washington Headquarters Services, a copy of the redacted report and requested it be placed in your DoD personnel file. We also provided a redacted copy of the report, along with copies of the underlying documentation on which we based our conclusions, to the Under Secretary of Defense for Research and Engineering.

We will publish a redacted version of the final report on our public website on October 31, 2024.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C) .
(b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C) .

Sincerely,

GARRISON.MARGUERITE
E.CHERYL.(b)(6), (b)(7)(C)
Digitally signed by GARRISON.MARGUERITE.CHERYL.
Date: 2024.10.25 09:22:27 -04'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

November 14, 2023

MEMORANDUM FOR DOD SENIOR INTELLIGENCE OVERSIGHT OFFICIAL

SUBJECT: Report of Investigation—Mr. Jacques T. Grimes
 Case Number 20210810-072641-CASE-01

For your information, we recently completed an investigation to address an allegation that Mr. Jacques T. Grimes, while serving as the Director, Commonwealth and Partner Engagement, Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed a subordinate during official travel. Such conduct would violate Department of Defense Directive (DoDD) 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Certified Current as of November 21, 2003).

We provided Mr. Grimes the opportunity to comment on the preliminary results of our investigation. In his response, through his attorney, Mr. Grimes disagreed with our conclusion and asked us to conduct additional fieldwork.

After interviewing additional witnesses, reexamining previously collected evidence, and adjusting our final report where appropriate, we concluded that Mr. Grimes violated DoDD 1440.1 when he sexually harassed a subordinate during official travel on two occasions. We incorporated Mr. Grimes's response into our final report.

Mr. Grimes resigned from Government service on March 31, 2022. Consistent with our practice, we provided a copy of our report to the Director, Washington Headquarters Services, and requested that our report be included in Mr. Grimes's personnel file.

We will publish a redacted version of the final report on our public website on November 16, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

GARRISON.MARGUERITE

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 GARRISON.MARGUERITE.CHERYL.

E.CHERYL (b) (6), (b) (7)(C)

Date: 2023.11.07 12:18:10 -05'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

November 14, 2023

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND
 SECURITY

SUBJECT: Report of Investigation—Mr. Jacques T. Grimes
 Case Number 20210810-072641-CASE-01

For your information, we recently completed an investigation to address an allegation that Mr. Jacques T. Grimes, while serving as the Director, Commonwealth and Partner Engagement, Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed a subordinate during official travel. Such conduct would violate Department of Defense Directive (DoDD) 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Certified Current as of November 21, 2003).

We provided Mr. Grimes the opportunity to comment on the preliminary results of our investigation. In his response, through his attorney, Mr. Grimes disagreed with our conclusion and asked us to conduct additional fieldwork. After interviewing additional witnesses, reexamining previously collected evidence, and adjusting our final report where appropriate, we concluded that Mr. Grimes violated DoDD 1440.1 when he sexually harassed a subordinate during official travel on two occasions. We incorporated Mr. Grimes's response into our final report. We informed Mr. Grimes, through his attorney, of our conclusion.

Mr. Grimes resigned from Government service on March 31, 2022. Consistent with our practice, we provided a copy of our report to the Director, Washington Headquarters Services, and requested that it be placed in Mr. Grimes's DoD personnel file.

We will publish a redacted version of the final report on our public website on November 16, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C),
 (b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

GARRISON.MARGUERIT

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 GARRISON.MARGUERITE.CHERYL.

E.CHERYL (b) (6), (b) (7)(C)

Date: 2023.11.07 12:20:25 -05'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

November 14, 2023

MEMORANDUM FOR DIRECTOR, WASHINGTON HEADQUARTERS SERVICES

SUBJECT: Report of Investigation—Mr. Jacques T. Grimes
 Case Number 20210810-072641-CASE-01

We recently completed an investigation to address an allegation that Mr. Jacques T. Grimes, while serving as the Director, Commonwealth and Partner Engagement, Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed a subordinate during official travel. Such conduct would violate Department of Defense Directive (DoDD) 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Certified Current as of November 21, 2003).

We provided Mr. Grimes the opportunity to comment on the preliminary results of our investigation. In his response, through his attorney, Mr. Grimes disagreed with our conclusion and asked us to conduct additional fieldwork.

After interviewing additional witnesses, reexamining previously collected evidence, and adjusting our report where appropriate, we concluded that Mr. Grimes violated DoDD 1440.1 when he sexually harassed a subordinate during official travel on two occasions. We incorporated Mr. Grimes's response into our final report.

Mr. Grimes resigned from Government service on March 31, 2022. Consistent with our practice, we request that you include our report in Mr. Grimes's DoD personnel file. A copy of our redacted report is attached and must not be released before the DoD Office of Inspector General releases the report on our public website on November 16, 2023.

We request a response within 60 days confirming actions taken regarding our request to place the report in Mr. Grimes's personnel file.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C),
 (b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Digitally signed by
 GARRISON.MARGUERITE.CHERYL
 E.CHERYL (b) (6), (b) (7)(C)

Date: 2023.11.07 14:16:09 -05'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Attachment:
 As stated

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

November 16, 2023

Mr. Jacques T. Grimes

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

Fairfax, Virginia 22032-1403

Via email to (b) (6), (b) (7)(C) [@dimuro.com](mailto:dimuro.com)

Dear Mr. Grimes:

We have completed an investigation to address an allegation that you, while serving as the Director, Commonwealth and Partner Engagement, Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed a subordinate during official travel, in violation of Department of Defense Directive (DoDD) 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Certified Current as of November 21, 2003).

By letter dated June 30, 2023, we gave you the opportunity to comment on the preliminary results of our investigation. In your response through your attorney, dated August 16, 2023, you disagreed with our findings and asked us to conduct additional fieldwork. After interviewing additional witnesses, reexamining previously collected evidence, and adjusting our final report where appropriate, we concluded that you violated DoDD 1440.1 when you sexually harassed a subordinate during official travel on two occasions. We incorporated your response into our final report.

Thank you for your cooperation during the investigation and your timely response to the preliminary results of our investigation. We provided the Director, Washington Headquarters Services, a copy of the report and requested it be placed in your DoD personnel file.

We will publish a redacted version of the final report on our public website on November 16, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Sincerely,

GARRISON.MARGUERITE
E.CHERYL (b) (6), (b) (7)(C)

Digitally signed by
GARRISON.MARGUERITE.CHERYL.

Date: 2023.11.07 12:22:56 -05'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

December 18, 2023

MEMORANDUM FOR DOD SENIOR INTELLIGENCE OVERSIGHT OFFICIAL

SUBJECT: Report of Investigation—Mr. William K. Lietzau
 Case Number 20210409-070630-CASE-01

We recently completed an investigation to address allegations that Mr. William K. Lietzau, while serving as the Director, Defense Counterintelligence and Security Agency (DCSA), Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed female subordinates; created perceptions that he had one or more sexual relationships with subordinates and favored them; made inappropriate and offensive gender-based comments; and created a negative and hostile work environment for DCSA employees. Additionally, we investigated emergent allegations that Mr. Lietzau disclosed Privacy Act-protected information regarding an individual's security clearance; used Government resources to engage in prohibited political activity; used his official time and title, and used his subordinates' official time to support non-Federal entities; and consumed alcohol in the workplace without written authorization.

We provided Mr. Lietzau the opportunity to comment on the preliminary results of our investigation. In his response, through his attorney, Mr. Lietzau disagreed with our preliminary conclusions.

After considering Mr. Lietzau's response, conducting additional investigative work, and modifying our final report, where appropriate, we substantiated all of the allegations. We incorporated Mr. Lietzau's response into our final report.

Mr. Lietzau retired from Government service on October 30, 2023. Consistent with our practice, we will provide a copy of our report to the Director, Washington Headquarters Services, and request that our report be included in Mr. Lietzau's personnel file.

We will publish a redacted version of the final report on our public website on December 19, 2023.

Controlled by: DoD.OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C) ,
(b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Digitally signed by
GARRISON.MARGUERITE.CHERYL.1
E.CHERYL (b)(6), (b)(7)(C)
Date: 2025.12.18 13:08:30 -05'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

December 18, 2023

**MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND
 SECURITY**

SUBJECT: Report of Investigation—Mr. William K. Lietzau
 Case Number 20210409-070630-CASE-01

We recently completed an administrative investigation to address allegations that Mr. William K. Lietzau, while serving as the Director, Defense Counterintelligence and Security Agency (DCSA), Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed female subordinates; created perceptions that he had one or more sexual relationships with subordinates and that he favored them; made inappropriate and offensive gender-based comments; and created a negative and hostile work environment for DCSA employees. Additionally, we investigated emergent allegations that Mr. Lietzau disclosed Privacy Act-protected information regarding an individual's security clearance; used Government resources to engage in prohibited political activity; used his official time and title, and used his subordinates' official time to support non-Federal entities; and consumed alcohol in the workplace without written authorization.

We provided Mr. Lietzau, through his attorney, the opportunity to comment on the preliminary results of our investigation. In his response, Mr. Lietzau disagreed with our conclusions.

After considering Mr. Lietzau's response, conducting additional investigative work, and modifying our final report where appropriate, we substantiated all of the allegations. We incorporated Mr. Lietzau's response into our final report. We will inform Mr. Lietzau, through his attorney, of our conclusions on December 19, 2023.

Mr. Lietzau retired from Government service on October 30, 2023. In accordance with our policy, we will provide a redacted copy of our report to the Director, Washington Headquarters Services, and request that it be placed in Mr. Lietzau's DoD personnel file.

We will publish a redacted version of the final report on our public website on December 19, 2023. A copy of our redacted report is attached and must not be released before the DoD Office of Inspector General (DoD OIG) releases the report on our public website on December 19, 2023.

We recommend that you review this report and determine whether a review of DCSA's handling of Privacy Act-protected information and reporting of unauthorized disclosures is warranted. We also recommend that you determine whether DCSA personnel require additional training on handling Privacy Act-protected information and reporting unauthorized disclosures. We request a response within 60 days confirming actions taken regarding our recommendations.

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C),
(b)(6), (b)(7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

Digitally signed by
GARRISON.MARGUERITE.CHERYL
GARRISON.MARGUERITE.CHERYL
E.CHERYL. (b)(6), (b)(7)(C)

Date: 2023.12.18 13:14:41 -05'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations

Attachment:
As Stated



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

December 18, 2023

MEMORANDUM FOR DIRECTOR, WASHINGTON HEADQUARTERS SERVICES

SUBJECT: Report of Investigation—Mr. William K. Lietzau
 Case Number 20210409-070630-CASE-01

We recently completed an investigation to address allegations that Mr. William K. Lietzau, while serving as the Director, Defense Counterintelligence and Security Agency (DCSA), Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), sexually harassed female subordinates; created perceptions that he had one or more sexual relationships with subordinates and that he favored them; made inappropriate and offensive gender-based comments; and created a negative and hostile work environment for DCSA employees. Additionally, we investigated emergent allegations that Mr. Lietzau disclosed Privacy Act-protected information regarding an individual's security clearance; used Government resources to engage in prohibited political activity; used his official time and title, and used his subordinates' official time to support non-Federal entities; and consumed alcohol in the workplace without written authorization.

We provided Mr. Lietzau the opportunity to comment on the preliminary results of our investigation. In his response, through his attorney, Mr. Lietzau disagreed with our conclusions.

After considering Mr. Lietzau's response, conducting additional investigative work, and modifying our final report where appropriate, we substantiated all of the allegations. We incorporated Mr. Lietzau's response into our final report.

Mr. Lietzau retired from Government service on October 30, 2023. Consistent with our practice, we request that you include our report in Mr. Lietzau's Department of Defense (DoD) personnel file. A copy of our redacted report is attached and must not be released before the DoD Office of Inspector General (DoD OIG) releases the report on our public website on December 19, 2023.

We request a response within 60 days confirming actions taken regarding our request to place the report in Mr. Lietzau's personnel file.

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Control: FEDCON
 POC: (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C),
(b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C).

GARRISON.MARGUERITE.CHERYL.1
E.CHERYL (b) (6), (b) (7)(C) Digitally signed by
Date: 2023.12.18 13:18:22 -05'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations

Attachment:
As stated



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

INFO MEMO

December 18, 2023

FOR: SECRETARY OF DEFENSE

DepSecDef Action _____

FROM: Robert P. Storch, Inspector General

SUBJECT: Release of Report of Investigation Concerning Mr. William K. Lietzau, Former Director, Defense Counterintelligence and Security Agency, Office of the Under Secretary of Defense for Intelligence and Security, December 18, 2023
 (Case 20210409-070630-CASE-01)

- **Purpose.** To inform you of the results of the subject administrative investigation.
- The complaint described a perception within the Defense Counterintelligence and Security Agency (DCSA) that Mr. Lietzau had one or more sexual relationships with subordinates. The complaint also stated that he made inappropriate and offensive gender-based comments and created a negative and hostile work environment for DCSA employees. Additionally, we investigated emergent allegations that Mr. Lietzau disclosed Privacy Act-protected information regarding an individual's security clearance; used Government resources to engage in prohibited political activity; used his official time and title and used his subordinates' official time to support non-Federal entities; and he consumed alcohol in the workplace without written authorization.
- On June 2, 2023, we provided Mr. Lietzau, through his attorney, our preliminary substantiated conclusions for his review and comment before finalizing our report. Mr. Lietzau provided his response on July 12, 2023, disagreeing with our preliminary conclusions. After carefully considering Mr. Lietzau's response, we conducted additional investigative work and revised our final report where appropriate. However, this did not change our substantiated conclusions for each allegation.
- Mr. Lietzau retired from Federal service on October 30, 2023. Accordingly, we forwarded our report to the Director, Washington Headquarters Services, for inclusion in Mr. Lietzau's Department of Defense (DoD) personnel file. We recommended that the Undersecretary of Defense for Intelligence and Security examine the report of investigation to determine if a review or additional training related to information protected by the Privacy Act is warranted.
- We will release our report to Congress and post the report on our public website on December 19, 2023.

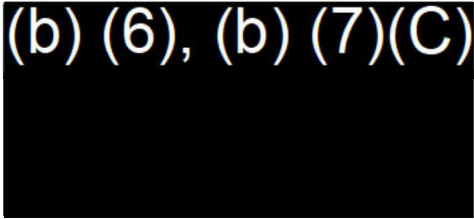
Attachment:

TAB A – Redacted Report of Investigation “Mr. William K. Lietzau, Former Director, Defense Counterintelligence and Security Agency, Office of the Under Secretary of Defense for Intelligence and Security,” December 18, 2023

cc:

Undersecretary of Defense for Intelligence and Security

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





OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

December 19, 2023

William K. Lietzau

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

Alexandria, VA 22309

(sent to counsel via email, (b) (6), (b) (7)(C) @nicholsliu.com)

Dear Mr. Lietzau:

We have completed an investigation to address allegations that, while serving as the Defense Counterintelligence and Security Agency (DCSA) Director, Office of the Under Secretary of Defense for Intelligence and Security (USD[I&S]), you created a negative and hostile work environment for DCSA employees by:

- failing to treat employees with dignity and respect;
- sexually harassing female employees;
- creating the perception that you were having sexual relationships with one or more female subordinates;
- making inappropriate gender-based comments about women; and
- exhibiting favoritism.

Our investigation also addressed emergent allegations that you:

- disclosed Privacy Act-protected information regarding an individual's security clearance;
- used Government resources to engage in prohibited political activity;
- used your official time and title, and used your subordinates' official time, to support non-Federal entities; and
- consumed alcohol in the workplace without written authorization.

By letter dated June 2, 2023, we gave you the opportunity to comment on the preliminary results of our investigation. In your response, dated July 12, 2023, you disagreed with our preliminary conclusions. After carefully considering your response, we conducted additional investigative work and revised our final report where appropriate. However, this did not change our conclusions by a preponderance of evidence substantiating all of the allegations.

Thank you for your cooperation during the investigation and your timely response to the preliminary results of our investigation. We provided the Director, Washington Headquarters Services, a copy of the redacted report and requested it be placed in your DoD personnel file. We also provided a redacted copy of the report to the Secretary of Defense and to the Under Secretary of Defense for Intelligence and Security.

We will publish a redacted version of the final report on our public website on December 19, 2023.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b)(6), (b)(7)(C) .
(b)(6), (b)(7)(C) . Investigations of Senior Officials, a (b) (6), (b) (7)(C) .

Sincerely,

GARRISON.MARGUERITE.CHERYL
E.CHERYL (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Digitally signed by
GARRISON.MARGUERITE.CHERYL.
Date: 2023.12.18 13:21:49 -05'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



~~CUI~~

INSPECTOR GENERAL

U.S. Department of Defense

May 18, 2024

Report of Investigation:

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



Controlled by: DoD-OIG

Controlled by: Administrative Investigations, Investigations of Senior Officials Directorate

CUI Category: PRIIG/INV/WHSTL

Distribution/Dissemination Control: FEDCON

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

INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE

~~CUI~~



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REPORT OF INVESTIGATION:

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

Introduction and Summary¹

Complaint Origin and Allegations

The DoD Office of Inspector General (DoD OIG) received a complaint on August 17, 2023, against (b) (6), (b) (7)(C)

After reviewing the complaint and conducting initial investigative work to consider the issues raised in the complaint, the DoD OIG opened an investigation on December 14, 2023, into allegations that (b)(6), (b)(7)(C)

- took actions based on a “strong personal interest” in a Global Positioning Satellite (GPS) Timing Initiative backup system called Nationwide Integration of Time Resiliency for Operations (NITRO); and
- reprised against a subordinate for his opposition to the NITRO initiative.

On the first allegation, the complaint raised concerns that (b) (6), (b) (7)(C) had “a strong personal interest in NITRO.” Although the complaint did not identify any specific motivation driving (b) (6), (b) (7)(C) pursuit of the NITRO program, we reviewed whether (b) (6), (b) (7)(C) had any undisclosed personal interest, financial or otherwise, that would have created a conflict of interest in his actions regarding the program. Additionally, we reviewed an allegation that he wasted Government resources by pushing a program that was not needed.

We evaluated (b) (6), (b) (7)(C) conduct related to the first allegation against the applicable standards summarized throughout this report.

A separate DoD OIG report examines the reprisal allegation.

¹ This report contains information that has been redacted because it was identified by the DoD Office of Inspector General and the DoD as Controlled Unclassified Information (CUI) that is not releasable outside the Executive Branch. CUI is Government-created or -owned unclassified information that allows for, or requires, safeguarding and dissemination controls in accordance with laws, regulations, and Government-wide policies.

Scope and Methodology of the Investigation

During our investigation, we interviewed (b) (6), (b) (7)(C) and nine witnesses. We also reviewed applicable standards, unclassified and classified emails and documents, financial disclosure records, and congressional documents. While our review included classified documents, we wrote this report to avoid revealing any classified information.

Conclusions

We examined the evidence related to the allegations in the complaint and did not substantiate that (b) (6), (b) (7)(C) engaged in misconduct.

The complaint focused in part on a draft report being staffed by the National Guard Bureau (NGB), which responds to questions raised by Congress about the NITRO program. The draft report remains in coordination within the DoD as of the date of this report of investigation. Several members of the office of the DoD Chief Information Officer (CIO) told us that they had concerns as to whether NITRO is needed, whether it is effective in providing a timing solution, and whether it is overpriced for the capability it provides. The Complainant and witnesses do not believe that the DoD should fund the NITRO program, because the DoD already uses a different backup to its GPS timing system. Therefore, the Complainant and witnesses raised concerns about the NGB's efforts in support of the NITRO program and viewed (b) (6), (b) (7)(C) as the driving force behind these efforts.

Various State officials have expressed a need for a separate backup GPS timing system for National Guard civil support operations at the State level, because the DoD system cannot be shared with civilian organizations. In its dual role supporting both DoD and State interests, the NGB has been coordinating efforts between the DoD and the States to meet the States' need for a backup GPS timing system for use in the event of manmade or natural disasters.

The Complainant speculated that (b) (6), (b) (7)(C) pursuit of the NITRO program was motivated by a "strong personal interest." However, the Complainant did not provide specific details supporting any conflicting financial, political, or other personal interests. Witnesses described (b) (6), (b) (7)(C) as persistent in his support and approval of the NITRO program. However, we found no evidence that his support was based on a potentially conflicting financial, political, or other personal interest, or indicated other misconduct.

Additionally, we found no support for the concerns that (b) (6), (b) (7)(C) improperly influenced the NGB's drafting of the NITRO report or that he attempted to circumvent the DoD's review of the draft report to Congress. The NGB's draft response to Congress is undergoing a coordination and review process before final DoD approval. The

process provides an opportunity for officials within the Office of the Secretary of Defense to comment and express concerns about the NITRO program and the NGB's draft response to Congress. Some offices within the Office of the Secretary of Defense, including the office of the DoD CIO, have raised concerns that are being reviewed and considered at the time of this report before the DoD approves and sends the draft responses to Congress.

Separately, we considered the NGB's role in coordinating efforts between the DoD, various governors, and their respective Adjutants General to advance the States' asserted needs for the NITRO program. Additionally, we reviewed classified information regarding the States' asserted needs, and there is enough information to preclude us from finding that there is clear waste. Accordingly, we concluded that the NGB's efforts in this matter do not appear to constitute a waste of Government resources and did not warrant further investigation.

Additionally, the Complainant told us that (b) (6), (b) (7)(C) requested that the U.S. Cyber Command (USCYBERCOM) detail a (b) (6), (b) (7)(C) employee to the NGB to advance his efforts to push the NITRO program. We reviewed the circumstances of the detail and found no evidence to indicate that the detail of the (b) (6), (b) (7)(C) employee violated a standard. Furthermore, as outlined in Chief National Guard Bureau Instruction 0100.01, dated January 11, 2013, (b) (6), (b) (7)(C) had the authority and responsibility of organizing and managing NGB personnel and other resources to accomplish NGB functions. We found that (b) (6), (b) (7)(C) had the authority to assign (b) (6), (b) (7)(C) for the NITRO Cross Functional Team and as (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

During the investigation, the Complainant (b) (6), (b) (7)(C)

The Complainant and a witness also raised concerns that Senator Joseph Manchin had an unusual level of interest in the NITRO program and might have been involved with (b) (6), (b) (7)(C) in supporting the NITRO program. However, the Complainant and the witness told us that they were not aware of any connection between Senator Manchin and (b) (6), (b) (7)(C), and the evidence we reviewed did not indicate any undue influence or other potential misconduct. Accordingly, we determined these concerns to be speculative and concluded that they do not warrant further investigation as a matter of misconduct.

In summary, we found no indication that (b) (6), (b) (7)(C) violated any standards in his involvement with the NITRO program and found no evidence to indicate that (b) (6), (b) (7)(C) had a conflicting personal financial or political interest in the NITRO

program. Accordingly, we did not substantiate any misconduct against (b) (6), (b) (7)(C).

Detailed Results of Our Investigation

The following sections provide the detailed results of our investigation. We first provide background information about (b) (6), (b) (7)(C) and the NGB. Second, we present the complaint and facts associated with the allegation that (b) (6), (b) (7)(C) had a “strong personal interest” in the NITRO program. Finally, we present our overall conclusions and recommendations.²

² We based our conclusions on a preponderance of the evidence, consistent with the law and our normal process in administrative investigations.

Background

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

National Guard Bureau

The NGB is a joint activity of the DoD that facilitates and supports the training of members and units of the National Guard to meet State and DoD requirements. The NGB assists the Secretary of Defense in facilitating and coordinating with other Federal agency heads, the Adjutants General of the States, and the Commanders of the U.S. Northern Command and U.S. Indo-Pacific Command, using National Guard personnel and resources for operations conducted in support of State missions. The NGB also serves as a channel of communication on matters pertaining to the Army National Guard and Air National Guard units of the 54 states, territories, and District of Columbia.

The NGB also supports the U.S. Northern Command and U.S. Indo-Pacific Command in developing plans for homeland defense and defense support of civil authorities and provides the DoD with visibility of State use of National Guard forces.

NITRO

Separate from the operational framework for active duty military operations, the National Guard uses civilian infrastructure in the states, territories, and District of Columbia for domestic operations and for the command and control of its forces. Civilian infrastructure is interconnected with various segments of U.S. critical infrastructure, including the electric power grid, water utilities, and multimodal logistics and transportation systems that might be compromised by manmade and natural events. This civilian infrastructure requires accurate time to operate.

The NITRO program includes an operational prototype designed to fill potential gaps in accurate timing capabilities in the civilian infrastructure. The program is designed to ensure that National Guard, Federal, and State civil authorities can maintain communications and other critical functions in the event of a loss of domestic timing signals.

FY 2023 National Defense Authorization Act

The House of Representatives Committee on Armed Services, in its report accompanying H.R. 7900, “National Defense Authorization Act (NDAA) for FY 2023”

(House Report 117-397), directed the Secretary of Defense to provide a report not later than February 1, 2023, on the NITRO program. The Office of the Assistant Secretary of Defense for Legislative Affairs assigned to NGB on January 30, 2023, the responsibility to draft and staff the NITRO report, which remains in the draft coordination process as of the writing of this report.

Analysis of the Allegations

Chronology of Significant Events

The following table lists the significant events related to this investigation.

Table. Chronology of Significant Events

Date	Event
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) assumes duties as the (b) (6), (b) (7)(C).
July 1, 2022	In House Report 117-397 accompanying the House bill for the FY 2023 NDAA, the House of Representatives Committee on Armed Services directs the DoD to provide a report on the NITRO program.
May 5, 2023	The NGB completes the draft NITRO report to Congress and begins DoD staffing.

Source: The DoD OIG.

Complaint Details

The complaint alleged that (b) (6), (b) (7)(C) took actions based on “a strong personal interest” in the NITRO program. Additionally, we reviewed an allegation that (b) (6), (b) (7)(C) wasted Government resources by pushing a program that was not needed. Therefore, we conducted a review of the NGB’s role in the NITRO program, the staffing of a draft DoD report to Congress on NITRO, and concerns raised by the Complainant and other witnesses about (b) (6), (b) (7)(C) involvement in these matters. Finally, the complaint included allegations that (b) (6), (b) (7)(C) reprimed against a subordinate for his opposition to the NITRO initiative, (b)(6), (b)(7)(C)

National Guard Bureau’s Role in the NITRO Program

The NITRO program started as a USCYBERCOM pilot program testing a GPS Positioning, Navigation, and Timing backup system for the DoD. The Office of the Under Secretary of Defense for Research and Engineering provided \$4.7 million in initial research, development, test, and evaluation funding for implementing several NITRO prototypes in different States.

In April 2022, USCYBERCOM notified the NGB that the NITRO program was outside the scope of USCYBERCOM’s system, the program was not part of DoD’s mission, and the DoD CIO also had concerns about the NITRO program. USCYBERCOM also notified NGB leadership that it would no longer support using DoD funds for the NITRO program.

The DoD CIO informed the NGB that funding for the NITRO program for use as a backup for civil infrastructure should fall under the responsibility of the Department of Homeland Security and the Department of Transportation, which collectively are responsible for civilian infrastructure.

Various States expressed a need for a backup GPS timing system that could be used by National Guard units and State civil support organizations, because the DoD system could not be shared with civilian organizations. Based on the involvement and interest in the NITRO program by Members of Congress, and The Adjutants General (TAG) of various States, the NGB continued efforts to support the NITRO program at the Federal level.

(b) (6), (b) (7)(C) was initially responsible for the NGB's efforts to support the NITRO program when USCYBERCOM stopped supporting the program. In a July 15, 2022 email to a (b) (6), (b) (7)(C) USCYBERCOM employee (b) (6), (b) (7)(C) USCYBERCOM's involvement with NITRO, (b) (6), (b) (7)(C) requested the employee's "personal assistance in working with [NGB] staff on key items that need to [be] built out (ie [sic] acquisition strategy, program management plan, transition plan, etc...) in order to deploy this resilience to the 54 [states, territories and District of Columbia]." Regarding (b) (6), (b) (7)(C) rationale for seeking the assistance of the (b) (6), (b) (7)(C) USCYBERCOM employee, (b) (6), (b) (7)(C) told us:

(b) (6), (b) (7)(C)
So (b) (6), (b) (7)(C) understands the process. (b) (6), (b) (7)(C) understands legislative engagement, which is really what we needed help with to—to understand how to organize ourselves, how to build strategy. And (b) (6), (b) (7)(C) had the foresight on basically how to put a lot of this together. Which is why I asked for (b) (6), (b) (7)(C) help to keep it going.

(b) (6), (b) (7)(C) subsequently requested that USCYBERCOM (b) (6), (b) (7)(C) the NGB pursue the NITRO program. (b) (6), (b) (7)(C), USCYBERCOM, (b) (6), (b) (7)(C).³

During the beginning of the NGB NITRO effort, (b) (6), (b) (7)(C) led a Senior Steering Group for the NITRO program that included six State TAGs and personnel from the NGB staff, including representatives from the NGB CIO, NGB Domestic Operations Directorate (J3), NGB Public Affairs, and the NGB Legislative Liaison. The primary function of the Steering Group was furthering the development and implementation of the NITRO program. On October 24, 2022, the (b) (6), (b) (7)(C) USCYBERCOM employee (b) (6), (b) (7)(C) at the (b) (6), (b) (7)(C) level, and (b) (6), (b) (7)(C) stepped away from direct participation in the Steering Group.⁴ (b) (6), (b) (7)(C) said that the (b) (6), (b) (7)(C) USCYBERCOM employee was (b) (6), (b) (7)(C).

³ We note that the (b) (6), (b) (7)(C) USCYBERCOM employee's (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

⁴ In a September 22, 2022 email in which (b) (6), (b) (7)(C) announced the purpose and functions of (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) identified the (b) (6), (b) (7)(C) USCYBERCOM employee as an (b) (6), (b) (7)(C) and stated that (b) (6), (b) (7)(C) would (b) (6), (b) (7)(C).

(b)(6), (b)(7)(C) added (b)(6), (b)(7)(C) Chief National Guard Bureau Instruction 5101.01, “National Guard Bureau Organization and Principal Official Responsibilities,” June 2, 2023, gives (b)(6), (b)(7)(C), under the authority of the CNGB, the responsibility of “organizing and managing its personnel and other resources to accomplish NGB functions.”⁶

DoD Report to Congress on the NITRO Program

The House of Representatives Committee on Armed Services report accompanying the House bill for the FY 2023 NDAA directed the DoD to provide a report to Congress on the NITRO program. The DoD assigned the NGB the responsibility to draft a report to Congress addressing these issues and to coordinate the draft with various DoD offices. The NDAA requires the report to address:

- (1) the mission need, if any, for a timing system independent of GPS to support domestic National Guard operations;
- (2) current capability gaps identified in domestic timing infrastructure;
- (3) an analysis of alternatives on systems to fill those gaps, including NITRO;
- (4) estimated funding requirements and timelines for implementing a solution that includes considerations for the end-user equipment required, and eventual sustainment of the system; and
- (5) how the Department is collaborating with other Federal, State, or local entities on the effort.

The NGB submitted a draft NITRO Report dated May 5, 2023, to DoD offices for comment. In response to Congress’s request to estimate funding requirements and timelines to implement the NITRO program, the draft report described a \$377.13 million funding requirement for FYs 2023 through 2028, with the purchase of 150 NITRO operational prototypes from FYs 2023 through 2025.

(b)(6), (b)(7)(C) or tasks related to NITRO. According to (b)(6), (b)(7)(C) who recalled (b)(6), (b)(7)(C) making a similar statement during an initial meeting about the (b)(6), (b)(7)(C) USCYBERCOM employee’s detailing, the (b)(6), (b)(7)(C) USCYBERCOM employee (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

⁵ We note that the (b)(6), (b)(7)(C) USCYBERCOM employee’s tasking (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) were like those of (b)(6), (b)(7)(C) tasking (b)(6), (b)(7)(C) (b)(6), (b)(7)(C).

⁶ The previous version (Chief National Guard Bureau Instruction 0100.01, “Organization of the National Guard Bureau,” January 11, 2013), which was in effect at the outset of the detail, contained similar language.

The NGB submitted a draft NITRO report to the DoD Office of the CIO for comment, because the CIO has the principal responsibility within the DoD for GPS timing backup systems such as the NITRO program. The DoD Office of the CIO had concerns with the NGB's draft NITRO report and listed the following seven comments outlining their objections. The Comment Resolution Matrix described "C" (non-concur/critical) as comments of a serious nature and "S" (concur/substantive) as comments of a less serious nature.

- C – The operational needs defined in this document are too broad to develop specific mission capabilities or to conduct an effective Analysis of Alternatives.
- C – The DOD currently maintains a Program of Record for timing backup for critical DOD missions, which has applications both CONUS and OCONUS.
- C – The overall DOD mission requirement requires further definition.
- C – The resilient time capability need described by this document is neither compliant with DOD Instruction 4650.06 nor with CJCSI 6130.01H.
- C – The Report references in multiple locations that DOD Critical Time Dissemination (CTD) alternate timing solution is a "planned" system.
- S – The report states that NITRO (will) provide enhanced security, resilience, assurance, accuracy, availability and integrity.
- C – Without detailed requirements and full concept of operations for employment, it is unclear what cost factors were used to determine the \$377M budget overview provided and what additional costs would remain to achieve operating capability.

Witnesses at the DoD Office of the CIO told us that they understood the need for a resilient timing backup system; however, they reiterated information about the DoD Office of the CIO objections related to the draft report. The witnesses were also concerned about the use of "Title 10" DoD funds to support nonfederalized forces in support of civil authorities.⁷

⁷ As a general matter, funds appropriated pursuant to title 10, United States Code, may be used to support the National Guard when performing Federal missions when ordered to active duty in their Reserve Component status or when federalized as part of the militia of the United States, whereas funds appropriated pursuant to title 32, United States Code, are used when the National Guard is performing State missions in State status under the command and control of their respective governors.

Additionally, witnesses told us that the NGB has not provided information about what critical infrastructure NITRO is supporting, NITRO's specific timing requirements, and the systems NITRO would connect. Another witness told us that while there are still unknown questions and answers about the NITRO program, "the project keeps moving forward and resources [are] expended."

The complaint also noted concerns that (b) (6), (b) (7)(C) has a "strong personal interest" in the NITRO program. The witnesses were concerned that NGB officials were focused on the NITRO program and did not consider alternative capabilities. However, the witnesses also told us that their concerns were only based on "speculation," and no one raised any concerns that (b) (6), (b) (7)(C) might have any conflicting financial interests in the NITRO program.

Status of the NITRO Report

At the time of this report, the NITRO report is still pending coordination and concurrence with the Under Secretary of Defense for Policy, the DoD General Counsel, and the Office of Cost Assessment and Program Evaluation.

Waste of Government Resources

While the Complainant raised concerns about the use of title 10 DoD funds for NITRO, they did not raise objections about the use of other funding sources for the NITRO program. However, we also reviewed an allegation that the NGB efforts regarding the NITRO program might be considered a waste of Government resources.

All Federal employees have a responsibility to serve as good stewards of public resources.⁸ The Comptroller General has defined "waste" as involving taxpayers as a whole not receiving reasonable value for money in connection with any Government-funded activities due to an inappropriate act or omission by players with control over or access to Government resources. Importantly, waste represents a transgression that is less than fraud and abuse, and most waste does not involve violation of law. Rather, waste generally relates to mismanagement, inappropriate actions, and inadequate oversight.⁹

⁸ Among the basic obligations of public service, in 5 CFR part 2635, § 2635.101(b)(9) states, "Employees shall protect and conserve Federal property and shall not use it for other than authorized activities." Similarly, in 5 CFR part 2638, § 2638.102 states, "Consistent with the fundamental principle that public service is a public trust, every employee in the executive branch plays a critical role in the executive branch ethics program. As provided in the Standards of Conduct at part 2635 of this chapter, employees must endeavor to act at all times in the public's interest, avoid losing impartiality or appearing to lose impartiality in carrying out official duties, refrain from misusing their offices for private gain, serve as good stewards of public resources, and comply with the requirements of government ethics laws and regulations, including any applicable financial disclosure requirements."

⁹ GAO-07-788CG, "Federal Oversight: The Need for Good Governance, Transparency, and Accountability," April 16, 2007. Notwithstanding this GAO definition, there may be circumstances in which actions or omissions resulting in a waste of taxpayer dollars is egregious enough to constitute misconduct,

The Office of the Under Secretary of Defense for Research and Engineering provided \$4.7 million in initial research, development, test, and evaluation funding for implementing several NITRO prototypes in different States. Additionally, according to the Joint Explanatory Statement for the FY 2024 Department of Defense Appropriations Act, Congress included a line item under the Research, Development, Test and Evaluation – Air Force (Title 10) appropriation for a \$1 million program increase to the NITRO program.¹⁰

Several State officials have expressed a need for a system to fill a domestic timing capability gap that could be caused by a manmade or natural disaster. None of the witnesses expressed doubts about such a need for a domestic timing signals backup system at the State level. Witness concerns about the NITRO program focused on whether the DoD should be involved in funding the program and whether alternative systems exist that should be considered.

When the National Guard conducts domestic operations in support of civil authorities in a State status, they act under the direction of the State governors and TAGs. Governors have expressed an operational need and have directed their State TAGs to reduce operational risk by seeking a domestic timing signals backup system to execute missions in support of civil authorities. Based on the States' asserted needs for a backup timing system and the NGB's role in coordinating efforts between the DoD and the States, we do not have sufficient evidence to conclude that there was waste of Government resources in these efforts, as opposed to a policy dispute that will be played out through appropriate channels.

The information we reviewed supported that title 10, United States Code, funds may be used to support the National Guard when performing Federal missions when ordered to active duty. Funds appropriated pursuant to title 32, United States Code, are used when the National Guard is performing State missions in State status under the command and control of their respective governors.

(b) (6), (b) (7)(C) Involvement in the NITRO Program

We interviewed (b) (6), (b) (7)(C) and other NGB officials about (b) (6), (b) (7)(C) involvement in the NITRO program. While (b) (6), (b) (7)(C) was initially directly involved in the NGB's efforts regarding the NITRO program as the leader of the NITRO Senior Steering Group, he stepped back from those efforts (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) USCYBERCOM employee (b) (6), (b) (7)(C).

¹⁰ The Department of Defense Appropriations Act, 2024, was enacted on March 30, 2024, as part of Public Law 118-47, entitled the Further Consolidated Appropriations Act, 2024.

None of the witnesses we interviewed and none of the documents we reviewed had any information about any potential inappropriate behavior regarding the NITRO program or the staffing of the draft NITRO report to Congress.

We reviewed (b) (6), (b) (7)(C) financial disclosure reports and found no information about potential conflicting financial interests related to the NITRO program or the company that manufactured the equipment. (b) (6), (b) (7)(C) told us that neither (b) (6), (b) (7)(C) relatives, nor anyone with whom (b) (6), (b) (7)(C) is affiliated in a nongovernmental capacity had a financial interest related to the NITRO program, and we discovered no evidence to the contrary.

(b) (6), (b) (7)(C) told us that governors, emergency managers, and TAGs were interested in and understood the need for a GPS timing backup system in the event of an attack on the GPS network. (b) (6), (b) (7)(C) told us that the NGB is no longer involved in advocating for the NITRO program and that on November 17, 2023, (b) (6), (b) (7)(C) transferred that responsibility to the State TAGs. (b) (6), (b) (7)(C) also told us that the (b) (6), (b) (7)(C) USCYBERCOM employee (b) (6), (b) (7)(C) .

Conclusion

We concluded that there was no indication that (b) (6), (b) (7)(C) engaged in misconduct.

The information we reviewed about the NITRO program, the initial DoD funding for the deployment of prototypes, and the decisions by USCYBERCOM and the DoD Office of the CIO to back away from supporting DoD efforts in the NITRO program did not appear to be out of the ordinary or raise any matters of potential misconduct.

Various State officials have expressed a need to maintain accurate timing capabilities in the event of a loss of domestic timing signals due to manmade or natural disasters. The NITRO program is designed to fill that capability. The NGB's efforts to continue coordinating and supporting the NITRO program are consistent with the NGB's dual role supporting both the DoD's mission and the National Guard's support for State missions.

The NGB is leading efforts to answer Congress's questions about the mission need for a domestic timing signals backup system, current capability gaps, an analysis of alternatives to fill those gaps (including NITRO), estimated funding requirements and timelines for implementing a solution, and how the DoD is collaborating with other Federal, State, and local entities on this issue. DoD offices have submitted critical comments about the NGB's draft report to Congress. What the final draft report contains and whether the NITRO program will continue to be considered or funded as a potential backup system for domestic timing signals remains to be seen.

While the Complainant and other witnesses have raised concerns about the NITRO program, none of them provided any specific information about any potential misconduct by (b) (6), (b) (7)(C) related to the NITRO program or the staffing of the report to Congress.

We found no indication that (b) (6), (b) (7)(C) or any other official is circumventing the DoD's review and coordination process related to the NITRO report to Congress. Based on the information we reviewed, the draft NITRO report is currently undergoing the required coordination and review process before DoD approval and submission to Congress.

Additionally, none of the witnesses raised concerns about a potential financial conflict of interest, and our review of financial disclosure forms found no information that (b) (6), (b) (7)(C) might have conflicting financial interests regarding the NITRO program.

Finally, we concluded that the efforts to support the NITRO program were not a waste of Government resources. The NGB has not expended any funds on the NITRO program. The Office of the Under Secretary of Defense for Research and Engineering approved \$4.7 million allocated to USCYBERCOM for the initial research and development of the NITRO program. In response to question (4) from Congress on the estimated funding requirements, the NGB included the estimated cost of \$377.13 million in the NITRO report for the purchase of 150 NITRO operational prototypes. Additionally, according to the Joint Explanatory Statement for the FY 2024 Department of Defense Appropriations Act, Congress included a line item under the Research, Development, Test and Evaluation – Air Force (Title 10) Appropriation for a \$1 million program increase to the NITRO program. Based on the States' asserted needs for a backup timing system and the NGB's role in coordinating efforts between the DoD and the States, we conclude there was not sufficient evidence of waste of Government resources to constitute misconduct in these efforts.

Overall Conclusions

We concluded that (b) (6), (b) (7)(C) did not engage in misconduct.

Recommendations

We make no recommendation regarding (b) (6), (b) (7)(C)

We refer the information regarding the (b) (6), (b) (7)(C)

Appendix – Standards

DoD 5500.7-R, “Joint Ethics Regulation,” August 30, 1993 (Incorporating Changes 1-7, November 17, 2011)

Joint Ethics Regulation section 2-100 incorporates, by reference, the entirety of title 5 Code of Federal Regulations, Part 2635, “Standards of Ethical Conduct for Employees of the Executive Branch.”

5 Code of Federal Regulations, Section 2635.101, Subpart A, “Basic Obligation of Public Services”

Section 2635.101(b) states, “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 is proper.”

Section 2635.101 (b)(9) states, “Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.”

5 Code of Federal Regulations, Subpart D, “Conflicting Financial Interests, Section 2635.402, “Disqualifying Financial Interests”

Section 2635.402 states, “An employee is prohibited by criminal statute, 18 U.S.C. 208(a), from participating personally and substantially in an official capacity in any particular matter in which, to his knowledge, he or any person whose interests are imputed to him under this statute has a financial interest, if the particular matter will have a direct and predictable effect on that interest.”

Section 2635.402(b)(2) states, “Imputed interests. For purposes of 18 U.S.C. 208(a) and this subpart, the financial interests of the following persons will serve to disqualify an employee to the same extent as if they were the employee’s own interests:

- (i) The employee’s spouse;
- (ii) The employee’s minor child;
- (iii) The employee’s general partner;
- (iv) An organization or entity which the employee serves as officer, director, trustee, general partner or employee; and

(v) A person with whom the employee is negotiating for or has an arrangement concerning prospective employment. (Employees who are seeking other employment should refer to and comply with the standards in subpart F of this part)."

***5 Code of Federal Regulations, Subpart G, "Misuse of Position,"
Section 2635.702, "Use of Public Office for Private Gain"***

Section 2635.702 states, "An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations. The specific prohibitions set forth in paragraphs (a) through (d) of this section apply this general standard, but are not intended to be exclusive or to limit the application of this section."

***5 Code of Federal Regulations, Subpart G, "Misuse of Position,"
Section 2635.704, "Use of Government Property"***

Section 2635.704 states, "An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes."

Joint Ethics Regulation, Chapter 12, "Ethical Conduct," Section 501, "Primary Ethical Values"

Section 501d, "Accountability," states, "DoD employees are required to accept responsibility for their decisions and the resulting consequences. This includes avoiding even the appearance of impropriety because appearances affect public confidence. Accountability promotes careful, well thought-out decision-making and limits thoughtless action."

5 Code of Federal Regulations, Subpart A, "Mission and Responsibilities," Section 2638.102, "Government Ethics Responsibilities of Employees"

Section 2638.102 states, "Consistent with the fundamental principle that public service is a public trust, every employee in the executive branch plays a critical role in the executive branch ethics program. As provided in the Standards of Conduct at part 2635 of this chapter, employees must endeavor to act at all times in the public's interest, avoid losing impartiality or appearing to lose impartiality in carrying out official duties, refrain from misusing their offices for private gain, serve as good stewards of public resources, and comply with the requirements of government ethics laws and regulations, including any applicable financial disclosure requirements. Employees must refrain from participating in particular matters in which they have financial

interests and, pursuant to § 2635.402(f) of this chapter, should notify their supervisors or ethics officials when their official duties create the substantial likelihood of such conflicts of interest. Collectively, the charge of employees is to make ethical conduct the hallmark of government service.”

GAO-07-788CG, “Federal Oversight: The Need for Good Governance, Transparency, and Accountability,” April 16, 2007

The Comptroller General has defined “waste” as follows.

Waste involves the taxpayers as a whole not receiving reasonable value for money in connection with any Government-funded activities due to an inappropriate act or omission by players with control over or access to Government resources. Importantly, waste represents a transgression that is less than fraud and abuse, and most waste does not involve violation of law. Rather, waste relates to mismanagement, inappropriate actions, or inadequate oversight.

Section 208, Title 18, United States Code, “Acts Affecting a Personnel Financial Interest”

This statute states in part, that “whoever, being an officer or employee of the executive branch of the United States Government, or of any independent agency of the United States, a Federal Reserve bank director, officer, or employee, or an officer or employee of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer, director, trustee, general partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—
Shall be subject to the penalties set forth in section 216 of this title.”

Chief National Guard Bureau Instruction 0100.01, “Organization of the National Guard Bureau,” January 11, 2013

The Vice Chief of the National Guard Bureau, under the authority of, and at the direction of the Chief of the National Guard Bureau, will perform the following functions.

4. Directing the National Guard Bureau and organizing and managing its personnel and other resources to accomplish its responsibilities and functions;
5. Executing joint programs and functions as necessary to effectively integrate National Guard resources and capabilities.

Acronyms and Abbreviations

CIO Chief Information Officer

USCYBERCOM United States Cyber Command

DoD OIG DoD Office of Inspector General

Gen General

GPS Global Positioning Satellite

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

Lt Gen Lieutenant General

MG Major General

NDAA National Defense Authorization Act

NITRO Nationwide Integration of Time Resiliency for Operations

TAG The Adjutant General

VCNGB Vice Chief National Guard Bureau

Whistleblower Protection

U.S. DEPARTMENT OF DEFENSE

Whistleblower Protection safeguards DoD employees against retaliation for protected disclosures that expose possible fraud, waste, and abuse in Government programs. For more information, please visit the Whistleblower webpage at <http://www.dodig.mil/Components/Administrative-Investigations/Whistleblower-Reprisal-Investigations/Whistleblower-Reprisal/> or contact the Whistleblower Protection Coordinator at Whistleblowerprotectioncoordinator@dodig.mil

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OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

May 23, 2024

MEMORANDUM FOR CHIEF NATIONAL GUARD BUREAU

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

SUBJECT: Investigation Concerning (b) (6), (b) (7)(C)

Case 20230817-088053-CASE-01

We recently completed an investigation to address allegations that (b) (6), (b) (7)(C) took actions based on a "strong personal interest" in a Global Positioning Satellite Timing Initiative backup system called Nationwide Integration of Time Resiliency for Operations and wasted Government resources by pushing a program that was not needed. Such conduct would violate the following standards: DoD Directive 5500.07-R, "Joint Ethics Regulation," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), Chapter 2, Section 2635.402, "Disqualifying Financial Interest," and Section 2635.702, "Use of Public Office for Private Gain"; section 208, title 18, United States Code (18 U.S.C. § 208), "Acts Affecting a Personal Financial Interest"; 5 U.S.C. § 2302, "Prohibited Personal Practices"; and other applicable standards.

We did not substantiate the allegations. We reviewed documents and electronic communications, and interviewed persons with knowledge of the events at issue. Based on our interviews and other investigation, we did not find the evidence sufficient to substantiate misconduct.

(b) (6), (b) (7)(C) was notified on April 29, 2024 of the (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C), or have your staff contact (b) (6), (b) (7)(C), Investigations of Senior Officials, at (b) (6), (b) (7)(C).

GARRISON.MARGUERITE
E.CHERYL (b) (6), (b) (7)(C)

Digitally signed by
GARRISON.MARGUERITE.CHERYL

Date: 2024.05.23 07:49:19 -04'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations

Controlled by: DoD OIG
Controlled by: Administrative Investigations
CUI Category: PRIG/INV/WHSTL
Limited Dissemination Controls: FEDCON
POC: (b) (6), (b) (7)(C)

CUI



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

May 23, 2024

MEMORANDUM FOR SECRETARY OF THE AIR FORCE INSPECTOR GENERAL
 (ATTN: (b) (6), (b) (7)(C))

SUBJECT: Investigation Concerning (b) (6), (b) (7)(C)

Case 20230817-088053-CASE-01

We recently completed an investigation to address allegations that (b) (6), (b) (7)(C) while serving as the (b) (6), (b) (7)(C) took actions based on a "strong personal interest" in a Global Positioning Satellite Timing Initiative backup system called Nationwide Integration of Time Resiliency for Operations and wasted Government resources by pushing a program that was not needed. Such conduct would violate the following standards: DoD Directive 5500.07-R, "Joint Ethics Regulation," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), Chapter 2, Section 2635.402, "Disqualifying Financial Interest," and Section 2635.702, "Use of Public Office for Private Gain"; section 208, title 18, United States Code (18 U.S.C. § 208), "Acts Affecting a Personal Financial Interest"; 5 U.S.C. § 2302, "Prohibited Personal Practices"; and other applicable standards.

We did not substantiate the allegations. We reviewed documents, electronic communications, and interviewed people with knowledge of the events at issue. Based on our interviews and other investigation, we did not find the evidence sufficient to substantiate misconduct.

(b) (6), (b) (7)(C) was notified on April 29, 2024 of the (b) (6), (b) (7)(C)

If you have any questions, please contact me at (b) (6), (b) (7)(C), or have your staff contact (b) (6), (b) (7)(C), Investigations of Senior Officials, at (b) (6), (b) (7)(C)

GARRISON.MARGUERITE.CHERYL
E.CHERYL (b) (6), (b) (7)(C)

Digitally signed by
GARRISON.MARGUERITE.CHERYL
 Date: 2024.05.23 07:24:18 -04'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

Controlled by: DoD OIG
 Controlled by: Administrative Investigations
 CUI Category: PRIG/INV/WHSTL
 Limited Dissemination Controls: FEDCON
 POC: (b) (6), (b) (7)(C)



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

May 23, 2024

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

111 S. George Mason Drive
Arlington, Virginia 22204

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

We have completed an investigation to address allegations that while serving as (b) (6), (b) (7)(C) you took actions based on a "strong personal interest" in a Global Positioning Satellite Timing Initiative backup system called Nationwide Integration of Time Resiliency for Operations and that you wasted Government resources by pushing a program that was not needed.

We did not substantiate the allegations. We reviewed documents and electronic communications, and interviewed persons with knowledge of the events at issue. Based on our interviews and other investigation, we did not find the evidence sufficient to substantiate misconduct.

You were notified on April 29, 2024 of the (b) (6), (b) (7)(C)

Thank you for your cooperation during the investigation. We consider this matter closed.

If you have any questions, please contact me at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Investigations of Senior Officials, at (b) (6), (b) (7)(C)

Sincerely,

GARRISON.MARGUERITE
E.CHERYL (b) (6), (b) (7)(C)

Digitally signed by
GARRISON.MARGUERITE.CHERYL

Date: 2024.05.23 07:21:19 -04'00'

Marguerite C. Garrison
Deputy Inspector General
for Administrative Investigations



OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
 4800 MARK CENTER DRIVE
 ALEXANDRIA, VIRGINIA 22350-1500

May 30, 2024

MEMORANDUM FOR CHIEF INFORMATION OFFICER, DEPARTMENT OF DEFENSE

SUBJECT: Investigation Concerning (b) (6), (b) (7)(C)

Case 20230817-088053-CASE-01

We recently completed an investigation to address allegations that (b) (6), (b) (7)(C) took actions based on a "strong personal interest" in a Global Positioning Satellite Timing Initiative backup system called Nationwide Integration of Time Resiliency for Operations and wasted Government resources by pushing a program that was not needed. Such conduct would violate the following standards: DoD Directive 5500.07-R, "Joint Ethics Regulation," August 30, 1993 (Incorporating Changes 1-7, November 17, 2011), Chapter 2, Section 2635.402, "Disqualifying Financial Interest," and Section 2635.702, "Use of Public Office for Private Gain"; section 208, title 18, United States Code (18 U.S.C. § 208), "Acts Affecting a Personal Financial Interest"; 5 U.S.C. § 2302, "Prohibited Personal Practices"; and other applicable standards.

We did not substantiate the allegations. We reviewed documents and electronic communications, and interviewed persons with knowledge of the events at issue. Based on our interviews and other investigation, we did not find the evidence sufficient to substantiate misconduct.

If you have any questions, please contact me at (b) (6), (b) (7)(C), or have your staff contact (b) (6), (b) (7)(C), Investigations of Senior Officials, at (b) (6), (b) (7)(C)

GARRISON.MARGUERITE Digitally signed by
E.CHERYL (b) (6), (b) (7)(C) GARRISON.MARGUERITE.CHERYL.

Date: 2024.05.30 09:49:07 -04'00'

Marguerite C. Garrison
 Deputy Inspector General
 for Administrative Investigations

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