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Description of document: National Aeronautics and Space Administration (NASA) Office of Inspector General (OIG) Report of Investigation, Final Report, and Closing Memo for 20 closed NASA investigations, 2008-2011

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Source of document: Office of Inspector General  
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JUN 28 2012

*VIA ELECTRONIC TRANSMISSION*

SUBJECT: Freedom of Information Act (FOIA) Request  
Office of Inspector General FOIA Request Number 2012-30

I am responding to the May 6, 2012, FOIA request that you submitted to the NASA Office of Inspector General (OIG). It was received by the OIG on May 14, 2012. You requested a copy of "the Report of Investigation, the Final Report, and the Closing Memo (to the extent that such documents exist for each of the 20 (twenty) closed NASA investigations identified in the attached listing and marked prominently with an asterisk."

My initial determination is to provide you redacted copies of the enclosed documents. These documents have been redacted to remove identifying information of individuals pursuant to FOIA exemption (b)(6), which protects individuals from unwarranted invasions of personal privacy, and (b)(7)(C), which protects personal privacy related to law enforcement records. 5 U.S.C. §§ 552(b)(6) & (7)(C). Portions of the documents have also been redacted to protect information pursuant to FOIA exemption (b)(5), which protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency," for example, attorney / client privileged information, under 5 U.S.C. § 552(b)(5).

You have the right to appeal this initial determination to the Inspector General. Under 14 CFR § 1206.605 (b), the appeal must: (1) be in writing; (2) be addressed to the Inspector General, NASA Headquarters, Washington, DC 20546; (3) be identified clearly on the envelope and in the letter as an "Appeal under the Freedom of Information Act;" (4) include a copy of the request for the Agency record and a copy of the contested initial

determination; (5) to the extent possible, state the reasons why the requester believes the contested initial determination should be reversed; and (6) be sent to the Inspector General within 30 calendar days of the date of receipt of the initial determination.

Sincerely,

*for* *Matt P. Kochanski*  
Kevin H. Winters

Assistant Inspector General for Investigations  
OIG FOIA Officer – Investigations

Enclosures



O-LA-08-0116-O

December 30, 2008

**REPORT OF INVESTIGATION**

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

Public Affairs Office  
NASA Headquarters  
Washington, DC 20546

**CASE CLOSING:** This investigation was initiated upon the recovery of an electronic mail message (email) during a forensic examination of an imaged hard disc drive of the government computer formerly assigned to (b)(6) & (b)(7)(C) Computer Crimes Division, reported that during this examination circa January 11, 2008, she recovered an email, dated December 20, 2005, sent by (b)(6) & (b)(7)(C) Public Affairs Office (PAO), Goddard Space Flight Center (GSFC), MD, to (b)(6) & (b)(7)(C) and (b)(6) & (b)(7)(C)

NASA Headquarters (HQ), with a carbon copy to (b)(6) & (b)(7)(C)

In the email, entitled "PAO procedures," (b)(6) & (b)(7)(C) documented the discussions he and (b)(6) & (b)(7)(C) had with (b)(6) & (b)(7)(C) and (b)(6) & (b)(7)(C) concerning the procedures to be used by GSFC PAO regarding (b)(6) & (b)(7)(C) and specifically (b)(6) & (b)(7)(C). In addition, recovery of this email indicated that on the same date (b)(6) & (b)(7)(C) received it, he forwarded the "PAO procedures" email to (b)(6) & (b)(7)(C) PAO, NASA HQ.

During the conduct of O-GO-07-0059-S, (b)(6) & (b)(7)(C) House Committee on Science (HCS), U.S. House of Representatives, Washington, DC, was interviewed. While serving as (b)(6) & (b)(7)(C) he was directed by then U.S. Representative and HCS Chairperson Sherwood Boehlert to conduct an inquiry in response to information in a *New York Times* article that NASA had attempted to silence climate change issues raised by (b)(6) & (b)(7)(C). (b)(6) & (b)(7)(C) reported that during his inquiry, both (b)(6) & (b)(7)(C) and (b)(6) & (b)(7)(C) denied to him that they received the "PAO procedures" email from (b)(6) & (b)(7)(C). (b)(6) & (b)(7)(C) disclosed that in addition, both (b)(6) & (b)(7)(C) and (b)(6) & (b)(7)(C) claimed the discussion about PAO procedures did not occur in the content characterized by (b)(6) & (b)(7)(C) in the email. Accordingly, this investigation was initiated to determine if (b)(6) & (b)(7)(C) denial to (b)(6) & (b)(7)(C) constituted a violation of Title 18, U.S. Code, Section 1001(c)(2), False Statements. Assistant U.S. Attorney (AUSA) (b)(6) & (b)(7)(C) U.S. Attorney's Office, Washington, DC, was preliminarily apprised and directed that additional investigative efforts be conducted.

6285

APPR: (b)(6) & (b)(7)(C)

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██████████ reported that the "PAO procedures" email he wrote was a collective account of directions he and (b)(6) & (b)(7)(C) received from ██████████ and ██████████ during respective teleconferences on December 15 and 16, 2005. ██████████ reportedly sought to document the tasking from ██████████ and ██████████ specifically, the emphasis on keeping HQ PAO briefed and provided with notification on the activities of ██████████. ██████████ related that it was inappropriate for PAO personnel, specifically he and (b)(6) & (b)(7)(C), to monitor ██████████ and get in the way of the public discourse of science.

Review of the government email account formerly assigned to (b)(6) & (b)(7)(C) Office of Legislative Affairs, NASA HQ, disclosed that on February 2, 2006, ██████████ forwarded a facsimile form of the "PAO procedures" email from ██████████ to ██████████ and ██████████. In responding emails, both ██████████ and ██████████ denied any prior receipt of the document. The facsimile form of the "PAO procedures" email had been acquired by the HCS staff and, with the exception of two minor apparent mistypes, was identical in content to the ██████████ email.

██████████ acknowledged receiving the forwarded ██████████ "PAO procedures" email from ██████████ on December 20, 2005. ██████████ was inclined to believe that ██████████ description of procedures for PAO in the email was accurate since he only had a minor change to make as reflected in his email response to ██████████. ██████████ recalled that in a meeting with ██████████ and ██████████ he was shown the facsimile form of the "PAO procedures" email. ██████████ and ██████████ commented to ██████████ words to the effect "this doesn't look like an email we ever got." Since the facsimile form looked different in format from a typical NASA email, ██████████ told ██████████ and ██████████ that he had not seen the email before either. ██████████ conceded, however, that he had not made the connection at the time that the facsimile form appeared to be the same email in content as the ██████████ "PAO procedures" email that ██████████ had previously forwarded to him.

(b)(6) & (b)(7)(C) ██████████ Science Mission Directorate, NASA HQ, advised that what ██████████ expressed as described in the facsimile form of the "PAO procedures" email was the culmination of discussions of PAO procedures and oral directions given by ██████████ and ██████████.

(b)(6) & (b)(7)(C) ██████████ NASA HQ, reported that the procedures described in the facsimile form of the "PAO procedures" email were consistent with the teleconference discussion with (b)(6) & (b)(7)(C) and accurately portrayed (b)(6) & (b)(7)(C) directions for ██████████ PAO.

██████████ reported he had no recollection of receiving the "PAO procedures" email from ██████████ and that ██████████ did not discuss with him his receipt of the email from ██████████. ██████████ recalled participating in a teleconference with (b)(6) & (b)(7)(C) on December 15, 2005, but not one with ██████████ on December 16, 2005. ██████████ described the content of the "PAO procedures" email as having mistakes and mischaracterizations, and inaccurately attributed to him and ██████████ rules and restraints for ██████████. ██████████ further related that the matters portrayed in the "PAO procedures" email were not representative of PAO policy directions. A forensic examination of an imaged hard disc drive of the government computer assigned to ██████████ and his government email account records, did not recover the "PAO procedures" email from ██████████.

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AUSA (b)(5) & (b)(7)(C) was presented with the investigative findings and declined prosecution of  
AUSA (b)(6) & (b)(7)(C) (b) (5)

Since prosecution of this matter was declined, and because the actions of [REDACTED] and [REDACTED] were addressed under O-GO-07-0059-S, this investigation is closed.

Prepared by: (b)(6) & (b)(7)(C)  
DISTR: File

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O-MA-07-0449-HL-S

January 20, 2009

**CONFLICT OF INTEREST QUESTIONS – b(6) & b(7)(C)**

**INFORMATION MEMORANDUM/CASE CLOSING:** This investigation was initiated based on an anonymous email to the NASA Office of Inspector General (OIG) Hotline Reporting System, which alleged that b(6) & b(7)(C)

b(6) & b(7)(C) was involved in conflict of interest regarding his current employer, b(6) & b(7)(C) b(6) & b(7)(C) retired from NASA as a member of the Senior Executive Service (SES) on b(6) & b(7)(C). The anonymous complaint alleged b(6) & b(7)(C) MSFC and b(6) & b(7)(C) MSFC, were involved in the conflict of interest by having engaged in prohibited professional contact with b(6) & b(7)(C)

The NASA OIG, Office of Investigations (OI), with the assistance of the MSFC Office of Human Capital, conducted a review of b(6) & b(7)(C) official NASA personnel file, which revealed no pertinent information relative to the alleged conflict of interest with b(6) & b(7)(C)

The NASA OIG coordinated with the MSFC Office of Procurement and conducted a review of the contract files for NASA contract b(6) & b(7)(C), which was awarded to b(6) & b(7)(C). The review confirmed that the last time b(6) & b(7)(C) had input on the contract was during the performance evaluation phase, on May 6, 2005.

The NASA OIG consulted with the MSFC Office of Chief Counsel (OCC) for a review of the post government ethics opinion rendered to b(6) & b(7)(C) prior to his retirement. The MSFC OCC confirmed that b(6) & b(7)(C) ethics opinion was completed on January 30, 2007, and that the opinion was reviewed and approved by the NASA Office of General Counsel (OGC), NASA Headquarters, Washington, DC; and the Office of Government Ethics (OGE), Washington, DC.  
(b) (5)

Further review of Rudolphi's ethics opinion (b) (5)

5936

APPR: b(6) & b(7)(C)

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(b) (5)

The NASA OIG conducted a review of NASA email messages for (b)(6) & b(7)(C), and (b)(6) & b(7)(C) MSFC, for the period outlined in the allegations. The review identified a single email containing one possible instance where (b)(6) & b(7)(C) may have represented himself back to NASA during his one year banded contact period. The email, which was authored by an (b)(6) & b(7)(C) administrative assistant, was an invitation on (b)(6) & b(7)(C) behalf to (b)(6) & b(7)(C) and other MSFC employees to attend an (b)(6) & b(7)(C) sponsored meeting at MSFC. A review of the email by the MSFC OCC concluded that the message was not a violation of (b)(6) & b(7)(C) post government ethics opinion.

The NASA OIG conducted a review of NASA telephone records for (b)(6) & b(7)(C) however the review failed to identify any telephone calls to or from (b)(6) & b(7)(C).

The NASA OIG interviewed (b)(6) & b(7)(C) who acknowledged that he had general contact with (b)(6) & b(7)(C) during his "no contact ban"; however, there was no technical dialogue or attempt to influence (b)(6) & b(7)(C) on (b)(6) & b(7)(C) matters. (b)(6) & b(7)(C) related that he did not attend the (b)(6) & b(7)(C) sponsored meeting at MSFC, for which he received an invitation on (b)(6) & b(7)(C) behalf, as he felt this may present a possible conflict of interest for (b)(6) & b(7)(C).

The NASA OIG interviewed (b)(6) & b(7)(C) who related that he did not have any contact with (b)(6) & b(7)(C) during his "no contact ban". (b)(6) & b(7)(C) related that (b)(6) & b(7)(C) is a technical advisor to the (b)(6) & b(7)(C) project, but only after his "no contact ban" had expired.

The NASA OIG interviewed (b)(6) & b(7)(C) who related that he did not have any contact with (b)(6) & b(7)(C) during his "no contact ban".

The NASA OIG interviewed (b)(6) & b(7)(C) who stated that he did not knowingly violate his post government employment restrictions. (b)(6) & b(7)(C) stated that the invitation to attend the (b)(6) & b(7)(C) meeting was sent from an administrative assistant at (b)(6) & b(7)(C) and he did not instruct her to use his name. He further stated that he did not attend the meeting. (b)(6) & b(7)(C) denied attempting to influence back to NASA his position in (b)(6) & b(7)(C) during his "no contact ban".

The NASA OIG reviewed the findings of this investigation with (b)(6) & b(7)(C) Attorney, MSFC OCC, who opined that (b)(5)

(b) (5)

(b)(6) & b(7)(C) did acknowledge that

The NASA OIG briefed (b)(6) & b(7)(C), Assistant United States Attorney (AUSA), Northern District of Alabama, Huntsville, AL, on the details of this investigation. AUSA (b)(6) & b(7)(C) declined to pursue this matter (b)(5)

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All pertinent investigative leads in this matter have been completed. Based on the fact that no criminal or civil violations have been identified, this investigation is closed.

Prepared by: Special Agent b(6) & b(7)(C)  
DISTR: File

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O-MA-05-0202-O

March 04, 2009

## **REPORT OF INVESTIGATION**

### **AEROSPACE DEFENSE COATINGS OF GEORGIA**

7700 North East Industrial Boulevard  
Macon, GA

**CASE CLOSING:** This investigation was initiated by the NASA Office of Inspector General (OIG), Office of Investigations (OI), Marshall Space Flight Center (MSFC), on January 19, 2005, after being notified by the Defense Criminal Investigative Service (DCIS), Atlanta Resident Agency, Atlanta, GA, that Aerospace Defense Coatings (ADC), 7700 NE Industrial Blvd, Macon, GA, was alleged to have circumventing contract specifications on numerous projects, to include NASA Delta IV fuel tank domes. This investigation was conducted as joint effort with the NASA OIG, DCIS, Department of Transportation (DOT), Office of Inspector General (OIG) and the U.S. Air Force Office of Special Investigations (AFOSI).

The DCIS received a complaint from b(6) & b(7)(C) who alleged that, from May 2003 through May 2004, ADC circumvented contract specifications on numerous Government projects to include Apache helicopter blades, Gulfstream aircraft landing gear, and NASA Delta IV fuel tank domes by re-using cleaning chemicals and shortcutting cleaning and treatment procedures. b(6) & b(7)(C) reported that in accordance with the American Society for Testing and Materials (ASTM), Specification E-1417, the NASA Delta IV fuel tank domes were to be etched in a nitric or chromic acid solution with a fluoride element in order to clean the surface of the domes to prepare them for penetrate inspection of cracks and defects. b(6) & b(7)(C) reported that since ADC did not have a dipping tank large enough to properly perform the chemical etching, b(6) & b(7)(C) directed him to use a Scotch Brite abrasive pad to clean the domes by hand. b(6) & b(7)(C) reported that the use of a Scotch Brite pad to clean the domes was in violation of ASTM E-1417, therefore b(6) & b(7)(C) directed him to clean the domes in private and on weekends when other ADC employees were not present. b(6) & b(7)(C) reported that he prepared approximately 40 domes in this same manner, however each dome was assembled to tanks and pressure tested by the Boeing Corporation. b(6) & b(7)(C) related a conversation he had with b(6) & b(7)(C) during which b(6) & b(7)(C) informed him of an incident when he observed b(6) & b(7)(C) alter records regarding paint application times and specifications. b(6) & b(7)(C) did not believe this incident involved NASA Delta IV domes, as the domes are not painted.

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APPR: [redacted]

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The NASA OIG interviewed [b(6) & b(7)(C)] who reported that in accordance with ASTM E-1417 mechanical methods can be used to clean the surface of the NASA Delta IV domes; however such methods can not degrade the surface area. [b(6) & b(7)(C)] opined that the use of Scotch Brite pads or any abrasive material to clean the domes would degrade the surface and invalidate the penetrate test.

The NASA OIG interviewed [b(6) & b(7)(C)] who reported that if a fuel tank dome membrane was flawed or cracked, the Boeing pressure testing would disclose the flaw or crack. Therefore, even if the penetrate testing was invalid, the pressure test would eliminate the chance of a catastrophic failure of the dome. [b(6) & b(7)(C)] reported that the use of an abrasive material to clean the surface of a dome would likely invalidate penetrate test.

The NASA OIG participated in a joint interview of [b(6) & b(7)(C)] regarding his knowledge and involvement with ADC. [b(6) & b(7)(C)] had no knowledge of problems associated with ADC penetrate testing. [b(6) & b(7)(C)] reported that ADC failed to perform salt spray tests every 35 days on dome test samples from May/June 2004 until October 2004. [b(6) & b(7)(C)] reported that the domes processed during this time did not meet the required specifications. [b(6) & b(7)(C)] was unaware of any problems resulting from ADC's failure to conduct the salt spray testing.

The NASA OIG participated in a joint interview of [b(6) & b(7)(C)] regarding his knowledge and involvement with ADC. [b(6) & b(7)(C)] reported that in the fall of 2003 he visited the ADC facility used to process the Delta IV fuel tank domes. [b(6) & b(7)(C)] observed two large tanks that were used to process the domes. [b(6) & b(7)(C)] reported that one of the tanks was an etch tank and the other tank was an anodizing tank. [b(6) & b(7)(C)] was responsible for reviewing final inspection data for the treatment and preparation of the domes, and did not identify any problems or discrepancies. [b(6) & b(7)(C)] was not aware of Scotch Brite pads being used during the processing of the domes.

The NASA OIG participated in a joint interview of [b(6) & b(7)(C)] regarding quality assurance processes at ADC. [b(6) & b(7)(C)] was responsible for managing audits and inspections at ADC. [b(6) & b(7)(C)] reported that ADC was successfully audited and inspected by GKN Aerospace, Lockheed Martin, Kaman Aerospace, Mobile Aerospace, Northrop Grumman, Boeing, FAA and the National Aerospace and Defense Contractors Accreditation Program. [b(6) & b(7)(C)] recalled that [b(6) & b(7)(C)] mentioned to her that unspecified shortcuts had been taken at ADC; however, she did not find him credible. [b(6) & b(7)(C)] was unable to provide information relative to the allegations in this matter.

The NASA OIG participated in interviews of the following current and former ADC employees; [b(6) & b(7)(C)]

[b(6) & b(7)(C)] The witnesses reported general concerns regarding processes and procedures unrelated to the allegations pertaining to NASA. They also reported

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general concerns regarding [REDACTED] integrity and his willingness to document and direct shortcuts in testing procedures relative to products not related to NASA. The witnesses were unable to provide information relative to the allegations in this matter which specifically impact NASA and the Delta IV fuel domes.

The NASA OIG participated in the execution of search warrants at the following ADC business locations; 7700 N.E. Industrial Boulevard, Macon, GA and 2790 Grace Road, Macon, GA. Seized during the warrant were ADC business records, computer hardware and electronic media. A thorough review of this material, to include an audit by the Defense Contract Audit Agency (DCAA) failed to identify any information or evidence to support the allegations relative to the NASA Delta IV fuel domes. From the ADC records [REDACTED] was unable to identify specific Delta IV domes impacted by his allegations.

The NASA OIG participated in a joint voluntary interview of [REDACTED] regarding the allegations in this matter, to include the use of Scotch Brite pads to process the NASA Delta IV fuel domes. [REDACTED] acknowledged that he occasionally used Scotch Brite pads to de-smut small areas of the domes and remove high spots or water breaks. [REDACTED] reported that the purpose of using the pads was to clean the domes surface, not abrade, or smear the metal. [REDACTED] reported that based on his experience Scotch Brite pads would not smear metal. [REDACTED] denied knowledge and involvement other aspects of the allegations, to include the falsification of testing results and findings.

The NASA OIG briefed [REDACTED] Assistant United States Attorney (AUSA) United States Attorney's Office, Middle District of Georgia, Macon, GA, on the status and findings of this investigation relative to the allegations that ADC improperly prepared and falsely documented testing of NASA Delta IV fuel domes. AUSA [REDACTED] declined to pursue prosecution in this matter. (b) (5)

The NASA OIG briefed [REDACTED] Office of Chief Counsel (OCC), Acquisition Integrity Program (AIP), MSFC, and [REDACTED] AIP, OCC, NASA Headquarters, Washington DC, on the status and findings of this investigation. [REDACTED] and [REDACTED] declined to pursue a NASA suspension and debarment action against ADC.

The NASA OIG briefed [REDACTED] GOES-N Project, Goddard Space Flight Center, MD, on the nature and findings of this investigation. The NASA GOES-N Project utilizes the Delta IV rocket.

The NASA OIG briefed [REDACTED] NASA Program Safety, Kennedy Space Center (KSC), Cape Canaveral, FL, on the nature and findings of this investigation. [REDACTED] reported that he would notify the appropriate NASA programs and officials of the allegations in this matter.

The NASA OIG provided [REDACTED] Launch Services Division, Safety and Mission Assurance Office, KSC, FL, with a summary memorandum informing him of the nature and findings of this investigation.

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Bases on the completion of all logical investigative leads and the prosecution declination by AUSA [b(6) & b(7)(C)] this investigation is closed.

Prepared by: SA [b(6) & b(7)(C)]  
DISTR: File

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O-MA-07-0354-S

March 5, 2009

## REPORT OF INVESTIGATION

### **ALLEGED ABUSE OF MANAGEMENT AUTHORITY**

**CASE CLOSING:** This case was initiated based on a complaint received from the Marshall Space Flight Center, (MSFC) Protective Services Office (PSO). According to the complaint, (b)(6) & (b)(7)(C), a MSFC Civil Service employee, had resigned her position at the MSFC and was alleged to be in possession of Sensitive but Unclassified (SBU) and International Trafficking in Arms Regulation (ITAR) information. The PSO requested OIG's assistance to retrieve the SBU and ITAR information from (b)(6) & (b)(7)(C).

OIG interview of (b)(6) & (b)(7)(C) raised concerns and questions regarding the facts and circumstances which lead to (b)(6) & (b)(7)(C) resignation from her job at the NASA MSFC. From February 2006 to December 2006, (b)(6) & (b)(7)(C) was employed by (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C).

Subsequently, (b)(6) & (b)(7)(C) was employed by NASA MSFC as (b)(6) & (b)(7)(C) from December 2006 through June 2007. (b)(6) & (b)(7)(C) reported that (b)(6) & (b)(7)(C)

In June 2007, (b)(6) & (b)(7)(C) told (b)(6) & (b)(7)(C) that he had learned from (b)(6) & (b)(7)(C) that she would be terminated the following week. According to (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C) was being terminated for (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C) decided to resign from NASA due to her belief there was no hope of retaining her civil service position. After resigning, (b)(6) & (b)(7)(C) learned the proposed termination was for (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C) stated (b)(6) & (b)(7)(C)

OIG interview of (b)(6) & (b)(7)(C) further disclosed that she had previously been involved in (b)(6) & (b)(7)(C) with (b)(6) & (b)(7)(C) (b)(6) & (b)(7)(C) alleged that (b)(6) & (b)(7)(C) used his official position at MSFC to negatively impact the reputations and employment status of her (b)(6) & (b)(7)(C)

(b)(6) & (b)(7)(C) provided information that during (b)(6) & (b)(7)(C) with (b)(6) & (b)(7)(C) he solicited and accepted gifts in excess of \$700 from her while she directly

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

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supported him as a contractor employee at (b)(6) & (b)(7)(C).

During the interview, (b)(6) & (b)(7)(C) disclosed that she had taken a san disk with her when she resigned from the MSFC. According to (b)(6) & (b)(7)(C) the san disk contained a power point presentation that she created for work. (b)(6) & (b)(7)(C) further stated she had already obtained a (b)(6) & (b)(7)(C). It was her opinion the san disk did not contain SBU or ITAR information and she believed the information contained on the disk would be useful in her new position. During the interview, (b)(6) & (b)(7)(C) provided the san disk to the OIG for analysis.

OIG interviews with the MSFC authors of the alleged SBU and ITAR information, located on the san disk, disclosed the documents were not SBU or ITAR. OIG investigation disclosed the allegation that (b)(6) & (b)(7)(C) was in possession of SBU and ITAR information was unfounded and no criminal activity had occurred.

OIG interview of (b)(6) & (b)(7)(C) disclosed that he informed (b)(6) & (b)(7)(C) that she was scheduled to be terminated. (b)(6) & (b)(7)(C) telephoned (b)(6) & (b)(7)(C) to discuss various options, such as fight the termination or retain an attorney. Eventually, (b)(6) & (b)(7)(C) advised (b)(6) & (b)(7)(C) to resign since it is easy for NASA management to terminate her during her probationary period. The following week, (b)(6) & (b)(7)(C) learned from (b)(6) & (b)(7)(C) that (b)(6) & (b)(7)(C) proposed termination was for (b)(6) & (b)(7)(C).

OIG interview of (b)(6) & (b)(7)(C) disclosed that he recommended that (b)(6) & (b)(7)(C) be terminated to (b)(6) & (b)(7)(C) without conducting an inquiry to determine the accuracy of (b)(6) & (b)(7)(C). OIG sought the opinion of an independent NASA Human Resources Officer and a former Research Professor, Department of Biology from the University of Alabama in Huntsville, as to the accuracy of (b)(6) & (b)(7)(C) to NASA. Both opined that (b)(6) & (b)(7)(C) was true and correct as written. As such, (b)(6) & (b)(7)(C) actions may have led to a possible wrongful termination had (b)(6) & (b)(7)(C) not resigned.

Multiple OIG interviews of NASA and contractor employees disclosed that (b)(6) & (b)(7)(C) used his position of authority to negatively impact the reputations and employment status (b)(6) & (b)(7)(C). OIG interviews disclosed that (b)(6) & (b)(7)(C) used his position of authority to have men removed from their positions based on reasons that were personal and not professional. OIG interviews further disclosed that (b)(6) & (b)(7)(C) used his position of authority to retain personal services from both male and female contractor employees.

OIG investigation into this matter disclosed allegations that (b)(6) & (b)(7)(C) and (b)(6) & (b)(7)(C) allowed a management support contractor to take their mandatory SATERN online training.

OIG review of records reflected that (b)(6) & (b)(7)(C) had taken the PEP Survey training in SATERN. OIG interview of (b)(6) & (b)(7)(C) disclosed that (b)(6) & (b)(7)(C) admitted he did not take his SATERN online training.

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which was a mandatory annual safety training course. He further admitted he may have given his SATERN password to his Management Support Administrator. OIG interview of a Protected Identity Witness disclosed that the witness admitted to taking [REDACTED] SATERN online training.

OIG interviews of [REDACTED] and [REDACTED] disclosed they relied on invalid information, provided to them, by [REDACTED] to counsel [REDACTED]. OIG interviews of [REDACTED] and [REDACTED] also disclosed they would not have counseled [REDACTED] if they had validated the information given to them by [REDACTED].

OIG interview of [REDACTED] disclosed that he admitted to [REDACTED] involved in directly supporting his daily work responsibilities at NASA, to include [REDACTED]. [REDACTED] further admitted to other unprofessional conduct to include, but not limited to: accepting gifts from contractor employees involved in directly supporting his daily work responsibilities at NASA, to include [REDACTED] using his position and authority to create a job for a female MSFC support contractor employee [REDACTED], giving his SATERN password to his management support administrator and allowing her to take various mandatory SATERN online training courses for him and to approve his travel vouchers in Travel Manager, requesting and allowing male and female contractor employees to perform personal services that benefited him and using his position of authority to have a NASA civil service employee removed from his position based on reasons that were personal and not professional.

During the OIG interview of [REDACTED] disclosed that he always followed the normal MSFC disciplinary process except for one occasion. At that time, he failed to document the disciplinary action in the personnel files of [REDACTED] and [REDACTED]. [REDACTED] directed [REDACTED] and [REDACTED] to take annual leave for a time and attendance issue. OIG investigation disclosed that [REDACTED] did not perform the necessary audit to substantiate the alleged time and attendance issue. According to [REDACTED] he did not use the NASA table of penalties when deciding their disciplinary action or any other particular guidelines.

On December 4, 2007, the NASA OIG OI provided [REDACTED] MSFC, with a management referral in this matter. In response, [REDACTED] provided a letter in response to the OIG management referral outlining the actions taken in this matter. After a review of the OIG investigative reports, [REDACTED] manager initiated a proposed action against [REDACTED]. [REDACTED] was escorted off-site by the MSFC PSO and he remained off-site during the response period. [REDACTED] resigned prior to a decision being issued, pursuant to a settlement agreement where the proposal was rescinded in consideration of [REDACTED] agreement to be denied access to the MSFC facilities through 2015. The agreement between MSFC and [REDACTED] also contained a confidentiality clause.

Pursuant to [REDACTED] involvement in this matter, the letter proposed no action against [REDACTED] based on [REDACTED] resignation from NASA.

Pursuant to the OIG management referral, no further action was taken by MSFC Management.

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On April 4, 2008, the NASA OIG, OI provided (b)(6) & (b)(7)(C) [REDACTED]  
[REDACTED] Marshall Space Flight Center, with a management referral regarding [REDACTED]

On December 22, 2008, (b)(6) & (b)(7)(C) [REDACTED] MSFC provided a letter in response to the OIG management referral on [REDACTED]. Based on a review of the OIG investigative reports, [REDACTED] supervisor proposed that [REDACTED] be suspended without pay for three days. However, after considering the information in the case file and information provided by [REDACTED] and his representative in response to the proposal, the deciding official concluded that the standard of evidence required for disciplinary action had not been met. Accordingly, no disciplinary action was taken against [REDACTED]. Although, no action was taken, [REDACTED] was reassigned to another organization within MSFC.

Based on the above information, all administrative actions have been taken and no additional investigative activity is warranted. This matter is closed.

Prepared by: SA (b)(6) & (b)(7)(C)  
DISTR: File

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C-MA-09-0072-O

March 8, 2009

**REPORT OF INVESTIGATION**

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

**CASE CLOSING:** This investigation was initiated on November 21, 2008, upon review of the Marshall Space Flight Center (MSFC) Event Analyzer for Global and Local Events (EAGLE) database. Special Agent (SA) b(6) & b(7)(C) noted a MSFC IP address, b(6) & b(7)(C) browsing web sites with Uniform Resource Locations (URLs) that suggested they host child pornography.

On November 26, 2008 the files of the National Crime Information Center (NCIC) were queried for records identifiable to b(6) & b(7)(C) the Subject of this investigation. The NCIC reported a sexual assault attempted abuse charge in Madison County, Alabama with a date of arrest of August 23, 1988. b(6) & b(7)(C) was convicted of the lesser offense of sexual assault; attempt to commit sexual abuse on October 3, 1988.

The NASA computers assigned to b(6) & b(7)(C) as well as a computer in a common area of b(6) & b(7)(C) office that had been observed accessing web sites possibly containing child pornography, were forensically imaged and analyzed. Five images were identified by NCMEC to be known victims of child exploitation, two of which were clothed children in provocative poses and in limited clothing, and three of which were suspected child pornographic images.

On April 9, 2009, network monitoring of the IP addresses assigned to b(6) & b(7)(C) commenced. Images from the network traffic were submitted to NCMEC for review. No images containing confirmed child pornography were found. The majority of the images obtained from the network traffic were those of non-nude pre-teen modeling and images of children in clothing such as bathing suits.

On May 22, 2009, b(6) & b(7)(C) computer was infected with a virus and MSFC IT Security seized the computer and provided a copy of the hard drives to the NASA OIG for analysis. No images containing confirmed child pornography were found.

On August 6, 2009, the Reporting Agent (RA), SA b(6) & b(7)(C) received an email from the Assistant United States Attorney (AUSA) b(6) & b(7)(C) declining to prosecute

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APPR: b(6) & b(7)(C)

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this case (b) (5)

On September 14, 2009, AUSA [REDACTED] further declined the possibility of moving forward with this case under 18 U.S.C. § 799, Violation of regulations of National Aeronautics and Space Administration.

On October 23, 2009, SA [REDACTED] and SA [REDACTED] Alabama Bureau of Investigation, interviewed [REDACTED] stated he knew that looking at the clothed pre-teen photographs was inappropriate. He maintained that he only looked at the "non-nude" and those in "regular clothing." When asked what he meant when he referred to as 'regular clothing,' [REDACTED] said these would be photographs where the person was wearing bathing suits, bikinis, or fully clothed. He said that he only browsed the Internet for photographs of children while at work because he felt that NASA had "security" to prevent him from looking at anything illegal.

On November 18, 2009, the Reporting Agent was notified that during the administrative investigation, the subject [REDACTED] elected to retire effective November 6, 2009.

This investigation is closed. If further information is obtained, this case can be reopened.

Prepared by: [REDACTED]  
DISTR: File

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O-JS-08-0458-HL-S

April 28, 2009

## REPORT OF INVESTIGATION

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

**CASE CLOSING:** This investigation was initiated based upon an anonymous complaint alleging that b(6) & b(7)(C) a NASA OIG employee, misused his official position by accessing confidential information related to his outside business activity, b(6) & b(7)(C) contained within the b(6) & b(7)(C), conducted outside employment activities while on official duty, utilized Government office equipment in doing so, and violated conflict of interest statutes.

The investigation determined that no evidence exists to substantiate the allegation that b(6) & b(7)(C) accessed confidential data contained within b(6) & b(7)(C). The OIG interviewed the Director of the b(6) & b(7)(C), as well as b(6) & b(7)(C) current manager, b(6) & b(7)(C) and determined that he was never granted access to the protected information analyzed by the b(6) & b(7)(C).

The investigation also determined that no evidence exists to substantiate the allegation that b(6) & b(7)(C) violated conflict of interest statutes. b(6) & b(7)(C) requested and received authorization to conduct the outside business activity related to b(6) & b(7)(C). In addition, the investigation determined that b(6) & b(7)(C) did not conduct any business with NASA. However, the investigation disclosed that b(6) & b(7)(C) was awarded a contract with the United States Department of the Interior (DOI) in possible violation of Federal Acquisition Regulation (FAR) Subpart 3.6. FAR Subpart 3.6 titled, "Contracts with Government Employees or Organizations Owned or Controlled by Them," prohibits a contracting officer from knowingly awarding a contract to a Government employee or organization owned or substantially owned or controlled by one or more Government employees. b(6) & b(7)(C) admitted that the DOI contracting officer, b(6) & b(7)(C) was aware that b(6) & b(7)(C) was a NASA civil servant when the contract was awarded in 2006. This information was corroborated when the OIG interviewed b(6) & b(7)(C) on January 12, 2009. On February 2, 2009, this issue was referred to the DOI OIG for informational purposes.

The investigation did substantiate the allegation that b(6) & b(7)(C) utilized Government office equipment in furtherance of this outside business activity. Specifically, a Government fax machine and

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b(6) & b(7)(C)  
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NASA e-mail were both used (albeit minor amounts) by [REDACTED] to transact [REDACTED] business, a violation of NASA Policy Directive (NPD) 2540.1F.

*NPD 2540.1F provides for the NASA policy permitting limited personal use of Government office equipment but prohibits personal use as it pertains to the conduct of a personal business. This directive defines inappropriate personal use as, "(8) Use for commercial purposes or in support of "for profit" activities or in support of other outside employment or business activity such as a personal private business, assisting friends, relatives, or others in such activities (e.g., consulting for pay, sales or administration of business transactions, and sale of goods or services)."*

An analysis of [REDACTED] NASA work computer disclosed seven emails sent between April 23, 2008 and October 9, 2008 related to the conduct of [REDACTED] business. Regarding the use of the Government fax machine, [REDACTED] admitted that on an infrequent basis he used the fax machine for [REDACTED] business because he did not have a fax machine in his home office. As these activities took place during [REDACTED] duty hours, these facts also reflect that [REDACTED] did conduct some activities related to his outside business interest while on official duty. On February 18, 2009, this matter was referred to the NASA OIG Deputy Inspector General. On April 24, 2009, a response was received from the NASA OIG Assistant Inspector General for Auditing indicating a letter of caution regarding this activity was to be provided to [REDACTED] supervisor, the week of April 27, 2009.

Since no evidence of a criminal violation exists, and the administrative violation identified was referred to the appropriate management representative, no further investigation required. This case is closed.

Prepared by: SA [REDACTED]  
DISTR: File

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C-JS-08-0164-S

June 18, 2009

**Misuse of Government Computer Network**

Johnson Space Center  
Houston, Texas

**CASE CLOSING:** On October 19, 2007, (b)(6) & (b)(7)(C) JSC Information Technology (IT) Security Office, reported a JSC computer (b)(6) & (b)(7)(C) assigned to Civil Servant (b)(6) & (b)(7)(C) was identified through routine maintenance as acquiring/accessing over 15,000 pornographic pictures between July 12 and October 18, 2007. In addition, (b)(6) & (b)(7)(C) computer had previously been compromised by malware twice in June 2007 but the system had been wiped and reloaded after each event. The NASA OIG concluded a review of the captured pictures, which disclosed adult pornography and other sexually-explicit information but no child pornography was found within the downloaded pictures. As such, this incident was a violation of JSC Announcement (JA) 01-060, Policy on Use of NASA Information Technology (IT) Resources, and JSC Published Guidance (JPG) 2810.1B, JSC IT Security Handbook.

JA 01-060 stated, "Misuse or inappropriate personal use of government IT resources includes ... the creation, download, viewing, storage, copying, or transmission of (1) sexually explicit or sexually oriented materials..."

JPG 2810 stated, "Like any other form of misconduct, misuse of JSC I/T resources may be grounds for withdrawal of I/T privileges or disciplinary action. If the misuse violates Federal or state law, it may result in civil or criminal prosecution. Users should be aware that using a Government computer to store, display, or transmit sexually explicit images, messages or cartoons, or to send messages that contain ethnic slurs, racial epithets, or anything that may be construed as a threat, harassment, or disparagement of others is specifically prohibited..."

**Receipt of Information**

On October 19, 2007, (b)(6) & (b)(7)(C) provided a disc (Capture Disc #1) containing numerous adult pornographic pictures; a cursory review by the NASA OIG disclosed a significant amount of adult pornography existed on the disc.

On January 18, 2008, (b)(6) & (b)(7)(C) provided a second disc (Capture Disc #2) containing numerous adult pornographic pictures that were downloaded between October 19, 2007 and January 18, 2008 to

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APPR (b)(6) & (b)(7)(C)

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a computer assigned to b(6) & b(7)(C); a cursory review by the NASA OIG disclosed a significant amount of adult pornography existed on the disc.

On January 28, 2008, b(6) & b(7)(C) JSC, provided the following information on b(6) & b(7)(C) computer, user account, and networking information:

Name: b(6) & b(7)(C)  
 IP Address: b(6) & b(7)(C)  
 Host Name: b(6) & b(7)(C)  
 User ID: b(6) & b(7)(C)  
 Serial Number: b(6) & b(7)(C)  
 Asset Tag: b(6) & b(7)(C)  
 Building: b(6) & b(7)(C)  
 Room: b(6) & b(7)(C)  
 Phone: b(6) & b(7)(C)  
 Code: b(6) & b(7)(C)

\* The NASA OIG subsequently confirmed b(6) & b(7)(C) was located in b(6) & b(7)(C)

On January 29, 2008, the NASA OIG requested the JSC IT Security Office provide the following information associated with b(6) & b(7)(C) which was provided by b(6) & b(7)(C) on March 5, 2008:

- Identify user account(s)
- Provide copies of e-mail
- Provide contents of network drives
- Provide network logs that showed connections made by b(6) & b(7)(C) work computer between October 18, 2007 and the date of the request

On February 7, 2008, the NASA OIG created a physical image (e.g. bit-for-bit copy) of a hard drive extracted from b(6) & b(7)(C) NASA computer. A cursory review of the image disclosed, in addition to b(6) & b(7)(C) user account, two other user accounts (Administrator, b(6) & b(7)(C)) had been previously setup on the computer but neither contained information that was pertinent to this investigation.

On June 10, 2008, b(6) & b(7)(C) provided a third disc (Capture Disc #3) containing numerous adult pornographic pictures that were downloaded between May 26, 2008 and June 9, 2008 to a computer assigned to b(6) & b(7)(C) a cursory review by the NASA OIG disclosed adult pornography existed on the disc.

On August 7, 2008, b(6) & b(7)(C) JSC Information Technology (IT) Security Office, provided a fourth disc (Capture Disc #4) containing pictures that were downloaded during May 2008 to a computer assigned to b(6) & b(7)(C) a cursory review by the NASA OIG disclosed adult pornography existed on the disc.

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## Computer Forensic Analysis

On September 30, 2008, the NASA OIG completed a computer forensic analysis of the physical image of the computer assigned to [b(6) & b(7)(C)] and the discs provided by the JSC IT Security Office that contained pictures downloaded to [b(6) & b(7)(C)] NASA computer using [b(6) & b(7)(C)] NASA user account. Authority to review these items was based upon the NASA network warning banner displayed during the login process to NASA computer systems:

Analysis of Capture Disc 1 disclosed approximately 86,553 pictures, of which a major portion depicted adult pornography and women in various stages of dress; no child pornography was noted during the analysis. Due to the large number of files provided by the JSC IT Security Office, the number of suspicious pictures was estimated.

Analysis of Capture Disc 2 disclosed approximately 4829 pictures which depicted adult pornography and women in various stages of dress; no child pornography was noted during the analysis.

Analysis of Capture Disc 3 disclosed approximately 3813 pictures which depicted adult pornography and women in various stages of dress; no child pornography was noted during the analysis.

Analysis of Capture Disc 4 disclosed approximately 4558 pictures, of which more than 780 depicted adult pornography and women in various stages of dress; no child pornography was noted during the analysis.

Analysis of the HD disclosed seven pictures which depicted adult pornography and women in various stages of dress; no child pornography was noted during the analysis. Five of the seven files were identified as "orphans" (e.g. no longer indexed by the file system); however, they were present on the hard drive. The two remaining files were detected within the .thumbnail file (an index file generated when pictures are previewed within Windows Explorer) located in the D:\Documents and Settings\ [b(6) & b(7)(C)] folder.

There were two other user accounts (Administrator, [b(6) & b(7)(C)]) on the system, which contained Temporary Internet Files folders; however, neither account contained information that appeared pertinent to this investigation.

A virus scan of the restored image of the HD disclosed no presence of malicious software (malware; e.g. computer viruses, worms or Trojan horse programs) that could have automatically-downloaded pornographic pictures from the Internet.

## Subject Interview

On October 16, 2008, the NASA OIG conducted a non-custodial interview of [b(6) & b(7)(C)] during which [b(6) & b(7)(C)] reported essentially the following information:

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The NASA OIG advised [b(6) & b(7)(C)] that he was being interviewed regarding the alleged use of his NASA computer and user account to download and view Internet-based pornography; a violation of NASA policy. In addition, the NASA OIG advised [b(6) & b(7)(C)] that his interview was non-custodial and that [b(6) & b(7)(C)] could walk-away or refuse to answer questions at any time; [b(6) & b(7)(C)] acknowledged he understood.

When advised of the automated network sensors that captured [b(6) & b(7)(C)] alleged download activity, initial analysis by the JSC Information Technology (IT) Security Office, and subsequent computer forensic analysis by the RA, [b(6) & b(7)(C)] immediately admitted he had used his NASA computer to download and view adult pornography. He related his work hours varied but he typically worked Monday through Friday from approximately 9:00 a.m. to 6:00 p.m., with irregular occurrences of extended work hours as early as 7:00 a.m. and/or as late as 9:00 p.m.

[b(6) & b(7)(C)] advised he had completed his annual NASA computer security training, which he stated was current as of the date of his interview. In addition, he acknowledged the computer security training applied to everyone and that he knew viewing pornography from NASA computers constituted "inappropriate" activity. He further advised he did not share the password to his JSC computer or user account with anyone, nor did he know of anyone else who had used his computer or account.

[b(6) & b(7)(C)] stated his shared office normally remained unlocked and that he "usually" manually screen locked his NASA computer when he stepped away from it for more than a few minutes. In addition, [b(6) & b(7)(C)] left the system in a logged-in but screen locked state overnight.

When asked how much time he spent conducting official activities on his NASA computer during work hours, [b(6) & b(7)(C)] advised he did all his work on his NASA system unless he was in meetings. When asked how much time he spent conducting unofficial activities on his NASA computer during work hours, [b(6) & b(7)(C)] initially had no comment but later advised he sometimes conducted personal web searches for news, medical information, and pornography. In addition, he conducted research "to help improve [his] home sex life." [b(6) & b(7)(C)] further stated he could not "think of any other [unauthorized] activity unless it was an accident."

When asked if he had used his NASA computer to download and view Internet-based adult pornography, [b(6) & b(7)(C)] advised he had done so, usually after normal work hours but he was "not sure" if he had also done so during the duty day. When asked if he had used his NASA computer to download and view Internet-based child or teen pornography, [b(6) & b(7)(C)] replied "not on purpose" and stated he could not "really remember" if child or teen sites popped-up during his surfing activities for adult pornography.

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When asked if he had used any non-NASA computer to download and view teen or child pornography, (b)(6) & b(7)(C) advised he had not used his home computer to view any pornography. In addition, he could not remember any specifics about any child or teen pornography and stated he would not view it "on purpose." Further, he advised he had no inappropriate/sexual contact with any child or teen.

(b)(6) & b(7)(C) advised he had already implemented several "blocks" on his NASA computer due to the "temptation" to view Internet-based pornography. He also wanted to come up with a plan to stop him from using NASA computers to peruse or view pornography.

(b)(6) & b(7)(C) provided a sworn, written statement, the contents of which he asked be included for management review:

"- related to searches, mostly after hours, often related to searching for improving home sex life; intentionally adult related only.

- have implemented some key word blocks on websites not already blocked and will now block all image searches to prevent this happening any more"

Finally, the NASA OIG notified (b)(6) & b(7)(C) about the NASA Employee Assistance Program (EAP), should he require counseling or other services from that program.

### Management Referral and Response

On November 25, 2008, the NASA OIG forwarded a Management Referral Letter (MRL) to (b)(6) & b(7)(C) JSC Chief Information Office, relating the findings of this investigation and requesting his administrative response to this issue.

On April 29, 2009, (b)(6) & b(7)(C) JSC, reported (b)(6) & b(7)(C) had more than 20 years of Federal service with no history of previous disciplinary action, so he was given the opportunity to enter into an Agreement that reduced a 75-day suspension to a 60-day suspension. The Agreement also contained other terms and conditions to ensure he does not repeat his misconduct. She further stated (b)(6) & b(7)(C) was already in the process of serving his suspension. On May 4, 2009, (b)(6) & b(7)(C) reported the total cost recovery to NASA, which was associated with (b)(6) & b(7)(C) 60-day suspension, was \$17,758.54; it covered four pay periods and three additional days. Finally, on May 19, 2009, (b)(6) & b(7)(C) provided a written response to the MRL.

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C-JS-07-0404-S

June 18, 2009

**b(6) & b(7)(C)**

Johnson Space Center  
Houston, TX

**CASE CLOSING:** On July 10, 2007, **b(6) & b(7)(C)** JSC Information Technology (IT) Security Office, reported a JSC online security system captured numerous pornographic images being downloaded from the Internet in May 2007 by a JSC computer **b(6) & b(7)(C)** assigned to **b(6) & b(7)(C)** Employer: USRA, **b(6) & b(7)(C)** JSC. On August 1, 2007, the NASA OIG concluded a review of the captured pictures, which disclosed approximately 5,574 pictures contained adult pornography and other sexually-explicit information—no child pornography was found within the downloaded pictures. As such, this incident was a violation of JSC Announcement (JA) 01-060, Policy on Use of NASA Information Technology (IT) Resources, and JSC Published Guidance (JPG) 2810.1B, JSC IT Security Handbook.

JA 01-060 stated, "Misuse or inappropriate personal use of government IT resources includes ... the creation, download, viewing, storage, copying, or transmission of (1) sexually explicit or sexually oriented materials..."

JPG 2810 stated, "Like any other form of misconduct, misuse of JSC I/T resources may be grounds for withdrawal of I/T privileges or disciplinary action. If the misuse violates Federal or state law, it may result in civil or criminal prosecution. Users should be aware that using a Government computer to store, display, or transmit sexually explicit images, messages or cartoons, or to send messages that contain ethnic slurs, racial epithets, or anything that may be construed as a threat, harassment, or disparagement of others is specifically prohibited..."

#### Receipt of Information

On July 10, 2007, **b(6) & b(7)(C)** JSC, provided a disc (Disc #1) containing pictures that were captured on May 18, 2007 by a JSC computer network monitoring device as they were downloaded from the Internet by a computer assigned to **b(6) & b(7)(C)** JSC.

On August 2, 2007, **b(6) & b(7)(C)** JSC, provided a disc (Disc #2) containing pictures that were captured by a JSC computer network

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APPR: **b(6) & b(7)(C)**

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monitoring device as they were downloaded from the Internet by a computer assigned to b(6) & b(7)(C) JSC.

On October 9, 2007, b(6) & b(7)(C) JSC, provided a disc (Disc #3) containing pictures that were captured by a JSC computer network monitoring device as they were downloaded from the Internet by a computer assigned to b(6) & b(7)(C) JSC.

On November 15, 2007, the NASA OIG observed b(6) & b(7)(C) use, screen-lock, and leave a NASA computer b(6) & b(7)(C) located on b(6) & b(7)(C) desk, after which the NASA OIG obtained a physical (e.g. bit-for-bit copy) image of the computer's hard drive b(6) & b(7)(C). The physical image was retained as evidence and the hard drive was reinstalled into the computer. The system date and time were also obtained from the system.

On August 8, 2008, b(6) & b(7)(C) JSC Information Technology (IT) Security Office, provided a disc (Disc #4) containing pictures that were captured by a JSC computer network monitoring device as they were downloaded from the Internet by a computer assigned to b(6) & b(7)(C) JSC. A review of the contents of the disc disclosed no pornography.

### Computer Forensic Analysis

On September 25, 2008, the NASA OIG completed a computer forensic analysis of the physical image of b(6) & b(7)(C) office computer and the discs supplied by the JSC IT Security Office. Authority to review these items was based upon the NASA network warning banner displayed during the login process to NASA computer systems. As extracted directly from b(6) & b(7)(C) hard drive, the banner read as follows:

#### U.S. GOVERNMENT COMPUTER

WARNING! This is a US Government computer. This system is for the use of authorized users only. By accessing and using the computer system you are consenting to system monitoring, including the monitoring of keystrokes. Unauthorized use of, or access to, this computer system may subject you to disciplinary action and criminal prosecution.

A review of the pictures stored on Disc #1 disclosed approximately 5574 files that depicted or were related to adult pornography.

A review of the pictures stored on Disc #2 disclosed approximately 1781 files that depicted or were related to adult pornography.

A review of the pictures stored on Disc #3 disclosed approximately 2227 files that depicted or were related to adult pornography and related modeling.

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## Subject Interview

On December 10, 2008, the NASA OIG conducted a non-custodial interview of [REDACTED] b(6) & b(7)(C) who was advised that he was under no obligation to answer questions and was free to leave the interview at any time; [REDACTED] stated he understood and advised that he adequately understood English.

[REDACTED] confirmed he was the owner of the [REDACTED] account. When asked if he had viewed the pornography in question, [REDACTED] stated, "I think I remember, maybe a long time ago-not now." When shown a representative sample of the pornographic photos that were captured by the JSC Information Technology (IT) Security Office and a second representative sample of pornographic photos that were extracted from his NASA computer's hard drive, [REDACTED] admitted he intermittently viewed adult pornography in 2007 while occasionally taking a break from the large amount of work associated with his research; he had not viewed any pornography during 2008. He further stated he had never viewed pornographic pictures of children or teens.

[REDACTED] stated he had viewed the pornographic photos online but had never made a conscious effort to print the pictures or store them on his NASA computer hard drive. In addition, he viewed them merely out of curiosity when he saw links to pornographic web sites while viewing Internet-based Chinese news and information web pages. He added he had never used an Internet-based search engine to locate pornography.

When asked if he had completed annual NASA Basic IT Security training, [REDACTED] stated he couldn't remember if he had done so in 2007 but he was certain he had completed it in 2008. As a result of his 2008 training, [REDACTED] was fully aware that using government computers to view pornography was not authorized. When asked if it was okay (during 2007) to view pornography using government computers, [REDACTED] stated it was not.

When asked if he had shared his user account password with anyone else, [REDACTED] stated he had not. In addition, [REDACTED] stated he screen locked his computer while away from it during the day and either screen-locked or logged-out of it overnight. [REDACTED] further stated his NASA computer's screen saver automatically locked the system after a timeout period.

Finally [REDACTED] provided a written statement in which he essentially confirmed the information reported above.

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## Management Referral and Response

On February 3, 2009, the NASA OIG forwarded a Management Referral Letter (MRL) to [REDACTED] JSC Chief Information Office, relating the findings of this investigation and requesting his administrative response to this issue.

On May 4, 2009, [REDACTED] delivered [REDACTED] response to the MRL, which disclosed [REDACTED] supervisor, [REDACTED] USRA (JSC Contractor), had addressed the issue with the USRA Human Resources Office, counseled [REDACTED] on his conduct, and advised [REDACTED] that further inappropriate actions of this nature would result in termination. In addition, the issue has been documented in [REDACTED] personnel record. Finally, [REDACTED] advised that NASA had planned to take no further action against [REDACTED].

As a result of [REDACTED] response, the NASA OIG closed this investigation.

Prepared by: SA [REDACTED]  
DISTR: File

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O-GO-06-0626-HL-S

June 26, 2009

**REPORT OF INVESTIGATION**

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

Former Deputy Assistant Administrator (b)(6) & (b)(7)(C)

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

NASA Headquarters

Washington, DC 20546

**CASE CLOSING:** On August 25, 2006, the NASA OIG initiated an investigation based on receipt of a complaint that (b)(6) & (b)(7)(C) misused training funds. The complainant reported that during a 2006 (b)(6) & (b)(7)(C) "All-Hands" conference (b)(6) & (b)(7)(C)

(b)(6) & (b)(7)(C) NASA Headquarters, made an announcement that all external training funds for NASA (b)(6) & (b)(7)(C) employees were being taken back and redistributed to fund other NASA programs. According to the complainant, (b)(6) & (b)(7)(C) explained that due to this reallocation, few, if any, external training opportunities were available for the office's civil servants. Subsequently, according to the complainant, (b)(6) & (b)(7)(C) then enrolled in a NASA-funded master's degree program at (b)(6) & (b)(7)(C) using \$30,000 in (b)(6) & (b)(7)(C) training funds.

The complainant further alleged that (b)(6) & (b)(7)(C) enrollment in the program would not benefit NASA, due to the degree program's scheduled conclusion being near the completion of (b)(6) & (b)(7)(C) term as a "schedule C appointment."

**Investigative Summary**

We found no credible evidence to substantiate inferences that (b)(6) & (b)(7)(C) announcement was a purposeful attempt to discourage other employees from applying for external training opportunities so that funds would be available for him or that the degree program he pursued wasn't for a NASA benefit.

Our investigation found that NASA improperly approved the use of NASA training funds to enable (b)(6) & (b)(7)(C) participation in an educational degree program at (b)(6) & (b)(7)(C). The primary causation of this improper expenditure was an unintentional failure by NASA staff to consider a federal law that prohibits federal Agencies from funding external degree programs for non-career Senior Executive Service appointees (such as (b)(6) & (b)(7)(C)). Further, (b)(6) & (b)(7)(C) resignation from the federal

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APPR: (b)(6) & (b)(7)(C)

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Government during the course of the [REDACTED] degree program prompted a debt repayment issue – which NASA then waived – without considering the fact that he should not have been given the training funds in the first place.

Based on the results of this investigation, on September 16, 2008, the NASA OIG made three recommendations to the NASA Associate Administrator. The NASA OIG recommended:

1. Review of NASA's regulations and web-information on eligibility for external training programs;
2. Enhanced training for those who administer the approval process of external degree program training requests; and
3. Reconsideration of the wavier decision regarding debt owed by [REDACTED], given that the initial approval for the training was in violation of Federal law.

On January 3, 2009, the Associate Administrator responded by concurring with recommendations 1 and 2. However the Associate Administrator, reference recommendation number 3, responded that upon review of all pertinent facts it was his decision to uphold the waiver of the repayment of funds. The Associate Administrator wrote –“It is clear to me that (b)(6) & (b)(7)(C) did not knowingly violate any policy on use of training funds for academic course.”

On June 2, 2009, the NASA OIG responded advising the Associate Administrator that NASA policy only allows waivers where “recovery [of the debt] would be against equity and good conscience or ....in the public interest.” The NASA OIG investigation found no support for an equitable or “good conscience” rationale behind NASA's wavier of (b)(6) & (b)(7)(C) debt; nor any persuasive facts demonstrating how the “public interest” was served by such action. Further, there was no compelling intervening event that prevented [REDACTED] from fulfilling the specific terms and conditions of the obligation he made in exchange for NASA funding his educational expenses. In conclusion, the NASA OIG advised that both (b)(6) & (b)(7)(C) waiver request and NASA's wavier decision did not sufficiently demonstrate why repayment of the debt would be against equity, good conscience, or the public interest.

The NASA OIG has concluded its investigation of this matter. Additional correspondence from senior NASA management is not anticipated. However, if correspondence is received it will be addressed, as deemed appropriate, by NASA OIG senior management. Until such time, this investigation is closed.

Prepared by: SAC (b)(6) & (b)(7)(C)  
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O-NJ-06-0538-O

January 8, 2010

**REPORT OF INVESTIGATION**

**UNCONVENTIONAL CONCEPTS, INC.**

425 E. Hollywood Blvd., Suite A  
Mary Esther, FL 32569

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

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

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

**CASE CLOSING:** This investigation was initiated on receipt of information from the United States Attorney's Office (USAO), District of Maryland, Baltimore, MD reporting that an investigation by the U.S. Army Criminal Investigation Command (CID) and the Federal Bureau of Investigation identified potential fraud involving five Cooperative Agreements (CA) awarded to Unconventional Concepts, Inc. (UCI), totaling \$36,775,030. Two of the CAs were awarded by the Army Medical Research and Material Command and three were awarded by the Defense Advanced Research Projects Agency (DARPA). UCI failed to obtain and provide independent audits concerning the use of CA funds. (b)(6) & (b)(7)(C) in collusion with Army and NASA contracting personnel, (b)(6) & (b)(7)(C) respectively, fraudulently billed and received payment for research work which they all knew was not performed. The USAO further advised that the fraud included funds related to an Interagency Agreement between the NASA Ames Research Center (ARC) and the Army Natick Soldier Center, Natick, MA. Funds totaling approximately \$583,000 were provided to UCI in support of the Advanced

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APPR: (b)(6) & (b)(7)(C)

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Individual Protection Technologies. (b)(6) & (b)(7)(C) was identified as the Technical Point of Contact.

The NASA OIG and Army CID interviewed [REDACTED] who admitted he knowingly signed off on false UCI receiving reports so that UCI could get paid for work not completed. [REDACTED] stated he did this for the benefit of "the program" and the excess funds paid to UCI for work not completed would go into UCI's "discretionary" account for future use by the program. He explained he did not benefit personally from this arrangement. [REDACTED] stated he sometimes did this because the funds were about to expire and he needed to get the funds disbursed. He added this was done to bypass the contracting officers and to "park" the funds at UCI.

When interviewed, (b)(6) & (b)(7)(C) also admitted her part in the scheme. She explained that she also had discretionary funds at UCI and the funds were from UCI overcharging the Army on invoices and (b)(6) & (b)(7)(C) telling the Army Contracting Officer's Technical Representative the invoices were proper to pay even though she knew they were not. (b)(6) & (b)(7)(C) also stated she was "negligent" in letting UCI get paid three separate times for one particular piece of research. She also admitted to having an improper (given her position) sexual relationship with (b)(6) & (b)(7)(C) and to accepting expensive dinners and other items of value, such as wine, chocolates, and jewelry from (b)(6) & (b)(7)(C).

Additional investigation and review of documents obtained via search warrants executed upon UCI in Virginia and Florida, revealed that beginning in approximately 2000 and continuing through May 2006, (b)(6) & (b)(7)(C) along with (b)(6) & (b)(7)(C)

[REDACTED] developed and executed a scheme whereby they would use CAs to "park" large amounts of DARPA research funds at UCI, giving them control over the funds without further contracting oversight. A total of approximately \$36 million was transferred to UCI through new DARPA CAs and modifications of existing agreements. While many of the funds were ultimately spent on research projects, a significant yet undetermined amount was taken by UCI as "fees" for handling the money. The scheme allowed UCI to bypass oversight by contracting offices and provided increased flexibility to commit funds to rapidly emerging research fields. The scheme also allowed UCI, (b)(6) & (b)(7)(C) and the co-conspirators to preserve funds beyond their appropriated life, to use the funds to provide a "soft landing" to individuals leaving DARPA, and to extract unauthorized fees and income for UCI from the CAs.

A review of UCI business records showed (b)(6) & (b)(7)(C) received personal benefits totaling \$60,300 in the form of meals, travel, computers, and other miscellaneous items. Additionally, questionable "unrestricted gifts" totaling approximately \$300,000 were made by UCI to the University of Central Florida where (b)(6) & (b)(7)(C)

The NASA OIG and Army CID interviewed (b)(6) & (b)(7)(C) who admitted to accepting various gifts from (b)(6) & (b)(7)(C) and UCI while employed at DARPA. (b)(6) & (b)(7)(C) explained he was first introduced to (b)(6) & (b)(7)(C) by [REDACTED] in 1997 or 1998. Further, (b)(6) & (b)(7)(C) confirmed that funds were moved

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through UCI, at his direction and others, in ways that may have been "improper." He also explained that a "tax" of up to 10% was placed on all DSO program funds by (b)(6) & (b)(7)(C) for placement in an "office fund" to be used for unplanned or unbudgeted expenses.

The NASA OIG issued a Management Referral recommending administrative action against (b)(6) & (b)(7)(C). As a result, (b)(6) & (b)(7)(C) was removed from his position as (b)(6) & (b)(7)(C) and placed in a (b)(6) & (b)(7)(C) having no direct involvement with the management of contracts.

On November 30, 2009, Assistant United States Attorney (AUSA) (b)(6) & (b)(7)(C) District of Maryland, Baltimore, MD, declined this matter for prosecution (b) (5)

On December 11, 2009, AUSA (b)(6) & (b)(7)(C) Eastern District of Virginia, declined pursuing criminal prosecution of (b)(6) & (b)(7)(C) (b) (5). On January 5, 2010, AUSA (b)(6) & (b)(7)(C) Northern District of California, declined pursuing criminal prosecution of (b)(6) & (b)(7)(C) also (b) (5)

Since all investigative steps have been completed and no criminal, civil, or administrative action is pending, this matter is closed.

Prepared by: SA (b)(6) & (b)(7)(C)  
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O-MA-10-0008-HL-P

May 18, 2010

**POTENTIAL UNETHICAL ACTIVITIES**

Marshall Space Flight Center

**INFORMATION MEMORANDUM/CASE CLOSING:** The NASA Office of Inspector General (OIG), Office of Investigations, received an anonymous complaint alleging unethical activities and behavior on the part of (b)(6) & b(7)(C).

(b)(6) & b(7)(C) Marshall Space Flight Center (MSFC), Huntsville, AL. The complainant alleged that (b)(6) & b(7)(C) engaged in (b)(6) & b(7)(C) and used his position within NASA to obtain employment for friends and family members with NASA contractors. Additionally, the complainant alleged that (b)(6) & b(7)(C) had accepted an all expense paid trip to New Orleans, LA, from a NASA contractor and that he boasted about securing a position with a NASA contractor after he leaves government service.

The NASA OIG interviewed (b)(6) & b(7)(C), who admitted to an extramarital affair with a NASA contractor employee, but maintained the affair had ended. (b)(6) & b(7)(C) admitted that he had contacted NASA contractors concerning employment for friends and family members however; he maintained that he did not ask anyone to hire his family members or friends. (b)(6) & b(7)(C) denied accepting any gifts from NASA contractors, to include any trip to New Orleans, LA. (b)(6) & b(7)(C) admitted that he had been offered employment opportunities with NASA contractors, but maintained the offers were generic in nature. (b)(6) & b(7)(C) admitted that his response to those employment offers was one of political correctness and that he simply replied "Thank you very much; I will keep that in mind."

The NASA OIG conducted numerous interviews concerning the allegations, to include interviews of NASA contracted companies' personnel and was unable to substantiate the allegations of (b)(6) & b(7)(C) using his position within NASA to obtain employment for his family members and friends with NASA contractors. Although the allegation cannot be substantiated, an appearance of impropriety concerning (b)(6) & b(7)(C) involvement in obtaining employment for his friends and family members with NASA contractors exists. An example was that (b)(6) & b(7)(C) served as the contracting officer technical representative (COTR) for (b)(6) & b(7)(C), while his daughter worked at (b)(6) & b(7)(C). Although (b)(6) & b(7)(C) sought ethics advice regarding the legality of him serving as the COTR overseeing (b)(6) & b(7)(C), a NASA contracting official questioned the ethical rationale of (b)(6) & b(7)(C) serving as the (b)(6) & b(7)(C) COTR.

Additionally, we were unable to substantiate the allegation that (b)(6) & b(7)(C) accepted an all expense paid trip to New Orleans, LA. We determined that he attended Mardi Gras in 2009 with a NASA

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APPR: (b)(6) & b(7)(C)

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contractor employee; however, he maintains that he paid for his own expenses associated with his trip. Lastly, we were able to substantiate the allegation that [REDACTED] engaged in [REDACTED] [REDACTED] however, we determined that [REDACTED] was not represented anywhere within her supervisory chain and that he did not have the ability to influence her employment.

Although the allegations were unsubstantiated, an appearance of impropriety concerning [REDACTED] b(6) & b(7)(C) involvement in obtaining employment for his friends and family members with NASA contractors existed. Therefore, the results of the investigation were referred to the MSFC Associate Director for further review and action deemed appropriate. Upon review of the NASA OIG investigative findings, the MSFC Associate Director advised that [REDACTED] b(6) & b(7)(C) had been relieved of his duties as COTR and had received a written reprimand, which was placed in his personnel for a two-year period.

Based upon the above, no further investigative efforts are warranted and this investigation is closed.

Prepared by: SA [REDACTED] b(6) & b(7)(C)  
DISTR: File

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O-GL-10-0224-HL-S

June 25, 2010

## REPORT OF INVESTIGATION

### **ALLEGED PROHIBITED PERSONNEL ACTION**

Glenn Research Center  
Cleveland, OH 44135

**CASE CLOSING:** On April 22, 2010, the Office of Inspector General (OIG) received a Hotline complaint from [b(6) & b(7)(C)]

[b(6) & b(7)(C)] who alleged that GRC management is compromising safety at GRC by hiring friends in positions for which they are not qualified. [b(6) & b(7)(C)] specifically addressed the recently selected candidate for the Safety Engineer vacancy (#GR10C0019) at GRC.

On April 30, 2010, the OIG interviewed [b(6) & b(7)(C)] who related that in early February 2010, NASA announced vacancy announcement GR10C0019 for a GS-0803-14 Safety Engineer at GRC. The duties and responsibilities for the announced position consist of managing a team that develops and implements processes and procedures to address mishaps for the Mishaps Investigation Support Office, Safety, Health and Environmental Division (SHED), GRC. [b(6) & b(7)(C)]

[b(6) & b(7)(C)] All four applicants were interviewed for the position. [b(6) & b(7)(C)] participated in the interview process. [b(6) & b(7)(C)] was selected for the position. [b(6) & b(7)(C)] was the selecting official. [b(6) & b(7)(C)] opined he was the best applicant and should have been selected for the position. He suspects that [b(6) & b(7)(C)] was selected because she is [b(6) & b(7)(C)] and friends with [b(6) & b(7)(C)]. [b(6) & b(7)(C)] said he has no actual knowledge of [b(6) & b(7)(C)] educational background, experience, or qualifications; but he considers himself the best applicant for the vacancy because [b(6) & b(7)(C)] was a [b(6) & b(7)(C)] and he is currently employed as [b(6) & b(7)(C)].

[b(6) & b(7)(C)] further suspects the hiring decision was based on non-merit factors; therefore, he submitted an Equal Employment Opportunity (EEO) complaint with EEO, GRC, and requested an investigation of his employment discrimination concerns. [b(6) & b(7)(C)] also filed a separate complaint with the U.S. Office of Special Counsel to address what he considered a prohibited personnel practice when [b(6) & b(7)(C)] hired her friend instead of the most qualified applicant for the position. Finally, [b(6) & b(7)(C)] stated he filed an official request to [b(6) & b(7)(C)] GRC, requesting her office review the entire personnel action for vacancy job announcement number GR10C0019.

3666  
APPR: [b(6) & b(7)(C)]

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Management Referral

On May 7, 2010, the OIG referred this matter to [b(6) & b(7)(C)] for action and requested a response within 30 days.

Management Response

On June 21, 2010, [b(6) & b(7)(C)] GRC, responded that she had conducted a review of the procedures followed in the personnel selection for a GS-0803-14 Safety Engineer at GRC (GR10C0019). Her review found that the job was properly announced, all applicants were properly evaluated, and all four candidates were asked the same questions during the interview process. At the conclusion of the interview process, a selection was made, justified and approved through the proper management channels. Hence, her review found no indication of discrimination and/or a prohibited personnel action.

Based on the aforementioned this matter is closed. There is no judicial or administrative action pending.

Prepared by: SA [b(6) & b(7)(C)]  
DISTR: File

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O-AR-10-0277-MR

August 10, 2010

**REPORT OF INVESTIGATION**

(b)(6) & (b)(7)(C)  
Ames Research Center  
Moffett Field, CA 94035

**CASE CLOSING:** This investigation was initiated following an Ames Research Center (ARC) internal audit that found (b)(6) & (b)(7)(C) misused his government issued travel credit card. The ARC Cost Accounting Branch identified \$9,043.34 worth of transactions that did not coincide with any of (b)(6) & (b)(7)(C) official travel dates. Subsequent review by ARC's Travel Card Coordinator identified unauthorized charges made to (b)(6) & (b)(7)(C) government-issued credit card.

Investigation revealed that from December 2008 through April 2010, (b)(6) & (b)(7)(C) was on official travel 25 times. However, from March 2009 through April 2010, over 120 government credit card transactions were recorded on (b)(6) & (b)(7)(C) account during the times he was not on official travel. It was also revealed that (b)(6) & (b)(7)(C) travel card was delinquent which he has since paid in full. (b)(6) & (b)(7)(C) did not dispute the charges and acknowledged improper use contrary to the Federal Travel Regulations (FTR). The FTR mandates the government travel credit card be used for official government travel related expenses only. (b)(6) & (b)(7)(C) successfully completed the required Government Travel Card training and therefore should have known the transactions subject to this investigation were inappropriate.

On May 25, 2010, a Management Referral memorandum was sent to the ARC Chief Counsel for further investigation or disposition. On June 25, 2010, (b)(6) & (b)(7)(C) issued a memorandum, which revealed (b)(6) & (b)(7)(C) received a three-day suspension for the use of his government issued credit card for unauthorized purchases (Attachment 1). Contact with (b)(6) & (b)(7)(C) ARC, revealed no further action would be taken against (b)(6) & (b)(7)(C).

Based upon this investigation and the administrative action taken against (b)(6) & (b)(7)(C), this case is closed.

**Attachment:**

Suspension Memorandum signed by (b)(6) & (b)(7)(C) June 25, 2010

Prepared by SA (b)(6) & (b)(7)(C)  
DISTR: File

2167  
APPR: (b)(6) & (b)(7)(C)

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TO: Code 200, b(6) & b(7)(C)

FROM: Code 210, b(6) & b(7)(C)

SUBJECT: Document of Actions from Office of Inspector General Report on Orbital Sciences Corporation FAR Disclosure (O-GO-10-0351-HL-MN)

Documented below are actions taken by the Government in response to the Orbital Science Corporation notification that General Dynamics Advanced Information Systems, Inc. (GDAIS) failed to notify NASA of past Destructive Physical Analysis (DPA) failures when seeking a waiver for parts to be incorporated into the Viceroy III GPS Receiver.

Upon receipt of the Office Inspector General's (OIG) letter regarding the subject allegation, the Contracting Officer's Technical Representative (COTR) and Contracting Officer (CO) reviewed the original deviation request submitted by GDAIS to NASA for the Viceroy III GPS Receiver parts. Upon review of the deviation, the COTR recommended that the CO rescind the approval on the deviation until further investigation into the documents supporting the original deviation request. The CO rescinded the deviation approval and the COTR, b(6) & b(7)(C) initiated an audit of the entire supporting documentation for the original request with active support and cooperation from OSC. The COTR working with the Code 562 parts branch, and the LandSat Data Continuity Mission (LDCM) Parts Engineer, reviewed all relevant Parts Control Board Minutes, specification sheets, qualification histories and other relevant data to determine the seriousness of the issue. In addition to this review of all relevant documentation, further documentation was requested regarding the lot qualification and screening of the parts.

Following review of all pertinent records, all concerns were addressed and all parties agreed that the EEE parts for the Viceroy III GPS Receiver, as augmented for LDCM, were acceptable for flight. Therefore, the deviation request approval was reinstated on 9/23/2010 and the matter was considered closed. No further action is considered necessary with regard to the subject matter.

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



O-JS-08-0258-S

September 1, 2010

## REPORT OF INVESTIGATION

### ALLEGED PROCUREMENT IRREGULARITIES AT

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

**CASE CLOSING:** On April 17, 2008, the Office of Inspector General (OIG) initiated an investigation based on allegations that b(6) & b(7)(C) at b(6) & b(7)(C) has shown favoritism towards small business contractors Synergy Management Solutions (SMS) and 4W Solutions (4W). In addition, it was alleged that b(6) & b(7)(C) had indicated to his business associates his intent to influence b(6) & b(7)(C) relative to procurements in exchange for some financial benefit. During the course of this investigation, the b(6) & b(7)(C) received an additional allegation that b(6) & b(7)(C) administrated the 4W contract while b(6) & b(7)(C) was employed by the company.

#### **Synergy Management Solutions**

Investigation disclosed that in 2006 b(6) & b(7)(C) directed a non-competitive contract award to SMS valued at \$200,000 for small business coaching. SMS was a small business registered with the Small Business Administration and certified as an 8(a) minority owned company. However, SMS did not receive their 8(a) certification until nine months after b(6) & b(7)(C) procurement decided to direct the award to them. Since the contract could not be directly awarded to SMS, b(6) & b(7)(C) Procurement awarded a contract to certified 8(a) business DatasorsConsulting, LLC (DSC), for a portion of the total value. DSC in turn subcontracted most of the funds back to SMS. b(6) & b(7)(C) procurement awarded this contract with the intention of awarding a follow on contract to SMS for the remaining effort when they obtained their 8(a) certification. Upon receiving 8(a) certification SMS was awarded the remaining contract value. Prior to the award of these contracts b(6) & b(7)(C) was involved in a mentoring relationship with b(6) & b(7)(C). She told the OIG that she had mentored at least three other small business contractors who received subcontracts at b(6) & b(7)(C).

#### **4W Solutions**

Investigation identified concerns about relationships between b(6) & b(7)(C) and individuals employed by 4W on b(6) & b(7)(C) contracts. 4W provides personnel support in the areas of software development, systems engineering integration, temporary secretarial, and procurement under multiple task

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orders on a Blanket Purchase Agreement (BPA) with [REDACTED]. The OIG investigation disclosed that [REDACTED] recommended for employment to 4W two parishioners of the church [REDACTED]. Both individuals and their family members contributed financially to the church. A third individual recommended by [REDACTED] was a college classmate of [REDACTED]. [REDACTED] told the OIG that she routinely provided resumes of prospective employees to [REDACTED] contractors either directly or indirectly through her staff.

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

Investigation disclosed that [REDACTED] had communicated to his business associates that [REDACTED] was [REDACTED] at NASA [REDACTED] and that he could influence her relative to [REDACTED] procurements in exchange for a financial benefit by becoming a member of a joint venture on contracts at [REDACTED], or by "washing each other's hands." However, the investigation found no evidence that [REDACTED] had knowledge of [REDACTED] activity or was involved in anything related to his activities. In fact, when [REDACTED] became aware of a communication that occurred between [REDACTED] and a [REDACTED] Small Business Specialist relative to stimulus funded procurements, she appropriately notified the [REDACTED] Legal Office and recused herself from the procurements.

While [REDACTED] disclosed in her SF 278, Public Financial Disclosure Report, [REDACTED] and capital gains related to one incorporated business, the investigation determined that since she [REDACTED] has had six additional Doing Business As (DBA) entities actively registered in [REDACTED], and has been an officer or registered agent on three additional entities incorporated in [REDACTED]. [REDACTED] told the OIG she was unaware of [REDACTED] business activity, and the OIG was unable to ascertain the nature of [REDACTED] involvement in these entities because he declined to be interviewed.

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

Our investigation determined that on December 23, 2008, [REDACTED] signed the Procurement Coordination/Approval Document as the requisitioner for the 4W Blanket Purchase Agreement (BPA). [REDACTED] and a member of his household, [REDACTED] began work at [REDACTED] with 4W under this BPA on March 2, 2009. [REDACTED] reviewed and verified invoices submitted by 4W, including time sheets for [REDACTED]. He reviewed a total of three bi-weekly invoices related to [REDACTED] work on this BPA before being removed as [REDACTED] on May 4, 2009, for reasons unrelated to his relationship with [REDACTED]. [REDACTED] made no attempts to notify the Contracting Officer or his direct supervision about his potential conflict of interest. It was not until September 2009 that his direct supervision learned of his relationship while reviewing emergency contact information for [REDACTED].

#### Prosecution Declination

All potential criminal matters related to the [REDACTED] and [REDACTED] were declined for prosecution by Assistant United States Attorney [REDACTED]. Related to the [REDACTED] AUSA [REDACTED] primarily cited (b) (5)

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(b) (5) Related to (b) (6) & b(7)(C) AUSA (b) (6) & b(7)(C) primarily cited (b) (5)

### Management Referrals

On January 6, 2010, the OIG referred matters related to (b) (6) & b(7)(C) to the (b) (6) & b(7)(C) Associate Director. An initial response was received on February 5, 2010 which indicated that (b) (6) & b(7)(C) will establish a central resume bank using either the (b) (6) & b(7)(C) Human Resources Directorate or the (b) (6) & b(7)(C) Joint Leadership team. On July 13, 2010, the OIG received an additional response to this referral which indicated that (b) (6) & b(7)(C) and (b) (6) & b(7)(C) were counseled by (b) (6) & b(7)(C) about the importance of full disclosure of her and (b) (6) & b(7)(C) financial interests in the identification of any potential conflicts of interest. (b) (6) & b(7)(C) also cautioned (b) (6) & b(7)(C) about forwarding resumes of people she knew to companies with whom NASA has contracts, pointing out the appearance this action could create.

On February 9, 2010, the OIG referred matters related to (b) (6) & b(7)(C) to the (b) (6) & b(7)(C) Associate Director. On August 25, 2010, the OIG received a response to this referral that indicated (b) (6) & b(7)(C) was counseled by (b) (6) & b(7)(C) and given additional ethics training. Additional annual ethics training would be requested for all personnel in the small business office.

### Investigation Disposition

Since criminal prosecution of these matters has been declined, and administrative referrals have been responded to by NASA management, this case is closed.

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Prepared by: SA b(6) & b(7)(C)  
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O-GO-10-0211-S

September 9, 2010

## **REPORT OF INVESTIGATION**

### **SUMMER OF INNOVATION**

NASA Headquarters  
Washington, DC

**CASE CLOSING:** This investigation was initiated based upon the receipt of information provided by confidential sources, alleging **b(6) & b(7)(C)** NASA Headquarters (HQ), renewed her efforts to steer the procurement process for a pending NASA Co-operative Agreement Notice (CAN), the Summer of Innovation (SoI), to external sources and potential offerors who provided input to her during the development of the CAN.

During the course of the investigation, confidential sources also provided information concerning **b(6) & b(7)(C)** sharing procurement sensitive information regarding the CAN with Charles Bolden, Administrator, NASA, **b(6) & b(7)(C)** attempting to steer an additional SoI component to favored vendors, and the improper use of Paragon Technology - Education - Communication (TEC) Incorporated (Paragon) in the SoI Pilot Project.

Additionally, the OIG received inquiries regarding whistleblower protection from **b(6) & b(7)(C)**

### **BACKGROUND**

The SoI is a NASA educational project in response to the President's Educate to Innovate initiative. For the fiscal year 2010, the SoI has a budget of \$10 million.

Upon her assignment to NASA, **b(6) & b(7)(C)** was designated as the SoI project champion. She was involved in developing the SoI CAN which was released to members of the Space Grant Consortium. **b(6) & b(7)(C)** was also involved in the overall concept of the SoI project. Despite this role, there is no evidence **b(6) & b(7)(C)** received any training in government procurement procedures. Throughout the investigation, NASA employees involved in the project stated **b(6) & b(7)(C)** did not understand the procurement process and this caused delays and confusion in the project.

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While developing the CAN, (b)(6) & (b)(7)(C) received input from several external sources and potential offerors including an educational services firm, Summer Advantage. Allegation regarding the receipt of this information and its inclusion in the CAN were raised during a previous NASA OIG investigation, case number: O-GO-10-0051-HL-S. This investigation revealed a potential for an Organizational Conflict of Interest (OCI) within the draft CAN based on the inclusion of information from external sources and potential offerors received by (b)(6) & (b)(7)(C). After becoming aware of these issues, steps were taken to delay the public release of the CAN until the potential OCI's were mitigated.

After the CAN was released, (b)(6) & (b)(7)(C) was still involved in the SoI and attended meetings and provided feedback as the project continued to develop and move forward. In (b)(6) & (b)(7)(C) role as project champion she did not make any decisions on which entities received funding, but did actively exchange ideas and concepts in meetings with the SoI project manager and OE, NASA HQ staff.

(b)(6) & (b)(7)(C) participation in the SoI ended in April 2010. Since then she has had no input into the project.

### INVESTIGATIVE FINDINGS

During the investigation the following allegations were investigated by the NASA OIG:

(b)(6) & (b)(7)(C) *attempted to steer the procurement process for the SoI CAN issued through the Space Grant consortium to external sources and potential offerors who assisted her in developing a draft of the CAN.*

It was alleged following the steps taken to mitigate potential OCI's resulting from (b)(6) & (b)(7)(C) actions prior to the CAN being released; (b)(6) & (b)(7)(C) participated in presentations regarding the evaluation of the proposal received under the CAN. During these presentations, (b)(6) & (b)(7)(C) expressed her unhappiness with the direction of the CAN and questioned if any of the proposals received had to be funded. (b)(6) & (b)(7)(C) also provided information to the source selection official and others highlighting strengths in the evaluating achievement of some of the external sources that provided her input in the development the draft CAN. Although (b)(6) & (b)(7)(C) was unhappy with the results of the CAN evaluation process, four entities were selected based on the CAN evaluation process. These entities were allotted \$5.3 million in funding from the SoI budget.

There was no evidence that any of the external sources and potential offerors who assisted (b)(6) & (b)(7)(C) in developing a draft of the SoI CAN received any funding under the CAN.

(b)(6) & (b)(7)(C) *inappropriately shared procurement sensitive information with Bolden concerning the SoI CAN issued through the Space Grant consortium.*

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(b) (5)

Additionally, a review of (b)(6) & b(7)(C) e-mail provided no evidence of (b)(6) & b(7)(C) sharing procurement sensitive information with (b)(6) & b(7)(C) Summer Advantage, or other entities outside NASA.

(b)(6) & b(7)(C) attempted to steer the procurement process for the SoI Pilot Project to Summer Advantage and other vendors she preferred.

While the CAN was being evaluated, it became clear to the SoI project manager and senior members of the OE, NASA HQ, that additional components would be needed to meet the SoI's objectives. After consultation with the Office of Procurement (OP), NASA HQ, and OGC, NASA HQ, it was decided to seek a contract vehicle already in place in which a sub-award could be added. The Science, Engineering, Mathematics and Aerospace Academy (SEMAA) contract with Paragon was identified as the contract vehicle. During the development of the statement of work (SOW), points made by (b)(6) & b(7)(C) regarding evaluation of services provided were incorporated in the SOW. (b)(6) & b(7)(C) provided (b)(6) & b(7)(C) NASA HQ, with a list of organizations that demonstrated success in meeting the criteria she referenced. One of the organizations provided by (b)(6) & b(7)(C) was Summer Advantage. In a draft of the SOW, Summer Advantage and other entities referenced by (b)(6) & b(7)(C) were specifically named as partner organizations. When the SOW was reviewed by OGC it provided guidance that providing a list of partner organizations to work with was inappropriate. The SOW was revised and the list of entities to partner with was removed. There is no evidence Summer Advantage or the other entities listed in the draft version of the SOW provided any services under the sub-awards.

Prior to the sole sourcing the SoI Pilot Project contract to Paragon, (b)(6) & b(7)(C) (b)(6) & b(7)(C) Paragon, Office of Education (OE), NASA HQ, was involved in the SoI project since January 2010. (b)(6) & b(7)(C) involvement should have disqualified Paragon from receiving SoI funding.

Paragon has employees at NASA HQ supporting the OE. (b)(6) & b(7)(C) helped develop web pages, pamphlets, posters and other communications material for the SoI. (b)(6) & b(7)(C) had no involvement in developing the content for the SoI. (b)(6) & b(7)(C) role in the SoI was only general support position. (b)(6) & b(7)(C) did not have access to any procurement sensitive information. The information (b)(6) & b(7)(C) had access to was widely available to the public and in no way gave Paragon any advantage in working with the SoI.

(b)(6) & b(7)(C) was removed from her position as (b)(6) & b(7)(C) because of her insistence on following the guidance from the OGC, NASA HQ and OP, NASA HQ in the selection process for the SoI procurement.

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On April 22, 2010, (b)(6) & (b)(7)(C) was read and provided with a copy of the Notice of Rights for filing Whistleblower Retaliation Complaints with the U.S. Office of Special Counsel. (b)(6) & (b)(7)(C) reviewed this notice and signed it. During this conversation, (b)(6) & (b)(7)(C) stated she planned on speaking with a private employment attorney and agreed to notify the NASA OIG should she decide to pursue Whistleblower protection. As of the date of this report, (b)(6) & (b)(7)(C) has not contacted the NASA OIG regarding whistleblower protection.

### SUMMARY

As stated above, prior to the SoI CAN being released it was reviewed and any potential OCI's were mitigated. This CAN was then used as the basis for selecting four entities to receive SoI funding. Later during the development of the SoI Pilot Project, external sources and potential offerors who provided input to (b)(6) & (b)(7)(C) during the development of the CAN were included as partner organizations in a draft version of the SOW. This language was removed by OGC, NASA HQ, prior to the SOW being finalized. Because of the actions taken, any potential OCI's in the SoI project were mitigated. There is no evidence Summer Advantage or any other outside entity provided additional information to (b)(6) & (b)(7)(C) that was used to develop the SoI project.

Additionally, there is no evidence Summer Advantage or any other vendor favored by (b)(6) & (b)(7)(C) received any funding from the SoI initiative.

Since all allegations were fully addressed and the investigation did not substantiate the alleged violations, this case is closed.

Prepared by: SA (b)(6) & (b)(7)(C)  
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C-JP-08-0343-O

September 27, 2010

**Subject Unknown –** b(6) & b(7)(C)

Jet Propulsion Laboratory  
Pasadena, CA 91109

**INFORMATION MEMORANDUM/CASE CLOSING:** An investigative lead was initiated after Special Agent b(6) & b(7)(C) Defense Criminal Investigative Service (DCIS), requested investigative assistance to recover email from the account of b(6) & b(7)(C). A query of the local Jet Propulsion Laboratory (JPL) database determined the account belonged to b(6) & b(7)(C) a current employee at JPL working as b(6) & b(7)(C). According to b(6) & b(7)(C) a DCIS confidential source provided chat sessions which documented an unknown hacker bragging he used the b(6) & b(7)(C) account. b(6) & b(7)(C) advised his investigation showed connections to b(6) & b(7)(C).

On June 16, 2008, Supervisory Special Agent (SSA) b(6) & b(7)(C) Federal Bureau of Investigation (FBI), New Haven, Connecticut, officially provided NASA, Office of Inspector General (OIG), Western Field Office, Computer Crimes Division (CCD), a formal lead request. SSA b(6) & b(7)(C) reported SA b(6) & b(7)(C) in conjunction with the Connecticut Computer Crimes Task Force (CCCTF), was investigating a series of computer intrusions at defense contractors and U.S. Government entities that originated from overseas. The CCCTF discovered that one subject of the investigation was using b(6) & b(7)(C) email account to obtain Internet services.

During June 2008, Reporting Agent (RA) interviewed b(6) & b(7)(C) who was unaware that his email account was being used by anyone else. Technical Investigator (TI) b(6) & b(7)(C) along with b(6) & b(7)(C) JPL Information Technology Security Group (ITSG), conducted a console review of b(6) & b(7)(C) government computer and discovered evidence of a keystroke logger on the system. Investigation showed that on May 12, 2008 at 10:10 Pacific Daylight Time (PDT), b(6) & b(7)(C) was infected with malware called *Trojan.Qipian*. The keystroke logger was installed as part of this malware package and was designed to capture the user passwords for the b(6) & b(7)(C) email account and other applications.

Additional investigation of b(6) & b(7)(C) system confirmed the installation of other malware files, which in conjunction with the keystroke logger, resulted in the successful connection to a JPL Share Server. Once connected, the intruder was able to data mine approximately 22 Gigabytes of

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data. The data was harvested from the server (b)(6) & (b)(7)(C) and, subsequently, emailed to (b)(6) & (b)(7)(C).

Additional inquiry by [redacted] surfaced no findings for (b)(6) & (b)(7)(C), which was used to connect to (b)(6) & (b)(7)(C) email account, but did find connections to (b)(6) & (b)(7)(C). Investigation identified an additional seven (7) compromised JPL domain computers.

On August 7, 2008, Reporting Agent (RA) met with (b)(6) & (b)(7)(C), Special Access Program Manager, (b)(6) & (b)(7)(C), and the Department of Defense customer of the data, regarding the investigation. RA was asked if there was a level of confidence that the intrusion was contained and there were no further threats to the data. RA informed the group that NASA OIG/CCD was not in a position to provide that assurance. The customer representative was previously informed by (b)(6) & (b)(7)(C) and RA that the most damaging files harvested from the JPL Share Server were proprietary Computer Aided Design (CAD) files, which consisted of schematics, drawings and manufacturing specifications. It was also reiterated to the customer representative that [redacted] JPL Export Compliance, directed a review of the harvested data to determine what may have been International Traffic in Arms Regulation (ITAR).

On June 28, 2010, Reporting Agent (RA) contacted (b)(6) & (b)(7)(C), Assistant United States Attorney (AUSA), United States Attorney Office, New Haven, CT, to ascertain the current status of this investigation. (b)(5)

Prepared by: SA (b)(6) & (b)(7)(C)  
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C-JP-09-0286-S

November 30, 2010

**SUBJECT UNKNOWN -** [b(6) & b(7)(C)]

Jet Propulsion Laboratory  
Pasadena, CA

**CASE CLOSING:** This case was initiated in June 2009 based on reports that [b(6) & b(7)(C)] was making attempts to connect to Internet Relay Chat (IRC). Initial analysis revealed that the system was also beaconing to hostile IP [b(6) & b(7)(C)] (unregistered w/ DNS; Netherlands), clear indication that the system was infected. After initial unsuccessful attempts to contact the registered owner, it was discovered that the system was being primarily used by [b(6) & b(7)(C)] and was located in the Deep Space Network (DSN) Laboratory, [b(6) & b(7)(C)] Jet Propulsion Laboratory (JPL).

The system was used as the Frequency Standards Stability Analyzer (FSSA) which enabled a more accurate frequency reading that enhanced the overall functionality of the DSN as a whole. The system had proprietary software installed that was designed to Remote Desktop into other systems at the remaining three DSN locations (Australia, California, and Spain) and collect clock data that was used to make a precise frequency reading. Therefore, numerous DSN Lab employees frequently used the system to analyze data as well as collect data from the remote sites.

Forensic analysis was conducted on the machine and it was determined it had no security policies installed as is required per NASA and JPL policy. It had been infected for over 11 months and had numerous malicious software (malware) programs and viruses. During the time it was infected, over 3000 unauthorized connections had been attempted to the system. Due to the lack of logging and security controls on the system, investigators were unable to determine how many of these connections were successful or where the original malware originated from.

A Management Referral Letter was issued to [b(6) & b(7)(C)] on August 17, 2010, detailing the lack of security by the DSN Lab and their blatant disregard for NASA and JPL policy in regards to protecting sensitive data. A response was received on October 4, 2010, which stated that the system had been updated and installed with all necessary security controls and patches. In addition, DSN Lab employees had received remedial Information Technology Security training. No further investigative activity is required. This case is closed.

Prepared by: [b(6) & b(7)(C)]  
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Office of Inspector General  
Office of Investigations

O-MA-05-0261-S

December 10, 2010

**SIERRA LOBO, INC**  
P.O. Box 250  
Fremont, OH 43420

**CASE CLOSING:** The NASA Office of Inspector General (OIG), Office of Investigations (OI) conducted an inquiry at the Marshall Space Flight Center (MSFC) into allegations that AI Signal Research Incorporated (ASRI), a NASA prime contractor, had engaged in criminal violations including false certifications, cost mischarging, conflict of interest, and other such violations. The initial allegations were unsubstantiated by the investigation. During the course of this investigation, b(6) & b(7)(C) a former employee of ASRI and current employee of Sierra Lobo, Incorporated, was interviewed by Special Agents with the NASA OIG regarding the allegations against ASRI. Sierra Lobo is the predecessor NASA contractor to the ASRI contract. Sierra Lobo maintained many of the same employees when they won the NASA contract to include b(6) & b(7)(C) and b(6) & b(7)(C). During this interview b(6) & b(7)(C) made a disclosure to NASA OIG investigators, which he believed represented a violation of law. b(6) & b(7)(C) was asked by investigators if he had knowledge of anyone at ASRI being involved in the submission of false welding certifications. In response, b(6) & b(7)(C) disclosed that b(6) & b(7)(C) had previously informed him that he had taken welding certification tests for other less skilled welders and represented the results as that of the other welders. Shortly after b(6) & b(7)(C) participation in this investigation his employment with Sierra Lobo was terminated (forced resignation) by company managers, primarily b(6) & b(7)(C), who became aware of his disclosure to the NASA OIG. b(6) & b(7)(C) immediately filed a complaint with the NASA OIG alleging that he was wrongfully terminated by Sierra Lobo after he cooperated in the investigation of ASRI and made a disclosure of what he believed to be a violation of law.

The investigation by the NASA OIG concluded that Sierra Lobo wrongfully forced b(6) & b(7)(C) to resign in violation of the Federal Acquisition Streamlining Act (FASA) for his reasonable, good faith disclosure of a substantial violation of law to a federal agent conducting an investigation relating to a NASA contract. The preponderance of the evidence indicated that b(6) & b(7)(C) protected disclosure to OIG agents was, at a minimum, a contributing factor in his forced resignation, the legal standard that must be met under the law to sustain a reprisal claim. Finally, even if the facts viewed in the light most favorable to Sierra Lobo, they do not show by clear and convincing evidence that Sierra Lobo would have forced b(6) & b(7)(C) to resign in the absence of his protected disclosure to the OIG agents.

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The OIG forwarded the Draft Report of Findings to Sierra Lobo, [REDACTED] and NASA in which we concluded that Sierra Lobo acted contrary to FASA by taking actions in reprisal towards [REDACTED] based, in large part, on his disclosure to the OIG.

Sierra Lobo and NASA submitted written responses to our Draft Report. Sierra Lobo disagreed with our Draft Report and presented additional facts and a variety of opposing legal arguments, including that [REDACTED] statements to a NASA OIG investigator were not a "protected disclosure" under FASA. NASA's Deputy General Counsel, responding on behalf of the Agency, also disagreed with the finding in our Draft Report citing the passage of time and insufficiency of the record.

After carefully reviewing the responses submitted by Sierra Lobo and NASA, the OIG stood by its original conclusion that [REDACTED] disclosure to the OIG was a contributing factor in his forced resignation, a finding that is determinative under FASA. The totality of the circumstances clearly indicated that [REDACTED] disclosures to a federal investigator were inextricably linked to Sierra Lobo's decision to force his resignation and that [REDACTED] disclosure of potential substantial violations of law that possibly had human space flight safety implications was reasonable under the circumstances and made in good faith.

The NASA Inspector General forwarded our final Report of Findings to the NASA Administrator for his consideration, decision, and possible enforcement action under FASA. In response to our Report of Findings the NASA Administrator responded, in part, "While the background of this case is quite interesting, I have determined that the report of and the subsequent responses do not contain sufficient grounds to clearly support a finding that Sierra Lobo, Inc., subjected [REDACTED] to reprisal prohibited by the Act. Accordingly, no further action will be taken by this Agency." The response was provided to all parties concerned including [REDACTED]

Since no further criminal, civil, or administrative action is anticipated by the Government, this investigation is closed.

Prepared by: SA [REDACTED]  
DISTR: File

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O-AR-06-0617-O

March 16, 2011

**ARC SekTek – Protective Services**

**CASE CLOSING MEMORANDUM:** In April and September of 2007, Ames Research Center (ARC) SekTek security contractors b(6) & b(7)(C) and b(6) & b(7)(C) each purchased a "Colt" AR-15 assault rifle from LC Action, a firearms and law enforcement supply store in San Jose, CA. The four individuals presented LC Action with an unauthorized letter bearing a NASA police logo falsely identifying themselves as sworn police officers. The letter also falsely stated the guns would be used for official use only. The four (4) assault rifles were subsequently turned over to NASA Office of Inspector General (OIG) and entered into the OIG evidence custody system.

On April 24, 2007, the United States Attorney's Office and California Department of Justice (CA DOJ) both declined prosecution in lieu of ARC taking administrative action against b(6) & b(7)(C) and b(6) & b(7)(C). In June 2007, SecTek management suspended b(6) & b(7)(C) and b(6) & b(7)(C) for two weeks without pay. b(6) & b(7)(C) was no longer working for SekTek by June 2007. The three were further required to attend ethics training.

In December 2007, ARC Chief Counsel instructed SecTek to eliminate the use of "NASA Police" as an identifier on letterhead and uniforms. Additionally, the ARC Protective Services Office was directed to inform the California Department of Justice in writing that the four SekTek contractors were not authorized by ARC/NASA to purchase the subject weapons and their applications for such were inappropriate. On March 17<sup>th</sup>, 2008, CA DOJ reported that all four (4) weapons registration would be cancelled.

Attempts by the NASA OIG office to transfer the contraband rifles to a state or local law enforcement agency were unsuccessful. In February 2011, ARC Chief Counsel authorized the disposal of the rifles and in March 2011, the rifles were transferred into the custody Alcohol Tobacco and Firearms (ATF), San Jose, CA for destruction. This case is closed.

Prepared by: SA b(6) & b(7)(C)  
DISTR: File

2102  
APPR: b(6) & b(7)(C)

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