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# NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE




## INSPECTOR GENERAL

## REPORT OF INVESTIGATION

## 30 May 2014

## IV-13-0053

## Alleged Abuse of Authority and Appearance of Impropriety in HR

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Approved for Release by NSA on 08-31-2018, FOIA Case # 79204 (litigation)
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## (U) OFFICE OF THE INSPECTOR GENERAL

(U) Chartered by the NSA Director and by statute, the Office of the Inspector General conducts audits, investigations, inspections, and special studies. Its mission is to ensure the integrity, efficiency, and effectiveness of NSA operations, provide intelligence oversight, protect against fraud, waste, and mismanagement of resources by the Agency and its affiliates, and ensure that NSA activities comply with the law. The OIG also serves as an ombudsman, assisting NSA/CSS employees, civilian and military.

## (U) AUDITS

(U) The audit function provides independent assessments of programs and organizations. Performance audits evaluate the effectiveness and efficiency of entities and programs and their internal controls. Financial audits determine the accuracy of the Agency's financial statements. All audits are conducted in accordance with standards established by the Comptroller General of the United States.

## (U) INVESTIGATIONS

(U) The OIG administers a system for receiving complaints (including anonymous tips) about fraud, waste, and mismanagement. Investigations may be undertaken in response to those complaints, at the request of management, as the result of irregularities that surface during inspections and audits, or at the initiative of the Inspector General.

## (U) INTELLIGENCE OVERSIGHT

(U) Intelligence oversight is designed to insure that Agency intelligence functions comply with federal law, executive orders, and DoD and NSA policies. The IO mission is grounded in Executive Order 12333, which establishes broad principles under which IC components must accomplish their missions.

## (U) FIELD INSPECTIONS

(U) Inspections are organizational reviews that assess the effectiveness and efficiency of Agency components. The Field Inspections Division also partners with Inspectors General of the Service Cryptologic Elements and other IC entities to jointly inspect consolidated cryptologic facilities.



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## I. (U) SUMMARY

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(U//~~FOUO~~) This investigation was conducted in response to an allegation that [redacted] Human Resources (HR), influenced how [redacted] was hired to increase [redacted] travel entitlements.

(U//~~FOUO~~) [redacted] previously served as the Chief, [redacted] and the Chief [redacted]. He has been employed at NSA since [redacted] and since [redacted] has held several different positions in HR. He is familiar with staffing, hiring, and PCS actions.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] created an appearance of impropriety in the performance of his duties and misused his official Government position when he told the mission hiring manager that he did not think [redacted] could financially afford to enter on duty (EOD) at NSA Hawaii (NSAH), provided the hiring manager with recommendations and advice for how [redacted] could EOD at NSA Washington (NSAW) with a subsequent permanent change of station (PCS) to NSAH, and then directed his subordinate to coordinate the hiring and PCS actions pertaining to [redacted] with relevant Agency offices. His actions violated 5 C.F.R. § 2635.502, Personal and business relationships, NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), General Principles for On-The-Job Conduct, and 5 C.F.R. § 2635.702, Use of public office for private gain.

(U//~~FOUO~~) During 2012, the [redacted] organization externally advertised for an [redacted] position at NSAH but was unsuccessful in filling the position. In late 2012, [redacted] Chief, [redacted] considered hiring [redacted] for the position. [redacted] asked [redacted] whether [redacted] would be interested in the position; [redacted] provided a copy of the vacancy announcement to him so that he could show it to [redacted] and had since graduated from college with a degree in [redacted] After [redacted] confirmed his interest in the position, a by-name hiring request was made.

(U//~~FOUO~~) In late January 2013, after [redacted] received the Agency's final job offer (FJO) to EOD at NSAH as a first-duty-station field hire, [redacted] told [redacted] the [redacted] via email, that he was not sure that [redacted] could financially afford to EOD at NSAH and asked [redacted] if [redacted] could EOD at NSAW.

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(U//~~FOUO~~) told reasons why should EOD at NSAH, but proceeded to provide recommendations and advice to as to how could be processed to EOD at NSAW with a subsequent PCS, noting that there were substantial differences between the two options.

(U//~~FOUO~~) provided to Chief, email in which he stated that he did not think could financially afford to EOD at NSAH. In less than two weeks, hiring was redirected and a second TJO was extended so that he would EOD at NSAW with a subsequent PCS.

(U//~~FOUO~~) assigned his subordinate, to coordinate the redirect of hiring with the Office of Recruitment (MB), Human Resources (HR) at NSAH, and Global HR Services . This was a unique tasking for who normally does not coordinate hiring or PCS actions. previously served as under and is familiar with the policies that govern the PCS process.

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(U//~~FOUO~~) On entered on duty at NSAW as an at the level. On , he reported to the position he was hired to fill at NSAH via PCS orders, thereby receiving PCS entitlements, which included a relocation bonus of approximately (See Appendix C for list of PCS entitlements)

(U//~~FOUO~~) Normally, a new Agency appointee hired to fill a position in the field enters on duty at the field location. If new appointees must attend training at NSAW before reporting to the field, they would EOD at NSAW in a temporary duty (TDY) en-route status. In both situations, the field station is identified as the employees' permanent duty station (PDS), the new appointees are considered a first-duty-station field hire, and they receive associated first-duty-station entitlements in accordance with JTR, Volume 2, C4025, TDY Prior to Reporting to the First PDS and JTR, Volume 2, C5080.A.1.a, Travel and Transportation Under Special Circumstances. (See Appendix C for list of first-duty-station entitlements) [1]

(U//~~FOUO~~) As a result of redirecting where was hired, NSAW was indicated as his initial PDS and he received PCS entitlements, including a relocation bonus, upon his relocation to NSAH.[2] PCS entitlements include expenses for a house hunting trip (HHT), temporary quarters subsistence expenses (TQSE), and miscellaneous expense allowance (MEA), which are not allowable to new appointees in accordance with 5 C.F.R. § 575.205, Relocation Incentive and JTR, Volume 2, C5080.B.6, New Appointee and Assignment to First PDS. The

[1] A first-duty-station field hire is a new appointee hired to fill a position in the field. The term "field" is synonymous with "extended enterprise," terms referring to locations with NSA personnel that are not part of NSA Washington (NSAW).

[2] Comptroller General and Board of Contract Appeals decisions state that a permanent duty station is the location where employees are going to spend the majority of their time performing actual and substantial duties and not where they initially report for training. (See B-194642, August 24, 1979, 58 COMP.GEN.744, GSBCA 14750-RELO, GSBCA 16349-RELO. See Appendix I)



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total amount of entitlements [redacted] received as a result of the manner in which he was hired, and which he would not have otherwise been entitled to, was approximately [redacted]

(U//~~FOUO~~) According to the Office of Recruitment, based on a search of hiring records, only one other Agency employee has been hired in the same manner as [redacted] who entered on duty the same date as [redacted] to fill an [redacted] position at NSAH, at the [redacted] level.[4]

(U//~~FOUO~~) This report also includes a review of actions taken in the months following [redacted] influencing the hiring process of [redacted] It demonstrates the wide-spread impact his actions had on Human Resources to accommodate hiring for someone who entered-on-duty at NSAW when the intent was for that employee to fill a position at a field site as a first-duty-station hire. It includes evidence that suggests that [redacted] may have been hired in the same manner as [redacted] to minimize the appearance that he was receiving preferential treatment. It also includes evidence that suggests that [redacted] and [redacted] remained at NSAW for 90 days before their PCS to ensure that they met the minimum time requirement to be placed on an Annual Contribution Evaluation (ACE) Plan, receive a successful final rating of record, in order to qualify for relocation bonuses which is required under 5 C.F.R. § 575.205, Relocation Incentives.

(U//~~FOUO~~) A copy of this NSA/CSS OIG report will be provided to the NSA Chief of Staff and a summary of our findings will be referred to the Associate Directorate for Security and Counterintelligence for information and action deemed appropriate.[5]

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[3] The Finance and Accounting Office provided the OIG with copies of travel vouchers for [redacted] (Appendix H). He received TQSE in the settlement amount (government paid) of [redacted] MEA in the settlement amount (government paid) of [redacted] and expenses for a HHT in the settlement amount (government paid) of [redacted] These same non-allowable expenses are also documented on [redacted] webpage (Appendix C). [redacted] will also receive a relocation bonus in the amount of [redacted]

[4] Evidence in this case showed no indication that [redacted] or [redacted] were at fault, or even aware, of the possible impropriety with regard to the way in which they were hired.

[5] Normally, NSA/CSS OIG reports are provided to Employee Relations for action deemed appropriate. This report, however, is being provided to the NSA Chief of Staff because Employee Relations is subordinate to individuals involved in this investigation.



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# II. (U) BACKGROUND

## (U) Introduction

(U//~~FOUO~~) On 2 April 2013, the OIG received an email complaint through the classified OIG Hotline, alleging that the way in which [redacted] and [redacted] had been hired for positions in the field set a precedent, was not in the best financial interest of the Government, and afforded the new Agency appointees with PCS entitlements not typically provided to first-duty-station field hires.

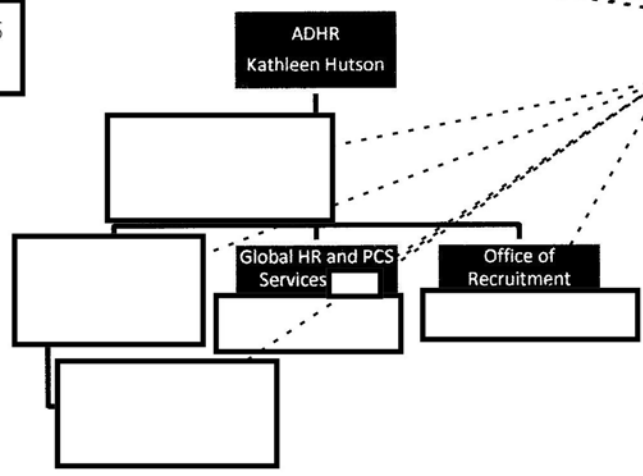
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(U//~~FOUO~~) On 4 April 2013, the OIG received in-person complaints from two other individuals, alleging that the way in which [redacted] had been hired was due to [redacted] influence as the NSA [redacted] Their complaint differed from the complaint filed on 2 April in that they alleged that [redacted] had already received first-duty-station orders and had shipped her household goods to Hawaii, while [redacted] was being processed for PCS orders and would receive enhanced entitlements.

(U//~~FOUO~~) On 4 April 2013, two other individuals contacted the OIG Hotline by telephone with concerns over the way in which [redacted] had been hired for a position at NSAH.

(U//~~FOUO~~) The following organizations, which fall under the leadership of Ms. Kathleen Hutson, Associate Director of Human Resources (ADHR), were involved in the processing of [redacted] hiring and subsequent PCS: ADHR Staff [redacted] Global HR and PCS Services [redacted] and The Office of Recruitment (MB).

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(U//~~FOUO~~) In addition to [redacted] the OIG obtained sworn testimony from the following employees:

- Ms. Kathleen Hutson, Associate Director Human Resources (ADHR; M)
- [redacted] Chief, [redacted]
- [redacted] Hiring Manager and Chief, [redacted]
- [redacted] Budget and Manpower Officer HR Staff [redacted]
- [redacted] Global HR Services [redacted]
- [redacted] Global HR and PCS Services Center [redacted]
- [redacted] PCS Policy expert, [redacted]
- [redacted] Technical Director
- [redacted] Office of Recruitment (MB)

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(U//~~FOUO~~) The OIG conducted telephone interviews with the following employees and memorialized relevant information in Memoranda for the Record:

- [redacted] Human Resources at NSAH
- [redacted] Hiring Manager

(U//~~FOUO~~) As part of the investigation, the OIG obtained and reviewed:

- Relevant email of personnel involved in the hiring and processing of [redacted] (Appendix B);
- A cost analysis for a TDY en-route and a PCS from the Chief Global HR and PCS Services (Appendix E).
- Copies of PCS orders and claim vouchers (Appendix H); and
- Historical hiring data of similarly situated employees from the Office of Recruitment (Appendix J).

## (U) Applicable Authorities

(See Appendix A for a full table of authorities)

- 5 C.F.R. § 575.205, Relocation Incentives.
- 5 C.F.R. § 2635.502(a), Standards of Ethical Conduct for the Executive Branch, Personal and Business Relationships.
- 5 C.F.R. § 2635.702(a), Standards of Ethical Conduct for the Executive Branch, Misuse of Position. Use of public office for private gain.
- JTR, Volume 2, C4025, TDY Prior to Reporting to the First PDS.



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- JTR, Volume 2, C5080.A.1.a, Travel and Transportation Under Special Circumstances.
- JTR, Volume 2, C5080.B.6, New Appointee and Assignment to First PDS.
- NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), Personal Conduct, General Principles for On-The-Job Conduct.



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## III. FINDINGS

***(U//~~FOUO~~) ISSUE: Did [redacted] create an appearance of impropriety during the performance of his official duties and misuse his official position by involving himself in [redacted] hiring and relocation process?***

**(U//~~FOUO~~) CONCLUSION:** The preponderance of the evidence supports the conclusion that [redacted] created an appearance of impropriety in the performance of his duties, and misused his official Government position when he told the mission hiring manager that he did not think [redacted] could financially afford to enter on duty (EOD) at NSA Hawaii (NSAH), provided the hiring manager with recommendations and advice for how [redacted] could EOD at NSA Washington (NSAW) with a subsequent permanent change of station (PCS) to NSAH, and then directed his subordinate to coordinate the hiring and PCS actions pertaining to [redacted] with relevant Agency offices. His actions violated 5 C.F.R. § 2635.502, Personal and business relationships, NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), General Principles for On-The-Job Conduct, and 5 C.F.R. § 2635.702, Use of public office for private gain.

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## (U) Documentary Evidence

### (U) Preliminary Hiring Actions

(U//~~FOUO~~) In emails dated 18 December 2012, [redacted] forwarded a copy of the vacancy announcement for the [redacted] position at NSAH to [redacted] so that he could show it to [redacted] (Appendix B.1).

(U//~~FOUO~~) In emails dated 8 January 2013, [redacted] and [redacted] discussed whether the [redacted] position vacancy announcement was available on-line at nsa.gov so that [redacted] could access it. (Appendix B.2)

(U//~~FOUO~~) In an email dated 14 January 2013, [redacted] requested that the NSA Recruiter extend a final job offer to [redacted] as a first-duty-station field hire to NSAH. This was a by-name request to fill the position, which was previously advertised, external to the Agency.[6]

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[6] The term "direct hire" is synonymous with "by-name hire" authority and is an OPM term for one of the ways Federal agencies can hire personnel. It allows an agency to give an offer to a person interviewed for a specific position instead of publicly advertising and competing to fill the position when a critical hiring need or severe shortage of candidates exists. The vacancy announcement is at Appendix B.3., attached to the 18 December 2012 email.



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**(U//~~FOUO~~) Involvement**

(U//~~FOUO~~) In emails dated 24 and 25 January 2013, notified that had accepted the Agency's FJO to EOD at NSAH A series of emails were exchanged between and that included the following key points:

(U//~~FOUO~~) stated that he and had previously discussed a plan whereby would EOD at NSAW, stay for a few months, then PCS to NSAH. (Appendix B.4)

(U//~~FOUO~~) stated that must EOD at NSAH due to his new appointee probationary status and tha would TDY him back to NSAW for a week or two in the Spring 2013. (Appendix B.4)

(U//~~FOUO~~) asked, "if it can be worked would you be OK if he spends a few months with you in first?" responded that two to three weeks of training might suffice based on (Appendix B.4)

(U//~~FOUO~~) explained options for the way in which could be hired and advised that there were other factors and significant differences between the two options. He explained that the two-year probationary period could be waived, and, if believed needed training before reporting to NSAH, then MB could have EOD at NSAW and PCS later. He explained to how could be double-billeted until his permanent assignment at NSAH. (Appendix B.4)

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(U//~~FOUO~~) told that he was not sure that could financially afford to EOD at NSAH and referred to his subordinate, for additional information about the differences between having EOD at NSAW and NSAH. (Appendix B.5)

(U//~~FOUO~~) In an email dated 25 January 2013, forwarded to the email exchange he had with in which he stated that he did not think could financially afford to EOD at NSAH. responded to that he would like to discuss hiring options with (Appendix B.5)

**(U) TDY En-route**

(U//~~FOUO~~) In an email dated 4 March 2014, Chief, confirmed that in January 2013 she told that, if a new appointee for NSAH was going to EOD at NSAW, unless the new appointee was going to be at NSAW for a substantial period of time, his time spent at NSAW should be in a TDY en-route status. (Appendix B.6)

[7] The Recruiter who handled hiring stated in an email to the OIG dated 25 January 2014 that the copy of the original FJO was overwritten and a copy was not retained by the Office of Recruitment. (Appendix B.10) The Recruiter provided the OIG with an email that she sent to on 4 February 2013, Subject: Final Job Offer, which documents the appointment as a first-duty-hire at Honolulu, Hawaii. (Appendix L)



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(U//~~FOUO~~) In an email dated 25 February 2014, [redacted] PCS Policy Officer, told the OIG that in early January 2013 [redacted] asked her for policy interpretation regarding a new appointee who was to EOD at NSAW for training and how the new appointee should be processed. The answer [redacted] provided was in a TDY en-route status. (Appendix B.6)

(U//~~FOUO~~) In emails to the OIG dated 29 and 30 January 2014 and 19 February 2014, [redacted] stated that in January 2013 [redacted] asked about a new appointee who was to EOD at NSAW for training and how they should be processed. [redacted] conferred with [redacted] for the answer: TDY en-route. (Appendix B.6)

**(U//~~FOUO~~) Coordination of Re-direct of [redacted] Hiring**

(U//~~FOUO~~) In an emails dated 29 January 2013 from [redacted] to [redacted] and [redacted], she requested a justification to redirect [redacted] hiring from NSAH to NSAW, which [redacted] provided. The draft justification stated that [redacted] needed to spend "a few weeks" at NSAW to attend training. (Appendix B.7)

(U//~~FOUO~~) In a series of emails dated 30 January 2013, [redacted] asked [redacted] to sign as the originator on the SPF and to forward it to [redacted] for signature and to HR at NSAH for concurrence. [redacted] signed the SPF. [redacted] informed [redacted] Chief [redacted] NSAH, that, although the SPF "suggests that he could spend up to 60 days with us, I don't see any reason why he shouldn't be at site by mid to late March." [redacted] tells [redacted] "This is a bit of a surprise as I had spoken with [redacted] and stated our preference." (Appendix B.8)

(U//~~FOUO~~) In a series of emails dated 30 January 2013, [redacted] coordinated the SPF with the Office of Recruitment, Global HR. The timeframe for training in the final version stated "30 to 60 days." (Appendix B.9)

(U//~~FOUO~~) In an email dated 4 February 2013 entitled, "Subject: Final Job Offer," from the Office of Recruitment and Staffing to [redacted] the Agency confirmed his appointment as a first-duty-hire at Honolulu, Hawaii. (Appendix L)

(U//~~FOUO~~) In letters to [redacted] dated 4 and 5 February 2013, the Agency confirmed his selection for the position at NSAH with an EOD at NSAW of [redacted] (Appendix L)

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(U//~~FOUO~~) In an email dated 4 February 2013, entitled, "(U) Done!," [redacted] provided [redacted] with the following information, "EOD here – 11 Feb.," to which [redacted] responded, "Yippee!!," and forwarded the email to [redacted] with smiley-face emoticons. (Appendix B.11)

**(U//~~FOUO~~)** [redacted]

(U//~~FOUO~~) In an email dated 30 January 2013, [redacted] Chief [redacted] at NSAH, asked [redacted] whether [redacted], another NSAH [redacted] new hire, was a candidate for the same consideration with respect to receiving training before reporting and where she should

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EOD.[8] responded in an email dated 1 February 2013 that it made more sense for to EOD at NSAH because and that when PCS'd to NSAH, she could then TDY back to NSAW for a few weeks. (Appendix B.12)

(U//~~FOUO~~) In an email dated 4 February 2013, provided with a draft justification to redirect hiring from NSAH to NSAW, which stated she would spend "several weeks" in training before reporting to NSAH.[9] (Appendix B.13)

(U//~~FOUO~~) In an email dated 5 February 2013 to NSAH, expressed his surprise in learning that and were to EOD at NSAW.[10] (Appendix B.14)

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**(U) Nepotism Warning**

(U//~~FOUO~~) On 7 February 2012, asserted in an email to HR that he had not advocated for the assignment of to a position in the Agency and agreed, without reservation, to disassociate himself from any and all actions that relate directly or indirectly to the consideration of his relative for future assignments or promotions to any position within the Agency.[11] (Appendix B.15)

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**(U) Training**

(U//~~FOUO~~) In an email dated 14 February 2013, after and had EOD'd, asked leaders to review and collaborate on a proposed two-week "Bootcamp" training schedule that he was beginning to plan for them. The training schedule ran from (Appendix B.16)

(U//~~FOUO~~) In an email dated 15 February 2013, told an employee that would be at NSAW for "at least two weeks." (Appendix B.17)

**(U) PCS Process**

(U//~~FOUO~~) In an email dated 5 March 2013, provided the Global HR and PCS Services Center with waivers of the two-year probationary periods for and [12] (Appendix B.18)

(U//~~FOUO~~) As part of the Agency's PCS process, in an email dated 13 March 2013, approvals for the direct nominations of and for the positions at NSAH that they

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[8] The final job offer for to EOD at NSAH as a first-duty-hire is at Appendix L.

[9] testified that, after learning that had he sought to redirect her hiring so that she would EOD at NSAW; did not prepare the SPF to redirect hiring from NSAH to NSAW, as she did for

[10] The FJO for to EOD at NSAW is at Appendix L.

[11] Source: HR Records and Technology

[12] Subject waivers transfer the responsibility for the probationary period from NSAW to NSAH Policy expert, testified that such waivers had never been prepared for someone who EOD'd at NSAW when the known intent was that the employee was going to fill a position at a field site.



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had each applied and were selected for were processed in the Internal Staffing Tool. (Appendix B.19)

(U//~~FOUO~~) In an email dated 18 March 2013 from [redacted] to [redacted] Chief [redacted] at NSAH, [redacted] employees, the NSAH PCS Desk Officer, and the Chief [redacted] Executive Assistant, [redacted] explained that NSAH is anxious for [redacted] and [redacted] to arrive and that he wishes to expedite their PCS. (Appendix B.20)

(U//~~FOUO~~) In an email dated 21 March 2013, [redacted] explained to [redacted] employees at NSAH that [redacted] and [redacted] have learned a lot during [redacted] training and he provided specific examples of training received. (Appendix B.21)

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(U//~~FOUO~~) In emails dated 21 March 2013, [redacted] and [redacted] were notified of their direct nominations for the positions at NSAH. Both have PCS departure dates of [redacted] (Appendix B.22)

(U//~~FOUO~~) In emails dated 27 March 2013, [redacted] and [redacted] were notified that their suitability processing was complete and that they have been officially selected for the positions at NSAH. (Appendix B.23)

**(U) Follow-On Actions and Events**

(U//~~FOUO~~) In an email dated 8 April 2013, [redacted] Deputy Chief [redacted] provided a timeline of events to [redacted] regarding the PCS processing for [redacted] and [redacted] and a comparison of entitlements for first-duty-station hires and PCS entitlements.[13] (Appendix B.23)

(U//~~FOUO~~) In an email dated 8 April 2013 from [redacted] Policy Officer, [redacted] to [redacted] stated that she would document the scenarios regarding each new appointee and what corrections or actions needed to happen. (Appendix B.24)

(U//~~FOUO~~) In an email dated 11 April 2013 to the OIG, [redacted] Chief [redacted] said that, after [redacted] met with Ms. Hutson, [redacted] was no longer required to document the different scenarios. (Appendix B.25)

(U//~~FOUO~~) In emails dated 10 April 2013, [redacted] and [redacted] asked the [redacted] PCS Desk Officer for confirmation of their PCS dates. The [redacted] forwarded the emails to [redacted] Deputy, [redacted] forwarded the emails to [redacted] and [redacted] told [redacted] that she and [redacted] would be meeting with Ms. Hutson, ADHR, that day. (Appendix B.26)

(U//~~FOUO~~) In a series of emails dated 10 April 2013, [redacted] told [redacted] that he understood the PCS orders were being delayed due to concerns of impropriety and an IG investigation and asked if she had any additional information. She requested that he and [redacted]

[13] [redacted] testified that after she learned of the OIG complaint, she requested the timeline in preparation for her meeting with Ms. Hutson where she hoped to obtain guidance on how to proceed.

meet with her and Deputy so that she could provide information to them. Subsequently, told that she and "ran into" and that he could give the details. (Appendix B.27)

(U//~~FOUO~~) In an email dated 10 April 13, provided guidance to and that first-duty-station field hires who reside in the NSAW area, unless they spend a substantial period of time at NSAW, should be in TDY en-route while they attend training.[14] (Appendix B.28)

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(U//~~FOUO~~) In a series of emails dated 11 April 2013, Deputy advised Chief and Deputy that, according to the guidance she received from them that morning, would be issued new orders to cover PCS expenses and will PCS In addition, will receive his PCS orders so that he can proceed with a house hunting trip. Finally, the waivers for the relocation bonuses needed to be completed and was preparing the waivers.[15] told stating that, in absence, would prepare the relocation bonus waivers. She offered to sign the PCS orders if or her supervisor, was uncomfortable doing so. (Appendix B.29)

(U//~~FOUO~~) In an email to the OIG dated 30 January 2014, told the OIG that ACE waivers for the relocation bonus were never prepared because it was decided that the new appointees would receive ACE ratings. Furthermore, she was not aware of waivers for relocation bonuses having ever been prepared in this type of situation. Normally they are prepared after an employee who has received a relocation bonus and then requests curtailment; a waiver is then prepared so that the employee does not have to pay back the bonus to the Government. (Appendix B.30)

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**(U) ADHR's 90-day Requirement**

(U//~~FOUO~~) In an email sent on the morning of 12 April 2013, told an employee stationed at NSAH that was scheduled to PCS , and he saw no reason for to be further delayed. (Appendix B.30)

(U//~~FOUO~~) In an email sent on the afternoon of 12 April 2013, told that and would start working at NSAH on in order to satisfy Ms. Hutson's 90-day requirement for them to stay at NSAW.[16] (Appendix B.31)

(U//~~FOUO~~) In an email to the OIG dated 2 May 2013, told the OIG that Ms. Hutson had directed that the PCS dates for and be changed to (Appendix B.32)

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[14] Deputy Chief passed this is the same guidance to in January 2013. testified that she provided it to in January 2013.

[15] The waivers would remove the requirement for a successful ACE rating to be on file. The CFR states that a successful ACE rating is required for receipt of a relocation bonus.

[16] After there was no longer a need for the relocation bonus waivers because after 90 days had passed, they could receive a final rating of record, a requirement for receipt of a relocation bonus. However, ACE plans had not yet been created for the rating period which began

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**(U) Process for First-Duty-Station Field Hires**

(U//~~FOUO~~) In an email dated 17 April 2013 to various MB2 employees, summarized a process on which MB and had collaborated for first-duty-station field hires who TDY en-route to NSAW.[17] (Appendix B.33)

**(U) ACE Plans Created and Backdated**

(U//~~FOUO~~) ACE Plans were created for and on 18 and 25 April 2013, respectively, and backdated to 11 February 2013 through the end of the rating period, 17 May 2013. Both received Successful 2013 final ratings of record.[18] (Appendix G)

**(U) Training Records**

(U//~~FOUO~~) The training records of and show that during the time they spent at NSAW they completed several on-line training modules, some of which did not pertain to the mission. (Appendix K)

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(b)(6)

## (U) Testimonial Evidence

***(U//~~FOUO~~)***

(U//~~FOUO~~) was interviewed on 11 December 2013 and provided the following sworn testimony.

(U//~~FOUO~~) In mid-to-late 2012, Chief asked whether would be interested in working at NSAH. He told that, if so, should receive proper training before assuming the position, as it held much responsibility. told him that would train before sending him to NSAH.[19]

(U//~~FOUO~~) When received the Agency's FJO, it stated he would EOD at NSAH. Around this time, Chief and hiring manager, emailed to tell him that had been hired and would report directly to NSAH in the next two weeks.

(U//~~FOUO~~) told what had said regarding being trained by before being sent to NSAH; said that he would discuss it with

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[17] The process described how the Agency would process first-duty-station field hires TDY en-route, instead of a PCS as and had been processed. testified that Ms. Hutson directed that the process be written.

[18] The OIG obtained this information from HR via an email dated 7 May 2013. (Appendix G)

[19] testified that he never told that he would train before sending him to NSAH.



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(U//~~FOUO~~) told that one option would be to hire directly to NSAW for training and later send him to NSAH via PCS orders. He told that he was concerned about whether would be able to afford to live in Hawaii and mentioned something about the entitlements would receive. He did not mention entitlements to influence the way in which would hire but only to provide facts.

**(U//~~FOUO~~) Tasks His Subordinate to Coordinate Actions Related to Hiring and PCS**

(U//~~FOUO~~) told Ms. Hutson, ADHR, about his email exchange with and that he was going to ask his subordinate, to take on the role of coordinating the details of where would EOD. Ms. Hutson concurred.[20] Ms. Hutson advised that he should not be involved in the matter since it involved

(U//~~FOUO~~) asked to coordinate the details of where would EOD with Recruitment (MB), and Global HR and that whatever wanted to do was what she should strive to accomplish. He did not direct as to whom she should speak with or what she should do. He then removed himself from the matter because he did not want to give the appearance that he was influencing the way in which hiring action was processed.

(U//~~FOUO~~) Even though he told that he did not want her to provide him with updates, she told him that she had drafted a Staff Processing Form (SPF) for redirecting hiring from NSAH to NSAW. She also told him when she met with someone to discuss the matter, though she never provided details of meetings.

(U//~~FOUO~~) Around this time, another new hire, was scheduled to EOD as a first-duty-station field hire on the same day as Since she also required training, coordinated efforts to redirect hiring to NSAW with a PCS to NSAH.[21]

(U//~~FOUO~~) and do not usually become involved in hiring and PCS actions; however, this was a unique situation because and were being hired for positions in the field and there was no one at site who could provide them with training.

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**(U) TDY En-Route**

(U//~~FOUO~~) was not sure whether the Agency could have placed in TDY en-route status while he was in training at NSAW. He believed that and considered having EOD at NSAH and then TDY back to NSAW, but at the time the Agency was going through sequestration and had taken an cut in the HR budget

[20] Ms. Hutson testified that it did not matter to her where he entered-on-duty.
[21] Though provided a draft justification to to redirect hiring did not prepare or coordinate an official SPF as she did to redirect hiring.



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which included large cuts in the travel budget. There was no guarantee that TDY money would be available to bring [redacted] and [redacted] back to NSAW for training.[22]

(U//~~FOUO~~) Ms. Hutson told [redacted] that she did not want to take the risk of not having TDY funds to bring them back to NSAW for training. She felt that, if they did not have the training up-front, they would be set-up for not being successful in their jobs.

**(U) Entitlements**

(U//~~FOUO~~) First-duty-station field hires do not receive a relocation bonus, but it is an entitlement for a PCS to NSAH. [redacted] received a relocation bonus and during his three-year tour at NSAH, based on his salary of around [redacted] per year, he will get about [redacted] each year, before taxes.

(U//~~FOUO~~) Without the relocation bonus, [redacted] believed that [redacted] could have afforded to live in Hawaii, though it would have been difficult. Without it, he would have been concerned for [redacted] because he would not want to put someone in a situation in which he did not have enough money to survive.

**(U) ADHR's 90-Day Requirement and ACE Rating of Record**

(U//~~FOUO~~) [redacted] stated that Ms. Hutson told him that she had decided that [redacted] and [redacted] would stay at NSAW for a full 90 days so that they could be placed on a performance plan and receive an official ACE performance rating before their PCS.[23] He did not know why she had made the decision but believed it was to ensure they were successful in their training and ready for their jobs.

***(U//~~FOUO~~) [redacted] Chief, [redacted]***

(U//~~FOUO~~) [redacted] was interviewed on 3 May 2013 and provided the following sworn testimony.

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[22] [redacted] an [redacted] first-duty-station field hire for NSA Georgia (NSAG), entered-on-duty at NSAG on [redacted] that [redacted] and [redacted] entered on duty at NSAW. Two weeks later, he returned TDY to NSAW to attend the same type o[redacted] training as [redacted] and [redacted] Documentary evidence shows that the Chief [redacted] at NSAG, [redacted] wanted [redacted] to EOD at NSAG to avoid the "messy process" of orchestrating PCS entitlements. (See emails dated 5, 13, and 14 February 2013 at Appendix B.34) [redacted] testified that he made the final decisions regarding where new [redacted] hires would EOD.

[23] [redacted] testified that [redacted] told him Ms. Hutson provided the same guidance to him. [redacted] testified that he was unaware of a 90-day requirement levied by Ms. Hutson, although he was cc'd on an email in which [redacted] mentioned Ms. Hutson's 90-day requirement. [redacted] Chief [redacted] told the OIG in an email that Ms. Hutson directed that the PCS date for [redacted] and [redacted] be [redacted] (Email at Appendix B.32) Ms. Hutson denied levying a 90-day requirement.

(U//~~FOUO~~) Since [redacted] has served as the Chief, [redacted]. His first-line supervisor is [redacted] Chief, [redacted]. He has known [redacted] professionally since the early 1990's when [redacted] served as an [redacted] in what is currently known as [redacted].

**(U//~~FOUO~~) NSAH [redacted] Positions**

(b)(6)

(U//~~FOUO~~) In 2012, [redacted] advertised for an [redacted] position at NSAH and was initially processing an applicant for whom the Agency stopped processing around November 2012. Around December 2012, it occurred to [redacted] and [redacted] another [redacted] hiring manager, that [redacted] who had done an excellent job [redacted] had a clearance and background in [redacted] and should be considered for the job. [redacted] emailed [redacted] who provided his resume to [redacted] on 9 January 2013. [redacted] and [redacted] concluded that [redacted] was a very good candidate for the position.

**(U//~~FOUO~~) Redirect of Hiring**

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(U//~~FOUO~~) [redacted] was initially processing to EOD at NSAH as a first-duty-station field hire when [redacted] expressed concern to [redacted] that, due to sequestration, budget cuts, and pending furloughs, there may not be funds available to TDY him back to NSAW for training.

(U//~~FOUO~~) [redacted] could not recall whose idea it was to have [redacted] EOD at NSAW, although it may have been [redacted] idea.[24] The rationale was that he lived a few minutes from NSAW, was only [redacted] and had [redacted]

(U//~~FOUO~~) [redacted] performed a cost analysis and concluded that hiring [redacted] directly to NSAW was more cost effective than having him TDY from NSAH to NSAW. [redacted] did not document his analysis.

(U//~~FOUO~~) [redacted] told [redacted] and [redacted] what needed to be done and she created an SPF that included the [redacted] justification as to why [redacted] should EOD at NSAW for training. Occasionally, she communicated directly with the recruiter on the behalf of [redacted].

(U//~~FOUO~~) On 30 January 2013, [redacted] sent [redacted] Chief, [redacted] NSAH, for her concurrence, the SPF that documented that [redacted] would attend [redacted] training for several weeks before his PCS. [redacted] concurred.[25]

[24] [redacted] testified that it was his idea, and [redacted] testified that it was hers. There is documentary evidence at Appendices B.4 and B.5 suggesting it was [redacted] idea.

[25] The SPF stated "30-60 days" for training; however, in the email, [redacted] told [redacted] the training would only be "a couple of weeks." (SPF and email at Appendix B.13)



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**(U//~~FOUO~~)**

(U//~~FOUO~~) asked why , another new hire for for NSAH, was not being offered the same training opportunity as

(U//~~FOUO~~) told that, because it made more sense for her to EOD at NSAH.[26] In addition, she

(U//~~FOUO~~) On 4 February 2013, learned that had and it occurred to him and that, since she was on the East Coast, she could also EOD at NSAW to attend training and then PCS to NSAH.

(U//~~FOUO~~) prepared a justification for the redirect of hiring and sent it to for inclusion in an SPF because she was coordinating the SPF to redirect hiring; did not receive a copy of a final SPF regarding [27]

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**(U//~~FOUO~~) Training**

(U//~~FOUO~~) Initially, thought that and would be finished with training sometime in March 2013 and be able to PCS by the end of March 2013 (See Appendix F for training schedule). However, their PCS date kept changing, although did not know why.

(U//~~FOUO~~) "As time continued to drag on and on and on," and was not getting answers concerning when PCS orders would be ready, he and members of continued to look for opportunities to mentor the new appointees and tried to provide "very spontaneous" on-the-job training as opportunities arose.

(b)(6)

**(U//~~FOUO~~) OIG Investigation**

(U//~~FOUO~~) As of 12 April 2013, and still did not have their PCS orders, although they had been given a PCS date of called Chief and asked why no one was responding to his emails. She told him that she was not at liberty to discuss the matter. then called or Ms. Hutson and learned that someone had filed a complaint with the OIG.

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[26] After the discussion with told the OIG that she followed-up with Recruitment and learned that had She passed this information to and

[27] An SPF to redirect hiring was never prepared.



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**(U//~~FOUO~~) ADHR's 90-Day Requirement and ACE Rating Of Record**

(U//~~FOUO~~) Later the same day, 12 April 2013, told that the reporting date for and had been changed to because Ms. Hutson had directed that provide 90 days of training before their departure. In addition, Ms. Hutson wanted them to receive an Annual Contribution Evaluation (ACE) rating before their PCS and, if they stayed at NSAW for at least 90 days, they would each be eligible to receive an ACE rating.[28]

(U//~~FOUO~~) In accordance with Ms. Hutson's instruction, ACE plans were written in April 2013 and backdated to their EOD dates of [29]

**(U//~~FOUO~~) Entitlements**

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

(b)(6)

(U//~~FOUO~~) was not familiar with PCS or first-duty station field hire entitlements, and no one discussed these matters with him. He had never heard of a TDY en-route and did not know if it was an option for the new hires.

***(U//~~FOUO~~) Chief,***

(U//~~FOUO~~) was interviewed on 8 January 2014 and provided the following sworn testimony.

(U//~~FOUO~~) Before serving as Chief served as the under Ms. Hutson, the current ADHR. Ms. Hutson is current supervisor. He worked with during the 1990's, initially as a colleague in and later as a subordinate when served as the and was an Division Chief.

**(U//~~FOUO~~) NSAH Positions**

(U//~~FOUO~~) About two years ago, positions in Hawaii were converted to NSA civilian positions. advertised externally, interviewed three or four applicants, determined they were qualified, and submitted them for processing. The only applicant who made it through processing was at the time and had applied for a position. No one else applied for the position and, after checking with NSAW personnel within no one was interested or wanted to PCS to NSAH.

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[28] Ms. Hutson denied levying a 90-day requirement and that ACE ratings needed to be done.
[29] ACE documentation is at Appendix G.



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*IV-13-0053*

**(U//~~FOUO~~) Job Offer for NSAH**

(U//~~FOUO~~) In late December 2012 or early January 2013 asked the Chief and Chief if they would consider for the NSAH position. He had had a degree in possessed a clearance, and was capable of doing the work. They all agreed he met the qualifications for the job. After contacted he submitted his paperwork for processing.

(b)(6)

**(U//~~FOUO~~) Redirect of Hiring; ADHR Concurs**

(U//~~FOUO~~) In early February 2013, learned that had It occurred to him that and could EOD at NSAW instead of NSAH, as they were going to a field site that and needed training.[30]

(U//~~FOUO~~) performed a cost analysis and determined that it was less expensive for and to EOD at NSAW and PCS to NSAH than to have them EOD as first-duty-station hires and TDY back to NSAW for three months of training.[31]

(U//~~FOUO~~) was concerned that or NSAH would have to pay for the TDY. He said PCS funds, however, come from a larger funding line, which is managed by at the corporate level.

(U//~~FOUO~~) As the Chief of made the final decision as to where new hires for would EOD. He told Ms. Hutson that was processing and to EOD at NSAH, but that he wanted them to EOD at NSAW with a subsequent PCS. She told him that this type of arrangement had been coordinated many times in the past and he should contact Recruitment (MB) and Global HR Services for assistance. had no other conversations with Ms. Hutson about the matter, other than to provide occasional updates regarding their processing.

(U//~~FOUO~~) Several years ago hired and both of for positions in the field but had them EOD at NSAW for training before their PCS to NSAH and NSAG, respectively.[32]

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

[30] was already in the process of redirecting hiring when the Chief at NSAH inquired as to why would not also EOD at NSAW for training. After the Chief NSAH's inquiry, began to redirect hiring.

[31] did not document his cost analysis. The "three-month" training timeframe conflicts with documentary evidence as well as with the sworn testimony of the hiring manager, which reflects a shorter period of time, two to three weeks.

[32] The OIG investigator verified with Human Resources Records and Technology that and had been first-duty-station hires to NSAH and NSAG, respectively. They did not EOD at NSAW.



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(U//~~FOUO~~) directed that prepare justifications to redirect hiring for both new appointees, which were then provided to for coordination.[33]

(U//~~FOUO~~) told that during his interview with the OIG he learned that a first-duty station field hire does not receive a relocation bonus, but an employee who takes a PCS assignment does. Before explained the PCS entitlements, did not know that a relocation bonus was provided for a PCS to Hawaii.

**(U//~~FOUO~~) Communication with**

(U//~~FOUO~~) did not tell that would hire at NSAW and train him before his PCS to NSAH. never expressed any concerns to about sending directly to NSAH without coming to NSAW first, and never heard of such concerns second-hand.[34]

(U//~~FOUO~~) was familiar with nepotism strictures and, therefore, did not talk with about hiring other than to tell him that was going to hire full-time and that was processing to EOD at NSAH.

(U//~~FOUO~~) The OIG investigator showed an email dated 4 February 2013 that he sent to stating, "Done! EOD here – 11 Feb," to which replied, "Yippee!!!!" said he sent this email because subordinate, was helping to redirect hiring to NSAW and had succeeded in doing so.[35]

(U//~~FOUO~~) stated that he did not pass the position vacancy announcement to for him to pass to However, the OIG investigator showed an email dated 18 December 2012, that he sent to which documented his doing that. did not recall sending the email.[36]

**(U//~~FOUO~~) Training**

(U//~~FOUO~~) Based on at NSAH, believed that and required about three months of training, whether they were to EOD at NSAW or NSAH. He did not believe that less than one month of training would be sufficient.[37]

(b)(6)

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[33] Although testified that the length of time for training was three months, justifications on which he concurred provided for "a few weeks" and later "30 to 60 days" for training.

[34] On 25 January 2013, forwarded an email from to which stated that he did not think could financially afford to EOD at NSAH. (Appendix B,5)

[35] Email at Appendix B,11.

[36] Email at Appendix B,1.

[37] initially testified that originally planned to TDY both of them to NSAW for two weeks of training because two weeks was, approximately, all could afford.



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

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(U//~~FOUO~~) The [redacted] training schedule began on [redacted] 2013, the day after New Employee Orientation (NEO) training ended, and ran through [redacted] 2013. [redacted] did not know what training had been planned from [redacted] because he had delegated the training plan to [redacted] and [redacted].

(U//~~FOUO~~) [redacted] directed [redacted] to design the training schedule for [redacted] and [redacted]. If they completed the training early and [redacted] was confident that they were fully trained, they could depart for NSAH.

(U//~~FOUO~~) By 12 April 2013, [redacted] had decided that they were adequately trained and ready to report to NSAH. If their PCS orders had been ready, he would have had no reservations in allowing them to depart. However, there was a delay in [redacted] process to produce the PCS orders; [redacted] did not know what had caused the delay.[38]

(U//~~FOUO~~) During training, [redacted] and [redacted] learned all aspects of [redacted] and how [redacted] worked from an [redacted] standpoint. They had the opportunity to meet relevant points-of- contacts in the [redacted] organization at NSAW and gained an understanding of the relationship between NSAW and NSAH. They took some courses and were busy each week and not just sitting around waiting for their PCS orders.

(U//~~FOUO~~) The OIG investigator showed emails to [redacted], some of which had been addressed to him or he was copied on, in which [redacted] stated that less than three months, even two weeks, was sufficient training. [redacted] did not recall the emails.

(U//~~FOUO~~) [redacted] assumed that the references [redacted] made in the emails to two weeks of training pertained to when they thought [redacted] and [redacted] were going to EOD at NSAH and [redacted] was going to TDY them to NSAW. [redacted] had estimated that they could only afford a two week TDY, which would have been about [redacted] per week, per person.[39] It was not until [redacted] realized that [redacted] could redirect their hiring to NSAW that he decided it was a good opportunity to train them for a longer period.

**(U//~~FOUO~~) 90-Day Requirement and ACE Rating of Record**

(U//~~FOUO~~) [redacted] did not recall anyone, including Ms. Hutson, placing a requirement on the length of time [redacted] and [redacted] had to remain at NSAW before their PCS assignment. The only concern Ms. Hutson expressed was that she wanted to make sure they had enough time for training and that [redacted] felt they were ready to report to NSAH.

(U//~~FOUO~~) The OIG investigator showed [redacted] an email dated 12 April 2013, from [redacted] to [redacted] Deputy Chief, [redacted], on which [redacted] was copied,

[38] [redacted] Chief [redacted] testified that after the OIG complaint had been filed, she stopped processing the PCS orders until she met with Ms. Hutson.

[39] This statement conflicts with [redacted] previous statement that he never believed that one month of training would be sufficient and that [redacted] would have brought them to NSAW via TDY for three months, even if they had been first-duty-station field hires.



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(b) (6)

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which stated [redacted] and [redacted] start date at NSAH would be [redacted] which satisfied Ms. Hutson's requirement that they remain at NSAW for 90-days. [redacted] did not recall the email.[40]

(U//~~FOUO~~) [redacted] told [redacted] that he had to place [redacted] and [redacted] on ACE plans because of the time they had been at NSAW. [redacted] had no discussions with Ms. Hutson about ACE plans.[41]

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(b) (6)

***(U//~~FOUO~~)*** [redacted]

(U//~~FOUO~~) [redacted] was interviewed on 8 April 2013, and provided the following sworn testimony.

(U//~~FOUO~~) Since July 2011, she has served as the [redacted] for the HR Directorate. Her first-line supervisor is [redacted] and her chain-of-command includes [redacted] and Ms. Kathy Hutson, [redacted] and Associate Director of HR, respectively.

(U//~~FOUO~~) [redacted] has worked in [redacted], she served in what is currently the Global HR and PCS Services Center [redacted] and [redacted] she moved to [redacted] as the [redacted] under [redacted] before moving to her current position.

**(U//~~FOUO~~) Coordination of Redirect of Hiring Action for** [redacted]

(U//~~FOUO~~) Around 29 or 30 January 2013, [redacted] was contacted by the [redacted] hiring manager, [redacted] He was seeking assistance to EOD [redacted] at NSAW for training before reporting to NSAH because no one at NSAH could train him. Subsequently, [redacted] began assisting in the matter.

(U//~~FOUO~~) When [redacted] worked in [redacted] she redirected one other first-duty-station field hire to NSAW when the mission element, [redacted] needed to train the new appointee. She could not remember the person's name or details because it happened so long ago.[42] [redacted] told [redacted] that [redacted] had to make similar arrangements for [redacted][43]

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[40] Email at Appendix B.31.

[41] [redacted] testified that, according to [redacted] Ms. Hutson wanted [redacted] and [redacted] to stay at NSAW for 90 days of training, be placed on an ACE plan, and rated before their PCS. [redacted] testified that Ms. Hutson told him the same. Ms. Hutson denied levying that requirement.

[42] According to the Office of Recruitment, other than [redacted] and [redacted] there have been no new appointees hired for a position in the field who EOD'd at NSAW as their PDS with a subsequent PCS.

[43] [redacted] told the OIG that in January 2013 that she told [redacted] that, if an [redacted] new hire for NSAH EOD's at NSAW, unless a substantial period of time is spent at NSAW, their time spent at NSAW should be a TDY en-route.



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(U//~~FOUO~~) The idea to redirect [redacted] hiring was [redacted] and she "led them down this path." She was far into the process of redirecting the hiring before notifying Ms. Hutson and subsequently keeping her informed of the progress.[44]

(U//~~FOUO~~) It was unusual to redirect the hiring of a first-duty-station field hire to NSAW. Normally, [redacted] is not involved in hiring or PCS decisions, which are coordinated between the mission element, MB, and [redacted]

(U//~~FOUO~~) Since [redacted] was [redacted] supervisor, she was concerned about this action because it involved [redacted] She did not involve [redacted] in the process, and he never asked for a status regarding the redirect of [redacted] hiring or to be kept apprised of actions.[45]

(U//~~FOUO~~) [redacted] asked [redacted] to justify, in writing, why [redacted] needed [redacted] to EOD at NSAW, and he did. She drafted an SPF, which included the justification, had [redacted] sign as the originator, and obtained the concurrence of all offices involved: [redacted] Recruitment (MB), [redacted] Chief, [redacted] Chief [redacted] Chief, [redacted] signed for the [redacted]

(U//~~FOUO~~) As the SPF was being coordinated, [redacted] and [redacted] began a conversation about [redacted] another new hire for [redacted] who was processing as a first-duty-station field hire for a [redacted] at NSAH. She [redacted] when she was recruited, and [redacted] had just learned that she [redacted]

(U//~~FOUO~~) In early 2013, the Agency was facing sequestration and budget cuts, including a cut to travel funds. [redacted] told [redacted] that she could not guarantee a return via TDY because training funds may not be available or there could be a restriction on travel.

(U//~~FOUO~~) Four days after [redacted] redirect SPF was prepared, [redacted] provided [redacted] with a written justification for redirecting [redacted] EOD, and she began the coordination process.[46]

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***(U//~~FOUO~~) Ms. Kathleen Hutson, Associate Director Human Resources (ADHR)***

(U//~~FOUO~~) Ms. Kathleen Hutson, Senior Executive DISES, was interviewed on 23 January 2014 and provided the following sworn testimony.

(U//~~FOUO~~) Since October 2008, Ms. Hutson has been assigned as ADHR. [redacted] reports directly to her. In addition to having a professional relationship with [redacted] they are friends outside work. [redacted]

(b)(6)

[44] [redacted] testified that it was his idea. Documentary evidence shows it was [redacted] idea. (Appendix B.4)
[45] [redacted] testified that [redacted] kept him apprised of actions and progress, although it was unsolicited.
[46] An SPF for [redacted] was not prepared and coordinated.



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

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Ms. Hutson is aware that is

**(U) OIG Investigation**

(U//~~FOUO~~) In late spring 2013, Chief , or told Ms. Hutson about an OIG investigation of alleged improprieties pertaining to hiring and subsequent PCS. She believed that the allegations were absolutely groundless.

**(U//~~FOUO~~) Hiring of**

(b)(6)

(U//~~FOUO~~) In early 2013 advised Ms. Hutson that she was going to coordinate paperwork with and MB regarding hiring so that he would EOD at NSAW and later PCS to NSAH. It did not matter to Ms. Hutson where EOD location was; she does not get involved in that level of detail with regard to hiring.[47]

(U//~~FOUO~~) told Ms. Hutson that she was intentionally keeping out of the matter of coordinating where would EOD, due to the perception others may have if he were involved. Ms. Hutson told her that made sense.

(U//~~FOUO~~) does not normally get involved in coordinating hiring or PCS actions. However, and, at that time, the Agency was experiencing huge cuts due to sequestration; therefore, it may have made sense for her to be involved. However, could have also determined whether there was enough money in the PCS budget and then left the rest of the coordination up to MB, and Ms. Hutson did not question why was coordinating the matter.

(U//~~FOUO~~) When entered on duty at NSAW, there was some question regarding how long he would stay before his PCS to NSAH, although Ms. Hutson did not recall specifics. told Ms. Hutson he wanted to keep at NSAW for "a bit," as had done in the past with other new hires, which sounded reasonable to Ms. Hutson.[48]

**(U) Training**

(U//~~FOUO~~) When told Ms. Hutson that he planned to hire she told him that, even though she wanted him to obtain a good grounding on how performed its mission at NSAW so that he would feel empowered to make decisions at NSAH. She also wanted him to become fully aware of the

[47] testified that Ms. Hutson said she wanted to EOD at NSAW because, due to sequestration, she did not want to risk not having TDY funds available to return him via TDY to NSAW for training.

[48] According to the Office of Recruitment, other than and there have been no new appointees hired for a position in the field who entered on duty at NSAW with a subsequent PCS.

challenges he would face because he would be handling [redacted] on behalf of the Agency, which carried liability. Ms. Hutson and [redacted] were also concerned that there would be no other senior [redacted] or [redacted] officers at NSAH to guide him as a new Agency employee. [redacted] and [redacted] Chief [redacted] decided on training content and length of time he would need. She did not know how long that was.

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

**(U) 90 Day Requirement and ACE Rating of Record**

(U//~~FOUO~~) Before April 2013, during a Senior Leadership Team (SLT) meeting, Ms. Hutson suggested to [redacted] or [redacted] that, if [redacted] or [redacted] another new [redacted] hire for NSAH, were going to be at NSAW for 90 days or longer, they should be put on ACE performance plans so that they could receive a final rating of record for 2013 before their PCS. Even though they were in training, she preferred that they had documented performance objectives so that they had a sense of what was expected of them and how they were doing, especially because they were both new Agency employees. She did not recall further discussions pertaining to the ACE process.

(U//~~FOUO~~) Ms. Hutson denied levying any type of requirement that the new appointees remain at NSAW for 90 days before PCS. [redacted] was well aware that it was within his scope of authority to decide how long they needed to stay in training, and he would have made that decision. Her comment about an ACE plan was merely a suggestion and was made before the OIG complaint was filed.

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

**(U) Similarly Situated Employees**

(U//~~FOUO~~) Ms. Hutson provided the names of three other [redacted] employees who had been hired to fill positions in the field and entered on duty at NSAW before their PCS to the field: [redacted] and [redacted]

(U//~~FOUO~~) [redacted] was hired by the Agency when Ms. Hutson was the Chief, [redacted] as well as [redacted] an external hire, now retired. They entered on duty at NSAW because she wanted them to get a sense of the culture, the organization, their liabilities, and the scope of their job in the field.

(U//~~FOUO~~) After the OIG investigator informed Ms. Hutson that, before the interview, she had checked the hiring records of [redacted] and [redacted] both of whom were first-duty-station field hires who did not EOD at NSAW with a subsequent PCS, she provided different information, stating that [redacted] was a contractor who [redacted] before being hired as an [redacted] civilian and [redacted] was previous military [redacted] who had worked in [redacted] before being hired as an [redacted] civilian. After reporting to their positions in the field, both returned to NSAW in a TDY status for, probably, shorter timeframes because they had previously worked in [redacted] before being hired. Ms. Hutson encouraged the OIG investigator to check the records of [redacted][49]

[49] [redacted] was a first-duty-station field hire, who was TDY en-route at NSAW before reporting to her position in the field. (Source: Chief, Recruitment, in email to the OIG, dated 14 February 2014)



(b)(6)

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**(U) TDY En-route**

(U//~~FOUO~~) Ms. Hutson did not know that [redacted] could have attended training at NSAW in a TDY en-route status, thereby preserving his entitlements as a first-duty-station hire, which may have been less expensive than a PCS. To her knowledge, a TDY en-route was not discussed as an option and she was not familiar with the TDY en-route process.

(U//~~FOUO~~) Ms. Hutson was shown a copy of a cost analysis provided to the OIG investigator by [redacted] of estimated expenses for a TDY en-route and a PCS to NSAH. Ms. Hutson had not previously seen the cost analysis, nor did she discuss cost comparisons with anyone.[50]

(U//~~FOUO~~) [redacted] or [redacted] may have mentioned to Ms. Hutson that [redacted] was going to EOD. Other than that, she did not have any other conversations with either of them regarding his processing.[51]

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

**(U) Entitlements**

(U//~~FOUO~~) Before learning of the OIG investigation, Ms. Hutson was not aware of the differences in entitlements for a first-duty-station field hire and a PCS. She has since learned that by EOD'ing [redacted] at NSAW, he was eligible for a relocation bonus. She was not aware that the Code of Federal Regulations states that a successful performance rating on the most recent ACE is required to receive a relocation bonus.

(U//~~FOUO~~) Upon reviewing a timeline of events prepared by the OIG investigator, Ms. Hutson understood how someone might infer that management retained [redacted] at NSAW for 90 days, so that he could be placed on an ACE plan and receive a successful performance rating, in order to be eligible for a relocation bonus. She denied being involved in such a plan.

***(U//~~FOUO~~) [redacted] Chief, [redacted]***

(U//~~FOUO~~) [redacted] was interviewed on 17 January 2014 and provided the following sworn testimony.

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[50] [redacted] Chief [redacted] testified that she met with Ms. Hutson in April 2013 and presented the cost comparison to her for a TDY en-route and a PCS, and, although Ms. Hutson understood the TDY en-route was less expensive, she made the decision to issue PCS orders because it was too late for the Agency to change course. An email dated 10 April 2013 indicated that [redacted] and [redacted] met with Ms. Hutson to discuss the matter. (Email at Appendix B.26)

[51] [redacted] testified that, in April 2013, she notified Ms. Hutson that the U.S. Government had made a commitment via binding contracts to EOD the new appointees with more entitlements than a first-duty-station field hire and that Ms. Hutson requested the facts and options for proceeding; she was presented with a timeline of events and a cost comparison and was aware that a TDY en-route was less expensive; they discussed the length of time the new appointees would stay at NSAW, either "a substantial period of time" or "90 days," and Ms. Hutson told her who she thought had filed the OIG complaint.



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



(U//~~FOUO~~) has served as the Chief of for approximately eight years. Before that, she was the Deputy under She is and her first-line supervisor is Ms. Hutsott, ADHR.

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

**(U) OIG Complaint**

(U//~~FOUO~~) In April 2013, learned from Deputy Division Chief, that had concerns about the way in which had been hired and that they had gone to the OIG to voice their concerns. instructed the to stop processing the PCS orders until they determined what had happened and how they were going to proceed. This took about one to one-and-a-half weeks. (b)(6)

(U//~~FOUO~~) Normally, new appointees hired for the field are first-duty-station field hires and EOD at the location for which they were hired. was hired for a position at NSAH but entered on duty at NSAW with a subsequent PCS, and, hence, would receive a relocation bonus as an entitlement. The knew that and it did not make sense to them that he was hired in this manner and would receive more benefits than another new hire for NSAH. was being processed as a first-duty-station field hire and had already received first-duty-station orders and entitlements from Recruitment. As a result, she was not entitled to a relocation bonus.

(U//~~FOUO~~) met with all to discuss concerns they might have and told them that the way in which and were processed was going to be a bad reflection on By that time, and had entered on duty at NSA and had signed legally binding documents, which were grounds for them to challenge the Agency if it withdrew the entitlements. Had they not already signed for their entitlements personnel could have explained that they had made a mistake and processed them as first-duty-station field hires.

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

**(U) ADHR Notified**

(U//~~FOUO~~) After learning of the OIG complaint, met with Ms. Hutson and explained that the U.S. Government had made a commitment via binding contracts to EOD and at NSAW with more entitlements than a first-duty-station hire would receive.[52]

(U//~~FOUO~~) Ms. Hutson was extremely calm and told to get all the facts together because she wanted to understand what had transpired and options for proceeding.

(U//~~FOUO~~) told Ms. Hutson that, initially, was being processed to EOD at NSAH and had received first-duty-station orders, while was being processed to EOD at NSAW.

[52] Ms. Hutson testified that other than possibly mentioning that had entered on duty or was going to PCS, she had no discussions with regarding his processing.



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(U//~~FOUO~~) presented Ms. Hutson with a timeline of events and a cost comparison for a PCS to Hawaii compared to a first-duty-station field hire with a TDY en-route. Ms. Hutson understood that the Agency would be spending more money for a PCS. At that point, however, they realized that it was too late to reverse the hiring action.[53]

(U//~~FOUO~~) Ms. Hutson made the decision to issue PCS orders because, at that point, they had already signed for their PCS entitlements, and it was too late for the Agency to change course. Ms. Hutson told that should fix processes so that this did not happen again.[54]

**(U) First-Duty-Station Field Hire Process**

(U//~~FOUO~~) At that time, the Agency did not have a first-duty-station field hiring policy but followed the Joint Travel Regulations (JTR). After and were hired, based on Ms. Hutson's guidance to fix the process, and MB collaborated on how the Agency handles first-duty-station field hires, and they documented a process in accordance with the JTR that first-duty-station field hires should be placed in a TDY en-route status when they must EOD at NSAW for training purposes.

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

**(U) 90 Days/Substantial Period-Of-Time**

(U//~~FOUO~~) The mission element decided how long and needed to stay at NSAW for training, which was approximately 90 days.[55]

(U//~~FOUO~~) discussed with Ms. Hutson the fact that the mission element had stated that it needed and to remain at NSAW for training for a certain period, which may have been, "a substantial period of time" or "90 days." did not recall which term was used. The length of time had stated it needed for training, which was 90 days or a substantial period of time, dictated whether they would have been processed as first-duty-station field hires or as a PCS.[56]

**(U) PCS Orders and Entitlements**

(U//~~FOUO~~) and received a relocation bonus as part of their PCS entitlements. To receive a relocation bonus, an employee must have on file a successful ACE

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[53] Ms. Hutson testified that she did not see the cost comparison or discuss a TDY en-route with

[54] Before and entered on duty, the Agency was aware of how their hiring actions should be processed. In an email to the OIG dated 4 March 2014, stated that, in January 2013, she told that, if a new appointee for NSAH was going to EOD at NSAW, unless he was going to be at NSAW for a substantial period of time, his time spent at NSAW should be in a TDY en-route status. (Appendix B.6).

[55] signed an SPF stating that would be in training for 30 to 60 days.

[56] This statement conflicts with sworn testimony, and documentary evidence that shows that the decision to have them remain at NSAW for 90 days was made after the decision to EOD them at NSAW with a subsequent PCS and not as first-duty-station field hires.



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performance rating. [redacted] did not know if the Agency could waive the requirement for a successful rating and did not recall any discussions regarding a waiver.

(U//~~FOUO~~) The OIG investigator showed [redacted] an email dated 11 April 2013 from [redacted] to [redacted] which stated that waivers for the relocation bonus should be done before the employees report because the CFR requires that the decision to pay the relocation bonus be made before reporting. The email said that [redacted] would prepare waivers for [redacted] and [redacted] did not recall that they had considered preparing waivers.[57]

(U//~~FOUO~~) Normally, [redacted] will prepare and sign PCS orders. However, [redacted] signed the orders for [redacted] and [redacted] because the [redacted] felt something was afoul and refused to put their names on the orders.

**(U) Precedence**

(U//~~FOUO~~) [redacted] did not know of any other Agency employee who had been hired for a position in the field but entered on duty at NSAW and received PCS entitlements instead of first-duty-station entitlements.

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

***(U//~~FOUO~~) [redacted] Policy Officer,*** [redacted]

(U//~~FOUO~~) [redacted] was interviewed on 7 May 2013, and provided the following sworn testimony:

(U//~~FOUO~~) She has worked in [redacted] For the past three years she has served as the [redacted] and is very familiar with the JTR. She frequently collaborates with [redacted] the [redacted]

(b)(6)

**(U//~~FOUO~~) TDY En-route**

(U//~~FOUO~~) In early April 2013, a meeting was held in Ms. Hutson's office, ADHR, which [redacted] Chief, [redacted] attended. Following or during the meeting, [redacted] asked

[57] The waivers would have provided for receipt of a relocation bonus without having a Satisfactory ACE rating on file. In an email dated 11 April 2013 to [redacted] stated that she would prepare the waivers because her Deputy Chief, [redacted] was not in the office. In an email to the OIG dated 30 January 2014, [redacted] told the OIG that ACE waivers for the relocation bonus were never prepared because it was decided that the new appointees would receive ACE ratings. Furthermore, she was not aware of waivers for relocation bonuses having ever been prepared in this type of situation. Normally they are prepared after an employee has received a relocation bonus and then requests curtailment; a waiver is then prepared so that the employee does not have to pay back the bonus to the Government. (Appendix B.29)



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whether a new appointee could EOD at NSAW for training and then PCS to the field site designated as their permanent duty station.[58]

(U//~~FOUO~~) collaborated with the TDY policy expert and advised that the Agency should not EOD such employees at NSAW as their permanent duty station. Instead, the Agency should EOD them to the field site designated as the permanent duty station and place them in a TDY en-route status to NSAW for training.

(U//~~FOUO~~) provided this same guidance to and in an email dated 10 April 2013. However, the guidance was not followed because, by that time, and had already entered on duty at NSAW. and others on the staff had been asking questions and felt uncomfortable with upper management's decision. told and that, if the new appointees had been TDY en-route, their PCS would have included first-duty station field hire entitlements and that even with TDY expenses it would have, most likely, been less expensive for the Agency than sending them on PCS orders.

(U//~~FOUO~~) Soon after met with Ms. Hutson, she called a meeting and advised personnel to proceed with processing the PCS orders for and[59]

(U//~~FOUO~~) Two-year new hire probationary period waivers were prepared for both appointees, which transferred the responsibility for their probationary status from NSAW to NSAH. Normally, a new hire waiver is prepared for an employee who is hired for a position at NSAW and later applies and is selected for a position in the field before the conclusion of the probationary status. A two-year new hire waiver has never been prepared for someone who entered on duty at NSAW when the intent was for the employee to fill a position at a field site.

(U//~~FOUO~~) and MB1 worked together to create a process for first-duty-station field hires, which documented in an email dated 17 April 2013 and sent to various and MB employees.

(U//~~FOUO~~) No one stated that the reason for having and stay at NSAW for 90 days was that their performance could be rated in order to qualify for relocation bonuses, but and others on the staff surmised that this was the reason.

**(U) Board of Contract Appeals Decisions**

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

(U//~~FOUO~~) provided the OIG investigator with four decisions from the Board of Contract Appeals that she believed were similar to situation.[60] The decisions

[58] In an email to the OIG dated 25 February 2014 stated that asked this same question in January 2013 before entered on duty. In emails to the OIG dated 29 and 30 January and 19 February 2014, Deputy stated that, in January 2013, asked this question and she conferred with for the answer, which was TDY en-route. (Appendix B.6)

[59] testified that, during her meeting with Ms. Hutson in early April 2013, Ms. Hutson decided to issue the PCS orders. Ms. Hutson testified that she did not have discussions with about processing, other than to acknowledge that he had entered on duty or was about to PCS.



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state that first-duty-station field hires may not be assigned to a duty station where they are not performing actual and substantial duties but are attending training and are not expected to remain for an extended period. The cases also hold that new appointees are not eligible to receive Temporary Quarters Subsistence Expenses (TQSE), which [redacted] and [redacted] received. (Copies of decisions at Appendix I)

(b) (6)

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

***(U//~~FOUO~~) [redacted] Office of Recruitment (MB):***

(U//~~FOUO~~) [redacted] who has served as [redacted] was interviewed on 8 April 2013 and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] is not normally involved in routine hiring actions. [redacted] processing was unusual because the mission element wanted to redirect his hiring from NSAH to NSAW for training before he reported to NSAH.

(U//~~FOUO~~) When [redacted] called [redacted] to discuss the redirect of hiring, [redacted] asked her if it was legal. [redacted] who had previously worked in [redacted] policy, told that this had been done in the past.[61]

(U//~~FOUO~~) Around this same time, [redacted] another first-duty station field hire for NSAH, was identified as needing [redacted] training before reporting to her job. However, an SPF was not completed for the redirect of [redacted] hiring, although one should have been.

***(U//~~FOUO~~) [redacted]***

(U//~~FOUO~~) [redacted] was interviewed on 8 April 2013 and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] has served as the Chief, [redacted] since [redacted] Before moving to [redacted] she was [redacted] NSA Recruitment Division (MB2), for about [redacted] years and worked with [redacted] when he was assigned to MB.

(U//~~FOUO~~) [redacted] was familiar with the process for first-duty-station field hires and explained that normally, when someone is hired to work at NSAH, the first day of work is at NSAH. It is not normal to EOD at NSAW to fill a position in NSAH and then PCS to NSAH.

**(U) Actions taken by Office of Recruitment (MB)**

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

(U//~~FOUO~~) When [redacted] was assigned to MB2, [redacted] a recruiter, expressed concerns to [redacted] and [redacted] MB2, regarding a hiring action for

[60] GSBCA 14750-RELO, GSBCA16349-RELO, CBCA 2842-RELO, GSBCA 16687-RELO

[61] According to the Office of Recruitment, there have been no new appointees hired for a position in the field that EOD'd at NSAW with a subsequent PCS other than [redacted] and [redacted]

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



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who was processing as a first-duty station field hire, wanted to change his hiring location from NSAH to NSAW claiming that the new appointee needed training before reporting to his position.[62]

(U//~~FOUO~~) To ensure the processing was correct, had a discussion with MB, who said she had conferred with HR leadership and confirmed that would EOD at NSAW with a subsequent PCS to NSAH.[63]

(U//~~FOUO~~) Another new hire for NSAH, was processing as a first-duty station field hire to EOD at NSAH, and MB personnel were concerned that the PCS entitlements received would be different than the entitlements received because the Agency had already presented her with a final job offer (FJO) to EOD at NSAH. In addition, she had already shipped her household goods under the first duty station orders. Soon thereafter, told the Office of Recruitment that needed to EOD at NSAW for training before reporting to NSAH. The Office of Recruitment issued a second FJO to to EOD at NSAW.

**(U) Actions taken by Global Human Resources and PCS Services**

(U//~~FOUO~~) In early April 2013, after had been reassigned to Chief, told that who entered on duty at NSAH as a first-duty-station field hire and did not receive PCS entitlements. However, was going to EOD at NSAW and was to receive PCS entitlements. and were concerned that nepotism rules had been violated.

(U//~~FOUO~~) advised to process PCS orders as instructed, in accordance with all travel regulations, as Chief, had already concurred on the SPF to redirect where would EOD.

(U//~~FOUO~~) Soon thereafter, and told and Deputy Chief, that they had filed a complaint with the OIG regarding the processing of the hiring actions for and That same day, told that and had some very serious concerns.

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

[62] In an email dated 30 January 2013 to said that should take the necessary actions for to EOD at NSAW. forwarded the email to with a copy to and asking for guidance on how to proceed. (Appendix B.9) In another email dated 30 January 2013 from to (Appendix B.9), states, "based on our conversation…" and she included the direct hire SPF for signature, indicating they had orally discussed how they were proceeding with the SPF to redirect hiring. This occurred after had told in an email dated 24 January 2013 that may not be able to afford to EOD at NSAH. (Appendix B.5)

[63] testified that she had asked of the HR Staff whether the redirect of hiring was legal and told her that she had redirected the hiring of a new appointee in the past.



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



(U//~~FOUO~~) On the morning of 8 April 2013, [redacted] attended a meeting with representatives from [redacted] and MB to discuss the hiring actions of [redacted] and [redacted]. They needed to address how, within the regulations, [redacted] could get her privately owned vehicle (POV) and some other personal belongings to NSAH, since she had already shipped her household goods under her first-duty-station field hire orders.[64] [redacted] told the attendees that she wanted [redacted] and [redacted] to be treated equally because the Agency does not want one to have extra benefits not afforded the other.

***(U//~~FOUO~~) [redacted], Chief, [redacted], NSAH***

(U//~~FOUO~~) On 7 February 2014, [redacted] Chief [redacted] NSAH, provided the following information to the OIG.

(U//~~FOUO~~) In late January 2013, [redacted] told [redacted] that [redacted] wanted [redacted] to EOD at NSAW instead of NSAH. She thought this was unusual because employees hired to fill positions at NSAH normally EOD at NSAH. She told [redacted] that the request was a surprise, as she had already spoken with [redacted] Chief [redacted] about her preference, which was to have him EOD at NSAH.[65]

(U//~~FOUO~~) In follow-on conversations [redacted] on [redacted] explained that [redacted] lived in Maryland and needed training and that it was a cost benefit to the Government for him to EOD at NSAW and receive training before reporting to NSAH. [redacted] acknowledged that there was no one at NSAH who could train him.

(U//~~FOUO~~) The time [redacted] and [redacted] quoted for training was about one month. However, the training took three months, although [redacted] did not know why.

(U//~~FOUO~~) In an email dated 30 January 2013, [redacted] asked [redacted] if [redacted] who was being hired to fill the NSAH [redacted] was being given the same consideration as [redacted] with regard to training and where she would EOD. [redacted] responded that it made sense for her to EOD at NSAH because [redacted].[66]

(U//~~FOUO~~) Following the email exchange, [redacted] called someone in the Office of Recruitment and learned that [redacted] She had follow-on discussions with [redacted] and [redacted] about that, and soon thereafter, [redacted] requested that she too EOD at NSAW for training.

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

[64] Before [redacted] decided to redirect [redacted] hiring, she received first-duty-station orders from Recruitment. By the time a second FJO had been issued for her to EOD at NSAW with PCS orders, [redacted] had already shipped her household goods from [redacted] to Hawaii under the first-duty-station orders.
[65] Email at Appendix B.8.
[66] Email at Appendix B.12.



(b)(6)

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(U//~~FOUO~~) [redacted] was not asked to concur on an SPF to redirect [redacted] EOD location, as she had done for [redacted] She did not know why an SPF was prepared for one and not the other.

(U//~~FOUO~~) In late January 2013, [redacted] contacted [redacted] via email and inquired about housing for [redacted] She responded with general housing information.

(b) (6)

***(U//~~FOUO~~) [redacted] Technical Director,*** [redacted]

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

(U//~~FOUO~~) [redacted] was interviewed on 13 December 2013, and provided the following sworn testimony.

(U//~~FOUO~~) [redacted] served as the [redacted] Technical Director for the past two years. Her primary responsibility is [redacted] Her immediate supervisors are [redacted] Deputy, [redacted] and [redacted] Chief, [redacted]

(U//~~FOUO~~) In late March or early April 2013, [redacted] from the HR Staff called [redacted] and asked when PCS orders would be cut for [redacted] had been checking on orders for various people because the budget was in disarray due to a continuing resolution.

(U//~~FOUO~~) [redacted] learned from [redacted] and [redacted] that [redacted] and [redacted] did not agree that PCS orders should be cut for [redacted] and [redacted] was a first-duty-station hire for NSAH and did not receive PCS entitlements and a relocation bonus, whereas [redacted] was going to receive such PCS entitlements and a relocation bonus.

(b) (6)

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

## (U) Analysis and Conclusions

(U) The following regulations restrict Federal employees from being involved in matters that are likely to have a direct and predictable effect on the financial interest of a family member or from giving any individual preferential treatment:

- (U) 5 C.F.R. § 2635.502, Personal and Business Relationships, subpart (a): *Considerations of appearances by the employee*. Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his household, or knows a person with whom he has a covered relationship is . . . a party to such a matter, and where the employee determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter unless he has informed the agency designee of the appearance problem and received authorization from the agency designee. (b) Definitions. For the purpose of this section: (1) An employee has a covered relationship with: . . . (ii) A



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person who is a member of the employee's household, or who is a relative with whom the employee has a close personal relationship . . .

- (U) 5 C.F.R. § 2635.702, Use of public office for private gain. An employee shall not use his public office . . . for the private gain of . . . relatives.
  - (a) *Inducement or coercion of benefits*. An employee shall not use . . . his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to . . . relatives.
  - (d) *Performance of official duties affecting a private interest.* To ensure that the performance of his official duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment, an employee whose duties would affect the financial interests of a . . . relative . . . shall comply with any applicable requirements of [5 C.F.R.] § 2635.502.

- (U//~~FOUO~~) NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G): Personal Conduct, Section 1-3 General Principles for On-The-Job Conduct, generally, every employee is expected to act impartially and not give preferential treatment to any private organization or individual.

(U//~~FOUO~~) In emails dated 24 January 2013 between [redacted] and [redacted] the hiring manager for [redacted] told [redacted] that [redacted] was due to EOD at NSAH. [redacted] tried to persuade [redacted] to allow [redacted] to EOD at NSAW. Although [redacted] initially gave reasons why [redacted] should EOD at NSAH, [redacted] provided recommendations and advice as to how [redacted] could EOD at NSAW and told [redacted] that [redacted] may not be able to financially afford to EOD at NSAH. (b) (6)

(U//~~FOUO~~) In the 24 January 2013 emails, [redacted] claimed that [redacted] had previously agreed that [redacted] would EOD at NSAW, stay for a few months, and then PCS to Hawaii, which, under oath, [redacted] denied.

(U//~~FOUO~~) [redacted] told [redacted] that the NSA Recruiter had said that [redacted] must EOD at NSAH due to his probationary status and that [redacted] planned to TDY him to NSAW in the Spring 2013 for a "week or two" of training. [redacted] asked: "If it can be worked would you be OK if he spends a few months with you in [redacted] first?" [redacted] told [redacted], again, that [redacted] only needed about two to three weeks of training, especially because [redacted] and personnel at NSAH were anxious for him to arrive.

(U//~~FOUO~~) [redacted] informed [redacted] that, if [redacted] believed that [redacted] required training before reporting, the probationary period could be waived and [redacted] could be double-billeted on an NSAW position until his PCS.

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

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



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NSA: 04631

Doc ID: 6635428









(U//~~FOUO~~) In a 25 January 2013 email, told "There are other factors and significant differences between the two options that you should know about. And honestly, after thinking it through, I'm not sure could financially afford to EOD at Hawaii."

(U//~~FOUO~~) did not notify his supervisor, Ms. Hutson, that he was involved in the matter until after he had provided his preferences to as to where should enter on duty. He then assigned his subordinate, to coordinate the matter.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that violated 5 C.F.R. § 2635.502, Personal and Business Relationships, subpart (a): *Considerations of appearances by the employee*. knew that the location where a person with whom he had a covered relationship, entered on duty as his permanent duty station was likely to have a direct and predictable effect on financial interest. Despite this knowledge, participated in the matter through his communications with Ms. Hutson, and and by assigning his subordinate, to oversee the matter. His participation was completed before informing his supervisor, Ms. Hutson, and was done without receiving authorization from her.

(U//~~FOUO~~) offered the services of his subordinate, to and to assist them in coordinating hiring location with MB and and Ms. Hutson all testified that this was a unique tasking for who normally did not coordinate hiring or PCS actions. By having take the lead in coordinating the matter, had the opportunity to have direct oversight of the matter, while creating an appearance that he was removed from direct involvement.

(b)(6)

(U//~~FOUO~~) testified that, after he provided instructions to he did not further direct her and he removed himself from the matter because he did not want to give the appearance that he was influencing the way in which hiring action was being processed.

(U//~~FOUO~~) However, had already directly influenced the matter with the hiring manager and and continued to participate in the matter by receiving updates from on her progress; although he claimed the updates from were unsolicited, he did not dissuade her from keeping him apprised.

(U//~~FOUO~~) After the redirect of hiring was complete; indicated he was pleased with his success on the task in an email dated 2 February 2014 with smiley face emoticons in reference to the matter.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that violated 5 C.F.R. § 2635.702. By communicating with and about his preference for EOD location and by directing to oversee the matter, used his position as the to coerce and induce and to EOD at NSAW as his permanent duty station thereby ensuring his receipt of increased PCS entitlements before reporting to his position at NSAH.







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



(U//~~FOUO~~) Because of [redacted] actions, [redacted] was hired in a method that was unique to the Agency's hiring practices for a first-duty-station hire and in a method contrary to that prescribed by the Joint Travel Regulation, the policy used by the Agency for first-duty-station hires. Because of this, [redacted] received approximately [redacted] that he otherwise would not have received. Additionally, by not following the applicable requirements of 5 C.F.R. § 2635.502 (as discussed above), [redacted] violated 5 C.F.R. § 2635.702(d).[67]

(U//~~FOUO~~) Though [redacted] and [redacted] testified that it was their idea to redirect [redacted] hiring from NSAH to NSAW, there is clear documentary evidence showing that the idea originated with [redacted] Furthermore, documentary evidence supports that his reason for attempting to influence the hiring manager was to increase [redacted] travel entitlements.

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] violated NSA/CSS Personnel Management Manual, Chapter 366, Section 1-3 by improperly using his position to influence how [redacted] was hired, thereby not acting impartially and giving preferential treatment to [redacted]

(b)(6)

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

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

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

[67] We also reviewed [redacted] actions to determine if he violated 5 U.S.C. § 3110, "Employment of relatives; restrictions" (Nepotism): The decision to appoint [redacted] to a position at NSA was done without the influence of [redacted] did not "advocate the appointment, employment, promotion, or advancement" of [redacted] rather, he influenced the location [redacted] began his employment and in doing so, influenced the method the agency used to transfer [redacted] to the location for which he was hired. Although [redacted] actions were improper and resulted in [redacted] receiving approximately [redacted] he otherwise would not have received, we determined that his actions did not violate 5 U.S.C. § 3110.



(b)(6)

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# IV. (U) RESPONSE TO TENTATIVE CONCLUSION

(U//~~FOUO~~) The OIG's tentative conclusion was forwarded to [redacted] on 15 May 2014. His response is attached at Appendix M.

(U//~~FOUO~~) [redacted] response provided no new information relative to the conclusion or requiring additional investigation; therefore, the conclusion remains unchanged.

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



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NSA: 04634

## V. (U) CONCLUSION

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

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] created an appearance of impropriety in the performance of his duties, and misused his official Government position when he told the mission hiring manager that he did not think [redacted] could financially afford to enter on duty (EOD) at NSA Hawaii (NSAH), provided the hiring manager with recommendations and advice for how [redacted] could EOD at NSA Washington (NSAW) with a subsequent permanent change of station (PCS) to NSAH, and then directed his subordinate to coordinate the hiring and PCS actions pertaining to [redacted] with relevant Agency offices. His actions violated 5 C.F.R. § 2635.502, Personal and business relationships, NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), General Principles for On-The-Job Conduct, and 5 C.F.R. § 2635.702, Use of public office for private gain.

(b)(6)



Release: 2018-09
NSA: 04635

## VI. (U) DISTRIBUTION OF REPORT

(U//~~FOUO~~) A copy of this NSA/CSS OIG report will be provided to the NSA Chief of Staff and a summary of our findings will be referred to the Associate Directorate for Security and Counterintelligence for information and action deemed appropriate.

[redacted]
Senior Investigator

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

[redacted]
Assistance Inspector General
for
Investigations



Release: 2018-09
NSA: 04636

Doc ID: 6635428





# APPENDIX A

# AUTHORITIES

Release: 2018-09
NSA: 04637

Doc ID: 6635428



## APPLICABLE AUTHORITIES

- **5 C.F.R. § 575.205, Relocation Incentives.**
  - (a)(2) An agency may pay a relocation incentive under the conditions prescribed in this subpart to an employee who is an employee of the Federal Government immediately before the relocation.
  - (c) A relocation incentive may be paid only when the employee's rating of record for the position held immediately before the move is at least "Fully Successful" or equivalent.
- **5 C.F.R. § 2635.502(a), Standards of Ethical Conduct for the Executive Branch, Personal and Business Relationships.**
  - (a) *Considerations of appearances by the employee*. Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his household, or knows that a person with whom he has a covered relationship is or represents a party to such a matter, and where the employee determines that the circumstance would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter unless he has informed the agency designee of the appearance problem and receive authorization from the agency designee in accordance with paragraph (d) of this section.
- **5 C.F.R. § 2635.702(a)(d), Standards of Ethical Conduct for the Executive Branch, Misuse of Position. Use of public office for private gain.**
  - (a) *Inducement or coercion of benefits.* An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.
  - (d) *Performance of official duties affecting a private interest.* To ensure that the performance of his official duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment, an employee whose duties would affect the financial interests of a friend, relative or person with whom he is affiliated in a nongovernmental capacity shall comply with any applicable requirements of § 2635.502.

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- **JTR, Volume 2, C4025, TDY Prior to Reporting to the First PDS.**
    - If a new appointee is required to perform TDY before reporting to the first PDS, the appointee is authorized transportation expenses and per diem while performing the assigned duties.
- **JTR, Volume 2, C5080.A.1.a, Travel and Transportation Under Special Circumstances.**
    - Travel and transportation expenses may be allowed to first duty station only for the following persons: (1) a new appointee to any position.
- **JTR, Volume 2, C5080.B.6, New Appointee and Assignment to First PDS.**
    - The following expenses are not allowable to appointees. . . a HTT; TQSE; MEA.
- **NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), Personal Conduct, General Principles for On-The-Job Conduct.**

  Generally, every employee is expected to:

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

Doc ID: 6635428





# Appendix
# B11 – B15



Release: 2018-09
NSA: 04640

[redacted]

**From:** [redacted]
**Sent:** Monday, February 04, 2013 4:43 PM
**To:** [redacted]
**Subject:** RE: (U) Done!

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

Yippee

[redacted]

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

**From:** [redacted]
**Sent:** Monday, February 04, 2013 4:15 PM
**To:** [redacted]
**Subject:** (U) Done!

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

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

EOD here - [redacted]

(b) (6)

[redacted]

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



Release: 2018-09 B.11
NSA: 04641

[redacted]

**From:** [redacted]
**Sent:** Monday, February 04, 2013 5:38 PM
**To:** [redacted]
**Subject:** FW: (U) Done!

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

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

[redacted]

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

**From:** [redacted]
**Sent:** Monday, February 04, 2013 4:15 PM
**To:** [redacted]
**Subject:** (U) Done!

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

EOD here - [redacted]

(b) (6)

[redacted]

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



Release: 2018-09
NSA: 04642

[redacted]

**From:** [redacted]
**Sent:** Friday, February 01, 2013 5:48 PM
**To:** [redacted]
**Subject:** RE: (U) RE [redacted] SPF

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

Thanks for the update – whatever makes the most sense.

[redacted]

**From:** [redacted]
**Sent:** Friday, February 01, 2013 3:24 AM
**To:** [redacted]
**Subject:** RE: (U) RE: [redacted] SPF

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

[redacted] (b) (6)

While we would absolutely like to have [redacted] join us at NSAW for a "boot camp" experience, it makes more sense for her to actually EOD in Kunia … [redacted] Further, she will EOD on [redacted] so she can be fully indoctrinated before [redacted] TDYs to site [redacted] had coordinated this date several months ago to [redacted] The timing of the TDY couldn't be better, as this will be a wonderful learning/shadowing experience for [redacted] who will be expected to [redacted] going forward. Once [redacted] PCSs and indoctrinates at Kunia, we can make arrangements for [redacted] to TDY back here for a few weeks. [redacted]

Let me know if you have any other questions.

[redacted]

**From:** [redacted]
**Sent:** Wednesday, January 30, 2013 5:25 PM
**To:** [redacted]
**Subject:** RE: (U) RE: [redacted] SPF

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

[redacted]

Are you planning anything along the same lines for [redacted] Understand I know very little about the [redacted] [redacted] her credentials or work history, if any. Have to believe she will need some time at NSA to understand our practices/policies. Is she a candidate for the same consideration as [redacted] with respect to her position and where best to EOD her?

[redacted]



Release: 2018-09
NSA: 04643

B.12

[redacted]

**From:** [redacted]
**Sent:** Thursday, April 11, 2013 9:38 AM
**To:** [redacted]
**Subject:** FW: (U) Justification for [redacted]

**Importance:** High

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

Here is the mission statement for [redacted] I am looking for the SRF but have yet to find a copy.

Kim

(U) ~~FOUO~~

[redacted]

HR: Trusted, Valued Partner
Delivering HR Solutions to the Global Workforce

(U) ~~FOUO~~

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

**From:** [redacted]
**Sent:** Monday, February 04, 2013 12:03 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) Justification for [redacted]
**Importance:** High

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

[redacted]

Here is a "redirect hiring" justification for [redacted] is cc'd in case he would like to add/edit anything.



Release: 2018-09
NSA: 04644

B13

Thanks for your help!

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

JUSTIFICATION: (U//~~FOUO~~) [redacted] is being hired to [redacted] In this capacity, she will be responsible for [redacted] does not have the necessary expertise on site to train [redacted] to be successful in this role. [redacted] it is therefore imperative that [redacted] spend several weeks assigned to and training within [redacted]

(U//~~FOUO~~) [redacted] Sending [redacted] to site without the benefit of some "boot camp" training is setting the site command group up for failure. The time spent with [redacted] experts at NSAW, focused on the challenges that [redacted] will encounter at NSAH, will pay huge dividends to [redacted] preparedness for the job, NSAH's [redacted] program, and [redacted] future resource investment.

(U//~~FOUO~~)

[redacted]

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

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

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



Release: 2018-09
NSA: 04645

## (U) [redacted] Waiver

Item ID: 3895
From: [redacted]
To:
Subject: (U) [redacted] Waiver
Sent: March 4, 2013 2:03 PM
Received: March 4, 2013 2:03 PM

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

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

[redacted]

Here is [redacted] can you do [redacted] using the justification below? [redacted]

JUSTIFICATION: (U//~~FOUO~~) [redacted] is being hired to [redacted] In this capacity, she will be responsible for [redacted] does not have the necessary expertise on site to train [redacted] to be successful in this role. [redacted] It is therefore imperative that [redacted] spend several weeks assigned to and training within [redacted]

(U//~~FOUO~~) [redacted] Sending [redacted] to site without the benefit of some "boot camp" training is setting the site command group up for failure. The time spent with [redacted] experts at NSAW, focused on the challenges that [redacted] will encounter at NSAH, will pay huge dividends to [redacted] preparedness for the job, NSAH's [redacted] program, and [redacted] future resource investment.

[redacted]

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

[redacted]

**From:** [redacted]
**Sent:** Tuesday, February 05, 2013 1:46 PM
**To:** [redacted]
**Subject:** (U) [redacted]

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

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

I just got word that they will both EOD at Ft Meade. Huh? So, how long will it take them to get to Hawaii? I thought the plan was for [redacted] to OJT with [redacted] Calgon take me away. ~[redacted]

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

he was planning to be TDY from NSAW to NSAH soon after she EOD'd at NSAH.



Release: 2018-09
NSA: 04647

E14

Statement of [redacted]

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

(b) (6)

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

[redacted], have not advocated the assignment of my [redacted] to a position in the National Security Agency.

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

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

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

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

SID
NAME [redacted]
DATE 02/07/2012



B.15

Release: 2018-09
NSA: 04648

# RE: (U) Action is required regarding the employment of your relative

Item ID: 9969
From:
To:
Subject: RE: (U) Action is required regarding the employment of your relative
Sent: February 21, 2012 2:10 PM
Received: February 21, 2012 2:10 PM

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

Subject: RE: (U) Action is required regarding the employment of your relative
Size: 2 KB (2,249 bytes)

Content Created: February 21, 2012 2:10 PM
Content Last Modified: February 21, 2012 2:10 PM

MIME Type: message/rfc822
Content MIME Type: text/plain
Character Set: utf8
MD5 Hash:
Message Hash:

Source:
Location:

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Done, thanks

-----Original Message-----
From:
Sent: Tuesday, February 21, 2012 2:07 PM
To:
Subject: RE: (U) Action is required regarding the employment of your relative
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

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

Sorry about that, I did it backwards. I was thinking we selected relationship to applicant, not relationship of applicant to employee. I just fixed it.
(U//~~FOUO~~)

HR--Trusted, Valued Partner
-----Original Message-----
From:
Sent: Tuesday, February 21, 2012 1:55 PM

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

To:
Cc:
Subject: RE: (U) Action is required regarding the employment of your relative
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

There is one change I think needs to be made. I believe the agreement Can you please make the change?
Thanks

(b)(6)

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

-----Original Message-----
From: no_reply@NSA.gov [mailto:no_reply@NSA.gov]
Sent: Friday, February 17, 2012 10:49 AM
To:
Cc:
Subject: (U) Action is required regarding the employment of your relative
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
As a reminder, you must follow the instructions below to review and attest to the Nepotism Statement regarding your relative
To view the Nepotism statement, please navigate to:
"go connect"
Click on HRMS > Employee Self Service > Nepotism
If you have any questions, please contact the recruiter listed on the Nepotism page in Employee Self Service.
The Office of Recruitment
National Security Agency
1-866-NSA-HIRE (1-866-672-4473)
customercare@nsa.gov
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Doc ID: 6635428





# Appendix
# B16 – B20



Release: 2018-09
NSA: 04651

# RE: (U) bootcamp schedule - DRAFT!

| | |
|---|---|
| Item ID: | 102685 |
| From: | [redacted] |
| To: | |
| Subject: | RE: (U) bootcamp schedule - DRAFT! |
| Sent: | February 15, 2013 8:28 AM |
| Received: | February 15, 2013 8:28 AM |
| Subject: | RE: (U) bootcamp schedule - DRAFT! |
| Size: | 2 KB (2,361 bytes) |
| Content Created: | February 15, 2013 8:28 AM |
| Content Last Modified: | February 15, 2013 8:28 AM |
| MIME Type: | message/rfc822 |
| Content MIME Type: | text/plain |
| Character Set: | utf8 |
| MD5 Hash: | [redacted] |
| Message Hash: | |
| Source: | [redacted] |
| Location: | |
| My tags: | |

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

Yeah, I inserted those appointments just as placeholders, so I wouldn't forget about them. Thanks for the reminder.

[redacted]

From: [redacted]
Sent: Thursday, February 14, 2013 3:14 PM
To: [redacted]
Subject: RE: (U) bootcamp schedule - DRAFT!
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

I think this is great. Very, very busy, but exactly what they need. However you might want to check with [redacted] and [redacted] to see if they are available at those times.

Thanks,

[redacted]

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

From: [redacted]
Sent: Thursday, February 14, 2013 10:31 AM
To: [redacted]



B 16

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

Cc: [redacted]

Subject: (U) bootcamp schedule - DRAFT!

Importance: High

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

As you know, our new hires for Hawaii actually EOD'd here at NSAW [redacted] Our plan is to put them through a two-week bootcamp before PCS'ing them to site. Clearly, because of their inexperience, we want to make the most of their time with us. Please visit the [redacted] Outlook calendar to see what I'm proposing for [redacted] Nothing sacred - it's just a draft. Please feel free to make changes as you see fit, even if they overlap with other appointments. Once we're done tinkering with it, I'll open it up to the rest of the division (say, by next Thursday).

Thanks,

[redacted]

(U//~~FOUO~~)

[redacted] (b)(6)

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

# RE: (U) [redacted]

Item ID: 102653
From: [redacted]
To: [redacted]
Subject: RE: (U) [redacted]
Sent: February 15, 2013 11:39 AM
Received: February 15, 2013 11:39 AM
Subject: RE: (U [redacted]
Size: 1 KB (1,208 bytes)
Content Created: February 15, 2013 11:39 AM
Content Last Modified: February 15, 2013 11:39 AM
MIME Type: message/rfc822
Content MIME Type: text/plain
Character Set: utf8
MD5 Hash: [redacted]
Message Hash:
Source: [redacted]
Location:
My tags:

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

(U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
At least two weeks. And he will definitely be seeing lots of you. Still working on the schedule. Stay tuned.
From: [redacted]
Sent: Friday, February 15, 2013 11:14 AM
To: [redacted]
Subject: (U) [redacted]
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
So I heard through the grape vine that [redacted] is in EOD [redacted] In light of the work I have doing this week to [redacted] it would be a good idea for me to spend some quality time with [redacted] before he heads off to Hawaii. Will he be spending any time here before he goes?

[redacted]
^^^^^^^^^^^^(U/ /~~FOUO~~)^^^^^^^^^^^^^^^^^
[redacted]
^^^^^^^^^^^^(U/ /~~FOUO~~)^^^^^^^^^^^^^^^^^
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(b)(6)

B17

DropBox for [redacted]
DropBox for [redacted]

[redacted] values your feedback. Please take the time to let us know how we are doing by taking our survey at [redacted]

*This email may contain information subject to the Privacy Act*

**From:** [redacted]
**Sent:** Monday, March 11, 2013 9:48 AM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) Direct Nominations for Hawaii

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

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

[redacted]

I haven't heard anything from [redacted] since sending these last week. I know Hawaii is anxious to see [redacted] and [redacted] as soon as possible. Just want to make sure that everything is on track to get them out there by late March / early April.

Thanks

[redacted]

**From:** [redacted]
**Sent:** Tuesday, March 05, 2013 3:13 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) Direct Nominations for Hawaii
**Importance:** High

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

[redacted]

2 year New hire waivers

Here are the SPFs for [redacted] and [redacted] Let me know if everything is in order. By the way, I attached these to their Direct Nomination applications, as well.

[redacted]

<< File: Waiver_to_New_Hire_Two_Year_Obligation [redacted] pdf >> << File: Waiver_to_New_Hire_Two_Year_Obligation [redacted] pdf >> (U//~~FOUO~~)



Release: 2018-09
NSA: 04655 B.16

[redacted]

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

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Delivering HR Solutions to the Global Workforce

<< OLE Object: Picture (Device Independent Bitmap) >>
U//~~FOUO~~

**From:** [redacted]
**Sent:** Wednesday, March 13, 2013 2:44 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) Direct Nominations for Hawaii

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

[redacted]

For both direct nominations, I went ahead and approved on behalf of [redacted] as the originator and the Mission Element POC.

[redacted]

Because you were originally listed as the mission element POC you probably got two automated messages from the system asking you to go in approve the direct nominations. Please ignore those emails. I've taken care of this. No action is required on your part.

[redacted]

I just called you but was told you were in a meeting. You'll see two automated messages from the staffing tool asking you to approve the direct nomination for [redacted] and [redacted]. There was no one from site in the approval workflow so I inserted you. Can you please take a look and let me know when you approve them?

Thank you everyone!

[redacted]

[redacted]



B.19

Release: 2018-09
NSA: 04656

[redacted]

**From:** [redacted]
**Sent:** Monday, March 18, 2013 9:17 AM
**To:** [redacted]

**Subject:** RE: (U) Direct Nominations for Hawaii

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

[redacted]

I'm back in the office. Thanks for making this happen in my absence. [redacted] and [redacted] are anxious to see [redacted] and [redacted] as soon as possible in Hawaii. What can I do to further facilitate their PCS???

Thank you!

[redacted]

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

(U//~~FOUO~~)

[redacted]

**From:** [redacted]
**Sent:** Thursday, March 14, 2013 9:00 AM
**To:** [redacted]

**Subject:** RE: (U) Direct Nominations for Hawaii

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

[redacted]

Thank you for pushing this along.

U//~~FOUO~~



Release: 2018-09
NSA: 04657

B.20

Doc ID: 6635428





# Appendix
# B1 - B5



Release: 2018-09
NSA: 04658

# RE: (U) Hawaii Position

| | |
|---|---|
| Item ID: | 5977 |
| From: | [redacted] |
| To: | [redacted] |
| Subject: | RE: (U) Hawaii Position |
| Sent: | December 18, 2012 3:15 PM |
| Received: | December 18, 2012 3:15 PM |
| Subject: | RE: (U) Hawaii Position |
| Size: | 1 KB (1,072 bytes) |
| Content Created: | December 18, 2012 3:15 PM |
| Content Last Modified: | December 18, 2012 3:15 PM |
| MIME Type: | message/rfc822 |
| Content MIME Type: | text/plain |
| Character Set: | utf8 |
| MD5 Hash: | [redacted] |
| Message Hash: | |
| Source: | [redacted] |
| Location: | |

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

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

(b) (6)

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

Got it, I' ll talk to him [redacted] should be this weekend (yea!). I' ll let you know what he says...I think I already know though - sand, sun... Thanks [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, December 18, 2012 2:14 PM
To: [redacted]
Subject: (U) Hawaii Position
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

Here is the original ad we posted if you want to show it to [redacted] We would actually want this person to [redacted] we kept it narrow to begin with because we were hoping to get [redacted] at the site.

[redacted]

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

[redacted]

**Subject:** FW: (U) Copies of vacancy announcements

**From:** [redacted]
**Sent:** Monday, March 10, 2014 12:25 PM
**To:** [redacted]
**Cc:**
**Subject:** FW: (U) Copies of vacancy announcements

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

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

[redacted]

**Posting Type:** Standard - External (Posted)

**Open Date:** 01/20/2012 **Close Date:** 03/20/2012

**Location:** Honolulu

**Department** [redacted]

**Full/Part Time:** Full-Time **Reg/Temp:** Regular

**Number of Positions:** 1

**Desired Start Date:**

[redacted]

**Pay Plan:** GG

**Grade Range:** [redacted]

**Work Category:** Professional

**Work Level:** Senior

Return to Previous Page



Release: 2018-09
NSA: 04660

(b) (6)

**Responsibilities**

**Qualifications/Experience**

**Pay, Benefits, & Work Schedule**

Salary is commensurate with education and experience.

**How To Apply - External**

To apply for this position, please click the 'Apply Now' button located at the top or bottom of this page. After completing the application and clicking the 'Submit Final' button, you will receive a confirmation email. Emails regarding your application status will be sent periodically. Please ensure your spam filters are configured to accept emails from noreply@nsa.gov.

***PLEASE NOTE:

U.S. Citizenship is required for all applicants. Reasonable accommodations provided to applicants with disabilities during the application and hiring process where appropriate. NSA is an equal opportunity employer and abides by applicable employment laws and regulations. All applicants and employees are subject to random drug testing in accordance with Executive Order 12564. Employment is contingent upon successful completion of a security background investigation and polygraph.

**Specialized Competency**

This work requires knowledge of professional engineering principles, methods, and techniques concerned with facilities and systems for controlling pollution and protecting the quality of resources and the environment. To work in this field you must also have an understanding of pertinent aspects of chemistry, biological sciences, and public health that pertain to the minimization of exposure to or release of pollutants.

The work is generally sedentary, however, walking and standing are required when conducting onsite evaluations. Requires lifting not to exceed fifty pounds and some climbing of ladders, both fixed and portable to heights not to exceed 50 feet.

The work is performed in an office setting with some potential exposure to hazards encountered in the work place.

Some outside survey work will be required which may involve exposure to weather elements to include,



Release: 2018-09
NSA: 04661

rain, wind, and snow. Typical Washington area temperature spreads should also be anticipated, where low temperatures may drop to 0F and high temperatures may reach 100F.

**DCIPS Disclaimer**

The National Security Agency (NSA) is part of the DoD Intelligence Community Defense Civilian Intelligence Personnel System (DCIPS). All positions in the NSA are in the Excepted Services under 10 United States Codes (USC) 1601 appointment authority.

[redacted]

*HR: Trusted, Valued Partner*

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

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**From:** [redacted]
**Sent:** Thursday, March 06, 2014 12:26 PM
**To:** [redacted]
**Subject:** FW: (U) Copies of vacancy announcements

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

Hi [redacted]

Would you please provide a copy of the vacancy ads for NSAH positions # [redacted] and # [redacted]

Let me know if you have any questions.

Thanks.



Release: 2018-09
NSA: 04662

# RE: (U) Update

Item ID: 101843
From:
To:
Subject: RE: (U) Update
Sent: January 8, 2013 10:21 AM
Received: January 8, 2013 10:21 AM

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

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

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

I no sooner hit the send button on the previous message before the phone rang ... it was tells me that the ad should be posted today, so he should be able to see it after midnight tonight.

From:
Sent: Tuesday, January 08, 2013 10:18 AM
To:
Subject: RE: (U) Update
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Actually, I asked them to clone our old (closed) vacancy and repost it yesterday. Of course, I just visited NSA.gov and couldn't find it either. Sounds like it wasn't pushed out at midnight last night, or maybe I have the wrong job id number. I'll give a call.

From:
Sent: Tuesday, January 08, 2013 8:33 AM
To:
Subject: (U) Update
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

- FYI - will be calling you today, apparently the vacancy is no longer on-line. MB must have pulled it after it closed.

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

**From:**
**Sent:** Monday, January 14, 2013 2:22 PM
**To:**
**Cc:**
**Subject:** (U) and NSAH
**Importance:** High

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

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

and I conducted a telephone interview with last Friday. We were very satisfied with the extent and quality of her answers to the questions we posed. Although we elected not to extend a CJO to her last May, we consider her to be a viable candidate, worthy of the FJO that's been proposed. Please extend the FJO to her ASAP and advise us of her decision.

Also, please extend an FJO to for the position at NSAH (position id.# formerly #. He was one of our He is very interested in the position and is likely to accept the FJO.

Kathy Hutson is aware of our decisions regarding these candidates, and is anxious for MB to negotiate EOD dates with them as soon as possible. Let me know how it goes.

Thanks!

(b) (6)

(U//~~FOUO~~)

**From:**
**Sent:** Tuesday, January 08, 2013 8:03 AM
**To:**
**Subject:** (U)



Release: 2018-09 B.3.
NSA: 04664

# RE: (U)

Item ID: 102344
From:
To:
Subject: RE: (U)
Sent: January 24, 2013 3:50 PM
Received: January 24, 2013 3:50 PM

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

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

We would actually prefer it, although I'm not sure we can hold off much longer (and especially given 2-3 weeks of "boot camp" here in might suffice. I doubt we would need two months.

(b) (6)

From:
Sent: Thursday, January 24, 2013 3:25 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

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

This might be just a formality but I'm not sure. If it can be worked would you be OK if he spends a few months with you in first? Thanks

From:
Sent: Thursday, January 24, 2013 3:11 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(NSA Recruiter)

tells me that he must EOD in Hawaii. Apparently, if he EODs here, he must wait two years before he can PCS. (Because he's probationary perhaps?) If this is true, we plan to bring him in for a visit before he leaves so we can talk about the specifics of the job. Then, depending on how the debt ceiling, CR, etc. play out, we want to TDY him back here for a week or two in the Spring. Not how we originally planned it, but we're happy to get him hired before March rolled around.

From:
Sent: Thursday, January 24, 2013 2:58 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Great news! I'm very happy for him, and I know he's thrilled. Last time and I talked the plan was for to report to work at for a few months and then PCS to Hawaii. Is that still the plan? Do you have any idea when he might head out?

Thanks again

[redacted]

From: [redacted]
Sent: Thursday, January 24, 2013 2:31 PM
To [redacted]
Subject: FW: (U) [redacted]
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

Looks like [redacted] We're happy to have him. I'm sure [redacted] will take good care of him J

[redacted]

From [redacted]
Sent: Thursday, January 24, 2013 1:36 PM
To: [redacted]
Cc: [redacted]
Subject: (U) [redacted]
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Good Afternoon,

[redacted] has accepted the FJO and will EOD [redacted] Let me know if you have any questions.

Thanks

[redacted]

HR- Trusted, Valued Partner
Personnel Privileged Information
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[redacted]
(b) (3) - P.L. 86-36
(b) (6)

[redacted]
(b) (6)

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

# RE: (U)

Item ID: 102341
From:
To:
Subject: RE: (U)
Sent: January 24, 2013 4:08 PM
Received: January 24, 2013 4:08 PM

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Thanks stopped me in my tracks when I asked about that possibility, so I appreciate you enlightening me. I'll talk it over with He mentioned having a conversation with (NSAG) awhile back about why it's advantageous to EOD at site rather than NSAW. He's going to call him tomorrow to discuss further. We'll get things worked out.

From:
Sent: Thursday, January 24, 2013 3:57 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
- sorry, I'm trying to do too many things here at once - let me elaborate. The 2 year probation is not a concern, waives this all the time. The issue is really whether believe he needs additional training before he reports to Hawaii. If you think he does then MB would hire him here at NSAW and then PCS him to Hawaii at some later time of your choosing. You would need to inform MB of that and they would double billet him on a NSAW position until he leaves. If you believe he does not need any pre-training then you can leave it as it currently is.
Just want to point out that there are options. Thanks

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

From:
Sent: Thursday, January 24, 2013 3:25 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

This might be just a formality but I'm not sure. If it can be worked would you be OK if he spends a few months with you in first? Thanks

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

From:
Sent: Thursday, January 24, 2013 3:11 PM
To:
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

tells me that he must EOD in Hawaii. Apparently, if he EODs here, he must wait two years before he can PCS. (Because he's probationary perhaps?) If this is true, we plan to bring him in for a visit before he leaves so we can talk

# RE: (U)

Item ID: 3905
From:
To:
Subject: RE: (U)
Sent: January 25, 2013 12:48 PM
Received: January 25, 2013 12:48 PM

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Has not called me back yet - let's talk to either way.

From:
Sent: Friday, January 25, 2013 12:47 PM
To:
Subject: FW: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Hmmm.
~~What did~~ ~~say?~~
From
Sent: Friday, January 25, 2013 12:45 PM
To
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
: there are other factors and significant differences between the two options that you should know about. And honestly, after thinking it through, I'm not sure could financially afford to EOD at Hawaii. I don't want to overstep my bounds so if you want more information about the differences can provide. She's the best about stuff like this.
Thanks -

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

From:
Sent: Thursday, January 24, 2013 4:09 PM
To
Subject: RE: (U)
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Thanks stopped me in my tracks when I asked about that possibility, so I appreciate you enlightening me. I'll talk it over with He mentioned having a conversation with (NSAG) awhile back about why it's advantageous to EOD at site rather than NSAW. He's going to call him tomorrow to discuss further. We'll get things worked out.

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

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B5

Doc ID: 6635428





# Appendix
# B21 – B25



Release: 2018-09
NSA: 04669

[redacted]

**From:** [redacted]
**Sent:** Thursday, March 21, 2013 10:31 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) NSAH New Hires

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

Yeah, I was disappointed at not having a chance to finally meet you [redacted] Someday we'll get around to it!

I think you'll be very pleased with [redacted] and [redacted] Yes, they are inexperienced, but they are eager to learn, they aren't afraid to ask questions, they have learned a lot during "boot camp", and they have fit in beautifully with our team back here at NSAW. They are both very personable young people, and I am really excited to be sending them to Hawaii to work with you [redacted] and [redacted] I'm very pleased that they had a chance to sit through our [redacted] training class earlier this month. In fact [redacted] also had a chance to attend the adjunct faculty instructor training class this week, so she will soon be ready to address the critical training component of your program. Of course, [redacted] is planning to TDY in June, so he'll have an opportunity to team teach with them and lend assistance with other [redacted] program elements. [redacted] has spent a lot of time with [redacted] and [redacted] learning about the [redacted] and he has been getting some cross-training [redacted] opics so that he can offer [redacted] a hand as needed.

I guess the single best thing you can do to help them be successful is to provide top cover from "the old guard" who may question their authority, doubt their knowledge, challenge their credibility, and attack their youth. I'm not pointing out anyone in particular, but we know those folks exist in every organization. [redacted] and [redacted] will need to know you "have their back", and some of those naysayers will need to know that you aren't backing down. I'm not telling you anything you don't already know ☺

I know it's been a LONG time coming, but I think you'll find they were worth the wait.

Regards,

[redacted]

*(U//~~FOUO~~)*

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

[redacted]

**From:** [redacted]
**Sent:** Wednesday, March 20, 2013 5:17 PM
**To:** [redacted]



Release: 2018-09
NSA: 04670

B 21

[redacted]

**From:** [redacted]
**Sent:** Thursday, March 21, 2013 11:53 AM
**To:** [redacted]
**Subject:** FW: (U//~~FOUO~~) Nomination

**Follow Up Flag:** Follow up
**Flag Status:** Completed

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

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

[redacted] and [redacted]

Can't tell if you are on distro. But [redacted] has a departure date, [redacted]

v/r

(b) (6)

[redacted]

(U/~~FOUO~~) [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 21, 2013 11:40 AM
To: [redacted]

[redacted]

Subject: (U/~~FOUO~~) Nomination

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

PERSONNEL PRIVILEGED INFORMATION
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(U/~~FOUO~~) CURRENT DATA:
Name: [redacted]
Empl[redacted]
SSN: [redacted]
Grade [redacted]
Skill Community: [redacted]
Position Dept ID: [redacted]
Location Code: [redacted] Fort George G. Meade

(U/~~FOUO~~) NEW ASSIGNMENT DATA:
Work Role: [redacted]
Dept ID: [redacted]



Release: 2018-09
NSA: 04671

3.22

Location Code: [redacted] Hawaii Kunia Position Number:
Vacancy Number:
Tour Length: 36
Mission Element: [redacted]
Departure Date: [redacted]
Supervisor Level:

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

[redacted] (b)(6)

(U) CURRENT ADDRESS:

[redacted]

(U) If there are any training/touring requirements not listed in vacancy announcement, please inform the mission element, employee, other appropriate offices and [redacted]

(U) Please email the Special Access Office for any additional clearances required.

(U) You will be advised once processing is complete.

(U//~~FOUO~~) ORIENTATION PROGRAM:
In preparation for your move, you and your spouse (if applicable) are invited to attend the site specific one-day Pre-Pcs Orientation. These sessions have proven to be very beneficial to employees/family members prior to PCSing. Agenda items include: General Counsel, medical precautions, health benefits, preparing for your move, financial considerations, payroll allowances, Security Awareness, Reassimilation Program, Work/Life Services, and Tower Federal Credit Union (TFCU). Spouses tend to feel disconnected from the PCS process so this is a perfect opportunity to make them a part of the process and it gives them the chance to meet other families who will be PCSing this year. Refreshments provided. You can view the schedule and register by going to the "Go PCS" webpage.

(U//~~FOUO~~) Global Human Resources and PCS Service Center, [redacted]

[redacted]

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



Release: 2018-09
NSA: 04672

[redacted]

**From:** [redacted]
**Sent:** Thursday, March 21, 2013 12:30 PM
**To:** [redacted]
**Cc:**
**Subject:** FW: (U//~~FOUO~~) Nomination

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

[redacted]

I have just received my nomination and is shown below. Looks like my departure date has been set for [redacted] I will be on the lookout for more emails that will further me through the PCS process.

(b) (6)

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 21, 2013 11:33 AM
To: [redacted]

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

[redacted]

Subject: (U//~~FOUO~~) Nomination

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

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(U//~~FOUO~~) CURRENT DATA:
Name: [redacted]
Emplid
SSN: [redacted]
Grade:
Skill Community: [redacted]
Position Dept
Location Code: [redacted] Fort George G. Meade

(U//~~FOUO~~) NEW ASSIGNMENT DATA:
Work Role: [redacted]
Dept ID: [redacted]
Location Code: [redacted] NSA/CSS Hawaii Kunia Position Number:
Vacancy Number:
Tour Length: 36
Mission Element: [redacted]
Departure Date: [redacted]
Supervisor Level:

(b) (6)



Release: 2018-09
NSA: 04673

(U) CURRENT ADDRESS:

[redacted]

(b) (6)

(U) If there are any training/touring requirements not listed in vacancy announcement, please inform the mission element, employee, other appropriate offices and [redacted]

(U) Please email the Special Access Office for any additional clearances required.

(U) You will be advised once processing is complete.

(U//~~FOUO~~) ORIENTATION PROGRAM:
In preparation for your move, you and your spouse (if applicable) are invited to attend the site specific one-day Pre-Pcs Orientation. These sessions have proven to be very beneficial to employees/family members prior to PCSing. Agenda items include: General Counsel, medical precautions, health benefits, preparing for your move, financial considerations, payroll allowances, Security Awareness, Reassimilation Program, Work/Life Services, and Tower Federal Credit Union (TFCU). Spouses tend to feel disconnected from the PCS process so this is a perfect opportunity to make them a part of the process and it gives them the chance to meet other families who will be PCSing this year. Refreshments provided. You can view the schedule and register by going to the "Go PCS" webpage.

(U//~~FOUO~~) Global Human Resources and PCS Service Center, [redacted]

[redacted]

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

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



Release: 2018-09
NSA: 04674

[redacted]

**From:** [redacted]
**Sent:** Thursday, March 21, 2013 3:11 PM
**To:** [redacted]
**Cc:**

**Subject:** RE: (U) RE: Direct Nomination: [redacted]
**Attachments:** 2013-03-21-13 06.25 [redacted] ENTERONDUTY.rtf

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

I accept the job offer.

[redacted]

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

-----Original Message-----
From: [redacted]
Sent: Thursday, March 21, 2013 1:44 PM
To: [redacted]
Cc: [redacted]

Subject: (U) RE: Direct Nomination: [redacted]

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

I accept the job offer.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 21, 2013 1:10 PM
To: [redacted]
Cc: [redacted]

Subject: Direct Nomination: [redacted]

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

(U) Congratulations!

(U) Please see the attached job offer. You can double click on the attachment and click "open" to view it.

(U) Be sure to reply to all with your decision and include your current supervisor. You must attach the offer letter to your response.

(U) ATTENTION SUPERVISOR: Your employee has accepted the nomination for the subject field job opening. You may hold the employee for up to 90 days from the date of acceptance. If you wish to place a hold on this employee, an email must be sent with justification for the



Release: 2018-09
NSA: 04675

hold to [redacted] FIELD STAFFING (DL Field_Staffing). This request must have concurrence from the next level of management and must be received by Field Staffing within 14 calendar days of the employee's acceptance.

(U) Thank you,

(U/~~FOUO~~) Field Staffing
992-3134s

Thanks.

[redacted]

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

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



Release: 2018-09
NSA: 04676

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

March 21, 2013

[redacted]

(U//~~FOUO~~) Congratulations! You have been Direct Nominated for the following position in [redacted]

[redacted]

NSA/CSS Hawaii Kunia

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

(U//~~FOUO~~) To accept this nomination, please REPLY TO ALL, copying your current supervisor. Include in the body of the email that you accept. Please note: This job offer must be accepted or declined within 14 calendar days of receipt. You will be obligated to remain in this position for the advertised/agreed upon length of the tour.

(U//~~FOUO~~) Once a job offer is accepted you will automatically be non-selected from any other vacancy applications you may have pending. However, you must still "reply to all" on all other job offers (if any) that you have received so that all parties will be aware of your decision to decline those offers. If you wish to apply to any other positions after you have accepted this one, you will have to withdraw your acceptance in order to become eligible again.

(U//~~FOUO~~) You will be assigned a PCS desk officer from [redacted] who will contact you with further instructions to initiate your PCS processing.

(U//~~FOUO~~) This offer is only an nomination. Final SELECTION for this position is contingent upon successful completion of the PCS Suitability Process. You cannot report for duty until you are advised by [redacted] Global PCS & HR Services that you are officially selected and a report date has been coordinated with your new office.

(U//~~FOUO~~) ATTENTION SUPERVISOR: Your employee has accepted the nomination for the above field job opening. Supervisors may hold the employee up to 90 days from the date of acceptance. If you wish to place a hold, an email must be sent to [redacted] FIELD STAFFING (DL Field_Staffing), through the Directorate Level Chief or designee, within 14 calendar days of the employee's acceptance.

(U//~~FOUO~~) Regarding ACE: Reminder that your current supervisor will need to complete a Closeout evaluation of your current ACE plan. If you are currently a supervisor, then you'll need to ensure that your employees' ACE closeout evaluations are completed prior to your reassignment. Instructions can be found for the Closeout Quick Guide and Creating a new Performance Plan at the following website:

[redacted]

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

Release: 2018-09
NSA: 04677

Guides).

Regards,

Field Staffing
992-3134s

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



Release: 2018-09
NSA: 04678

[redacted]

**From:** [redacted]
**Sent:** Wednesday, March 27, 2013 4:20 PM
**To:** [redacted]
**Subject:** (U) PCS

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

[redacted]

I made some calls this morning. Looks like the log jam has cleared ...

[redacted]

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

(U) Congratulations on your PC...

(U) Congratulations on your PC...

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Release: 2018-09
NSA: 04679 B.23

[redacted]

**From:** [redacted]
**Sent:** Wednesday, March 27, 2013 4:19 PM
**To:** [redacted]
**Cc:**
**Subject:** (U) Congratulations on your PCS Selection!
**Attachments:** Dependent Status Form.pdf

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY (b) (3) - P.L. 86-36

Congratulations [redacted]

Your suitability processing is complete and you are officially selected for a PCS assignment to **NSAH, Hawaii**.

Please complete the attached Dependent Status form and return to me.

The questions below will assist in the preparation of your PCS Orders. When answering the questions, please use complete dates and provide your answers to me as soon as possible.

I will need to schedule a selection interview with you; and your orders will be provided to you after we meet. Are you available to meet on Tuesday 04/02/2013?

Please feel free to contact me if additional information is needed or if I can be of any further assistance to you.

1. Tour length:
2. Departure date for PCS assignment (coordinated with current supervisor):
3. Report date for PCS assignment (coordinated with gaining supervisor):
4. Will you be taking a house hunting trip? If yes, please provide dates:
5. Will you be taking any approved leave before report date (not including the admin leave you will receive)?:
6. The number of rooms of furniture (for cost estimate, only):
7. Will you have an alternate shipment or pick up of your household goods (do you want to leave something at someone's house or pick something up from someone's house)?:
    a. If yes, provide name and address of pick up or drop off point:
8. Will you ship any weapons? If yes, please provide make, model, and serial # for each:
9. Please select actual or lump sum Temporary Quarters Subsistence Expense (here is the link to review options [redacted]

    If lump select number of days (1-30):
    # of days at old duty station:



Release: 2018-09
NSA: 04680

# of days at new duty station:

10. Do you currently own a home?

If so, will you be participating in the Defense National Relocation Program (DNRP)?

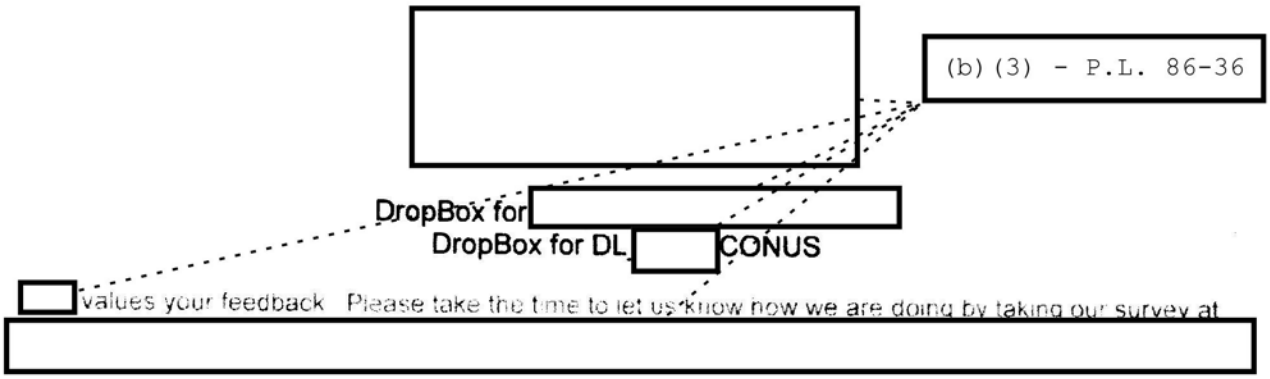
If yes, will you be requesting the Guaranteed Home Sale or the Property Management Services?

I have attached the DNRP handbook for your review prior to you making your selection.

11. Please list Names, Dates of Births, SSNs of dependents that will PCS with you to **Hawaii.**

12. For your PCS travel we need an emergency point of contact (name, address and phone numbers):

Again, congratulations on your selection. I look forward to working with you as you prepare for your PCS.




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



Release: 2018-09
NSA: 04681

[redacted]

**From:** [redacted]
**Sent:** Wednesday, March 27, 2013 4:18 PM
**To:** [redacted]
**Cc:**
**Subject:** (U) Congratulations on your PCS Selection!
**Attachments:** Dependent Status Form.pdf

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

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

Congratulations [redacted]

Your suitability processing is complete and you are officially selected for a PCS assignment to **NSAH, Hawaii**.

Please complete the attached Dependent Status form and return to me.

The questions below will assist in the preparation of your PCS Orders. When answering the questions, please use complete dates and provide your answers to me as soon as possible.

I will need to schedule a selection interview with you; and your orders will be provided to you after we meet. Are you available to meet on Tuesday 04/02/2013?

Please feel free to contact me if additional information is needed or if I can be of any further assistance to you.

1. Tour length:
2. Departure date for PCS assignment (coordinated with current supervisor):
3. Report date for PCS assignment (coordinated with gaining supervisor):
4. Will you be taking a house hunting trip? If yes, please provide dates:
5. Will you be taking any approved leave before report date (not including the admin leave you will receive)?:
6. The number of rooms of furniture (for cost estimate, only):
7. Will you have an alternate shipment or pick up of your household goods (do you want to leave something at someone's house or pick something up from someone's house)?:
   a. If yes, provide name and address of pick up or drop off point:
8. Will you ship any weapons? If yes, please provide make, model, and serial # for each:
9. Please select actual or lump sum Temporary Quarters Subsistence Expense (here is the link to review options [redacted]

   If lump select number of days (1-30):
   # of days at old duty station:



Release: 2018-09
NSA: 04682

**# of days at new duty station:**

**10. Do you currently own a home?**

**If so, will you be participating in the Defense National Relocation Program (DNRP)?**

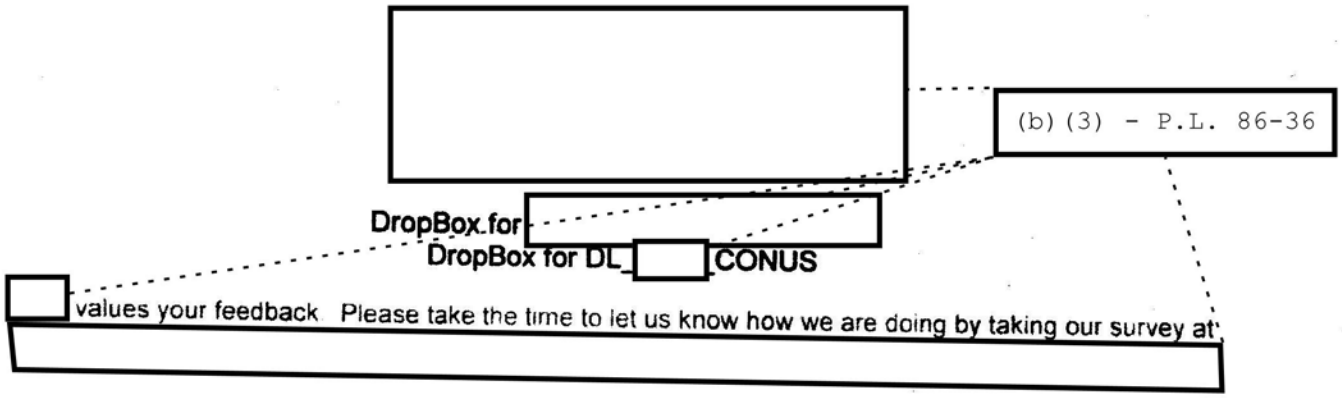
**If yes, will you be requesting the Guaranteed Home Sale or the Property Management Services?**

**I have attached the DNRP handbook for your review prior to you making your selection.**

**11. Please list Names, Dates of Births, SSNs of dependents that will PCS with you to Hawaii.**

**12. For your PCS travel we need an emergency point of contact (name, address and phone numbers):**

**Again, congratulations on your selection. I look forward to working with you as you prepare for your PCS.**




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Release: 2018-09
NSA: 04683

[redacted]

**From:** [redacted]
**Sent:** Thursday, December 12, 2013 11:31 AM
**To:** [redacted]
**Subject:** FW: (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements

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FYI

[redacted]

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**From:** [redacted]
**Sent:** Monday, April 08, 2013 2:17 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements

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

Good Afternoon,
The following is the [redacted] timeline for [redacted] & [redacted] PCS processing thus far:

Mid January: Question asked in reference to [redacted] new hires EODing at Fort Meade for training purposes than PCSing to Hawaii. ANSWER – Substantial period of time for training should be spent at NSAW, otherwise should be considered a short term TDY enroute.



B.23

Release: 2018-09
NSA: 04684

20 February: Desk Officer received a phone call from [redacted] asking how [redacted] & [redacted] could receive their PCS orders to Hawaii. Desk Officer asked when the employees would be reporting. She then provided guidance to [redacted] on the process for SPF waivers to (1) PCS during the employee's probationary period and (2) direct nomination for field assignments.

20 February: Desk Officer and [redacted] Policy Officer communicated their concerns to [redacted] in relation to the processing of [redacted] & [redacted] He advised to follow the "normal" process.

14 March: SPF waiver for 2 year obligation rec'd in [redacted]

21 March: Field staffing issued official nomination for NSAH positions. [redacted] & [redacted] accepted the same day.

21 March: Desk Officer created PCS checklist in [redacted]

1 April: Desk Officer found out that [redacted] had PCS orders and [redacted] did not.

2 April: Desk Officer met with [redacted] in the morning and [redacted] in the afternoon to brief PCS entitlements. PCS orders were not issued at that time as the system wouldn't allow orders to budget check.

4 April: [redacted] met with [redacted] to apprise her of the situation and that there were concerns over the process being used for [redacted] and [redacted] PCS to NSAH.

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

**Entitlements Listing**

**First Duty Hires** **PCS**

[redacted]

Thanks, [redacted]

(b) (2)
(b) (3) - P.L. 86-36

[redacted]

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



Release: 2018-09
NSA: 04685

**From:** [redacted]
**Sent:** Monday, April 08, 2013 9:33 AM
**To:** [redacted]
**Cc:** [redacted]

**Subject:** (U) First Drafts for MB - RE [redacted]

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

I'll take the first stab at drafting something regarding each scenario and what corrections or new actions need to happen and send to everyone for review/input.

(U//~~FOUO~~)

[redacted]

(U//~~FOUO~~)

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

[redacted]

Release: 2018-09
NSA: 04686

B.24

**From:**
**Sent:** Thursday, April 11, 2013 2:08 PM
**To:**
**Subject:** RE: (U) First Drafts for MB - RE

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

H
Thank you for providing this update.
Would you mind summarizing for me (email would be fine) as to what you and your Deputy were briefed on this morning regarding a way forward?
Thank you,

(U//FOUO)
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:**
**Sent:** Thursday, April 11, 2013 1:51 PM
**To:**
**Subject:** RE: (U) First Drafts for MB - RE

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

Pardon my delay in responding to your message.

leadership went to the AHDR without requiring to write up a document with different scenarios. My Deputy and I were briefed this morning on the way forward, without any written messages.

V/R,

*"Trusted, Valued, Partner"*



Release: 2018-09
NSA: 04687

B.25

Doc ID: 6635428





# Appendix
# B26 – B30



Release: 2018-09
NSA: 04688

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 10:15 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) Please Read

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

Hold tight—we're meeting with Kathy H. in a few.

**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 9:16 AM
**To:** [redacted]
**Cc:**
**Subject:** FW: (U) Please Read

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

H[redacted]
Please see attached - [redacted] and [redacted] are asking for orders. When would you like to meet with the employees? Thanks [redacted]

[redacted]

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

**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 8:57 AM
**To:** [redacted]
**Cc:**
**Subject:** (U) Please Read

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

[redacted]

**Please see the attached emails that I received today. Do you know when someone will be in contact with them?**

[redacted]

**DropBox for** [redacted]
**DropBox for DL** [redacted] **CONUS**

[redacted] values your feedback. Please take the time to let us know how we are doing by taking our survey at [redacted]



Release: 2018-09
NSA: 04689

B.26

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 8:51 AM
**To:** [redacted]
**Cc:**
**Subject:** (U) PCS dates

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(b) (6)

**Good Morning** [redacted]

**Due to the issue with the travel orders, I am afraid that as of right now my house hunting trip will have to be pushed back by at least one week and will aim for** [redacted] **if they are not provided in the near future, the date might have to get pushed back even further... On another note,** [redacted] **will remain my departure date unless the orders are not issued or provided to me within the next week. Hopefully we will see them soon and all of these changes can be avoided!**

**Regards,**

(U//~~FOUO~~) [redacted] (U//~~FOUO~~)

[redacted]

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

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Release: 2018-09
NSA: 04690

[redacted]

**From:** [redacted]
**Sent:** Thursday, April 11, 2013 8:25 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) Follow Up on PCS Orders

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

[redacted]

Thank you for your response. Is there a way you can obtain this additional information by Friday? I would need this weekend to get things in order if I fly out [redacted] If it is not possible to obtain this information, what date would you recommend for my PCS departure date?

Regards,

(b) (6)

[redacted]

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

[redacted]

**From:** [redacted]
**Sent:** Thursday, April 11, 2013 8:05 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) Follow Up on PCS Orders

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[redacted]

I apologize for the delay but I am awaiting additional information from management before proceeding.

Thanks,

[redacted]

DropBox for [redacted]
DropBox for DL_[redacted]_CONUS



(over →)

Release: 2018-09
NSA: 04691

[redacted] values your feedback. Please take the time to let us know how we are doing by taking our survey at [redacted]

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**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 7:49 AM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) Follow Up on PCS Orders

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

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[redacted]

I wanted to follow up with you on my PCS travel orders. Since I have not heard anything, I was wondering if departing on [redacted] is still a possibility? Any information on this matter is greatly appreciated.

Best,

[redacted]

(b)(6)

[redacted]

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

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



Release: 2018-09
NSA: 04692

# RE: (U) Hawaii PCS'ers

Item ID: 30018
From:
To:
Subject: RE: (U) Hawaii PCS'ers
Sent: April 11, 2013 7:43 AM
Received: April 11, 2013 7:43 AM

Subject: RE: (U) Hawaii PCS'ers
Size: 3 KB (3,540 bytes)

Content Created: April 11, 2013 7:43 AM
Content Last Modified: April 11, 2013 7:43 AM

MIME Type: message/rfc822
Content MIME Type: text/plain
Character Set: utf8
MD5 Hash:
Message Hash:

Source:
Location:
My tags:

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

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Alright. Thanks for the heads up. 0830 is a bit early fo anyway :-)

From:
Sent: Wednesday, April 10, 2013 4:13 PM
To:
Cc:
Subject: RE: (U) Hawaii PCS'ers
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

and I ran into so we don't need to meet tomorrow will be able to fill you in on our discussion.
Thank you,

From:
Sent: Wednesday, April 10, 2013 3:31 PM
To:
Cc:
Subject: RE: (U) Hawaii PCS'ers
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Not sure if can attend (he's not in his office right now), but I am available.

From:

Sent: Wednesday, April 10, 2013 2:32 PM
To:
Cc:
Subject: RE: (U) Hawaii PCS'ers
Importance: High
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Can you please come over and meet with and me at 0830 tomorrow has a hard stop at 0945 so we need to have this first thing. Appreciate you making the time. We will fill you in on everything.
Thanks,

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

From:
Sent: Wednesday, April 10, 2013 2:04 PM
To:
Cc:
Subject: (U) Hawaii PCS'ers
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Hi
asked me to give you a call, but you weren't at your desk.
Though I am unaware of the exact claims, I understand that the PCS has been put on hold while some concerns over alleged improprieties and/or preferential treatment are resolved. What can you tell us? We are keeping them very busy in our "boot camp", but and are frustrated that their emails aren't being answered. As far as I know, and still think will arrive with close behind. If the IG is investigating, do you know who is handling the case? I would like to sit down with him/her ASAP to discuss the facts from the Mission Element perspective.
Appreciate any insight you can offer. Thank you.

(b) (6)

(U//~~FOUO~~)

pay period 09 7-20 Apr
" 10 - 21 Apr - 4 May

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

[redacted]

**From:** [redacted]
**Sent:** Wednesday, April 10, 2013 3:18 PM
**To:** [redacted]
**Cc:** [redacted]

**Subject:** (U) TDY for First Duty Hire

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

[redacted]

I spoke with [redacted] regarding the possibility of TDY at NSAW for a First Duty Hire who resides in the NSAW area, but is hired for a field location.

[redacted] and I agree that per JTR, Volume 2, C4435, a new appointee, who resides in the NSAW area, may be paid per diem & rental car for TDY in the NSAW area while attending orientation and training provided they have vacated their residence in the NSAW area.

If a new appointee resided elsewhere and were required to come to NSAW for such orientation or training, their transportation to NSAW as well as per diem and rental car while here would be funded as TDY and then their new hire orders would take them from NSAW to their first duty station.

There are a few factors that would support the payment of per diem in such a situation and determine when the per diem would start and when it would end.

- The requirement to EOD at NSAW is NSA driven, not driven by the new appointee.
- The employee is assigned to their field duty station when they are hired and being paid at the field duty station rate.
- Once they have vacated their residence (packed out household goods), lodging and MI&E could be paid.
- Rental car would be paid only after they have shipped their POV.
- Per diem and rental car would stop once the requirement to be at NSAW ended. If the new appointee chooses to remain in the local area prior to departing for their new duty station, they would no longer be eligible to remain in a TDY status.

I would recommend that the funds be obligated on the new hire orders to avoid any confusion with payment, etc. We can provide a sample and instructions for MB for these situations.

I would recommend that each situation be clearly documented to include justification, time frame, estimated costs and who is responsible for the funding.

Since the TDY would be on the new hire orders, a DD 1351-2 would be used as opposed to an RTA.

(U//~~FOUO~~)

[redacted]

(U//~~FOUO~~)



Release: 2018-09
NSA: 04695

B.28

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



Release: 2018-09
NSA: 04696

[redacted]

**Subject:** FW: (U) IG investigation - TDY and PCS Policy question

**From:** [redacted]
**Sent:** Monday, December 16, 2013 1:23 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) IG investigation - TDY and PCS Policy question

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

Attached is the email. I never received a response from [redacted] or [redacted]

(U//~~FOUO~~)

[redacted]

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

(U//~~FOUO~~)

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Release: 2018-09
NSA: 04697

# RE: (U) Clarification and Our Way Forward - [redacted] & [redacted]

| | |
|---|---|
| Item ID: | 416221 |
| From: | [redacted] |
| To: | [redacted] |
| Cc: | |
| Subject: | RE: (U) Clarification and Our Way Forward - [redacted] & [redacted] |
| Sent: | April 11, 2013 2:24 PM |
| Received: | April 11, 2013 2:24 PM |
| Subject: | RE: (U) Clarification and Our Way Forward - [redacted] & [redacted] |
| Size: | 2 KB (2,642 bytes) |
| Content Created: | April 11, 2013 2:24 PM |
| Content Last Modified: | April 11, 2013 2:24 PM |
| MIME Type: | message/rfc822 |
| Content MIME Type: | text/plain |
| Character Set: | utf8 |
| Language: | English |
| MD5 Hash: | |
| Message Hash: | [redacted] |
| Source: | sent_4.pst |
| Location: | [redacted] |

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

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Hello -

[redacted] is out for the rest of the day, but will take care of the c2lo waivers tomorrow so that we are ahead of the game. Did you all discuss the HHT and the possibility of combining it with the PCS, vice a separate trip. If it is doable, it would allow for the employee to get to site sooner, find a place to live and then begin working. I know that TQSE would then be at the higher rate, however, it would most likely be cheaper than 1 ½ airfares, etc.

We are more than happy to sign the orders, if the two of you are not comfortable doing so.

Thanks,

[redacted]

From: [redacted]

Sent: Thursday, April 11, 2013 12:05 PM

To [redacted]

Cc

Subject: (U) Clarification and Our Way Forward - [redacted] & [redacted]

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

[redacted]

I wanted to clarify our way forward for issuing PCS orders for [redacted] and [redacted] per guidance this

B.29

(b) (6)

morning [redacted] is due to PCS [redacted] and we will meet with her immediately (tomorrow) to issue orders. I have reached out to [redacted] to see if either employee has a gov' t credit card to put travel expenses on-haven' t heard back yet. We can contact BF to put the airfare piece of travel on the CBA. After discussions with [redacted] we will have to issue a new set of orders for [redacted] to cover the PCS expenses. We will meet with [redacted] early next week to issue PCS orders so he may proceed with his plans for the HHT and PCS.

Also, per [redacted] the waivers for the relocation bonus should be done before the employees report as the CFR requires the decision to pay the relocation bonus be made prior to reporting. ([redacted] will be processing the SPFs).

Do you want to sign the PCS orders or would you like [redacted] and I to sign? Did I miss anything for action? Thanks, [redacted]

[redacted]

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

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

**From:**
**Sent:** Friday, April 12, 2013 7:41 AM
**To:**
**Subject:** RE: (U) and

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

There was some sort of an administrative snag in but that appears to have been resolved. is getting her orders today, and will get his on Monday. While may be pressed to leave as originally scheduled (we'll know more this afternoon), I don't see any reason for being further delayed. I appreciate your patience … it's been frustrating for everyone involved.

Enjoy your weekend.

**From:**
**Sent:** Thursday, April 11, 2013 4:43 PM
**To:**
**Subject:** (U) and

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Hey

(b) (6)

Heard some not so good news that may be coming later than his project arrival. Nothing yet on either. Can you shed some light as to when we can expect them or has sequestration put a halt to all PCS. It's tough trying to meet demand without resources.

Mahalo

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

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



Release: 2018-09
NSA: 04700

B.30

[redacted]

**From:** [redacted]
**Sent:** Thursday, January 30, 2014 1:17 PM
**To:** [redacted]
**Subject:** RE: (U) Bonus Waivers

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

Hi [redacted]

See answers to your questions below in red.

[redacted]

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

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**From:** [redacted]
**Sent:** Thursday, January 30, 2014 9:26 AM
**To:** [redacted]
**Subject:** FW: (U) Bonus Waivers

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

Hi [redacted]

In reference to your email, below, you noted that, per [redacted] the waivers for the relocation bonus should be done … and that [redacted] would be preparing them.

From what I understand, a successful ACE rating is required for receipt of a performance bonus. [redacted] and [redacted] both received successful performance ratings prior to their PCS, so it makes sense that the waivers were, at some point, no longer needed.

Please respond to the following questions:

When, and why, did the waivers for the relocation bonuses become a topic of discussion? Please elaborate. I honestly do not remember, I believe the desk officer brought up the topic with [redacted] spoke to me about them. [redacted] and I went to [redacted] and it was decided that [redacted] would do the SPFs.



Release: 2018-09
NSA: 04701

When did you learn there was no longer a need for the waivers? I did not find out directly I believe the desk officer found out shortly before the departure date that ACE close outs were being completed by mission element – I do not recall who notified the desk officer with this information.

What was the reason given as to why the waivers were no longer needed? Please elaborate. I was informed I believe by either [redacted] or [redacted] that ACEs were done on [redacted] and [redacted] and that the waivers for the relocation would not be necessary – I believe this was either right before the employees departed.

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

Who provided the aforementioned reason? [redacted] or [redacted]

How often does the Agency prepare/approve a waiver for relocation bonus? How many were approved in the past year? This was a first for me as waiver's for relocation bonus are normally for after the employee has received one and they are curtailing and asking for the waiver so they don't have to pay it back. I have not had a waiver of this sort since.

Under what circumstances are relocation waivers approved? In the context of the above I have not had another of this sort.

Is there an existing policy or documented process pertaining to waivers for relocation bonuses? If so, please provide a copy. The following is the web link to relocation incentive information – also a waiver for a repayment of relocation bonuses is included in the SPF that is drafted for the curtailment.

[redacted]

If you prefer to discuss or provide your answers to me, directly, rather reply via email, or if you have any questions or concerns, please let me know.

****Do not share the content of this email with, or forward this email to, anyone else****

Thank you.

(b)(3)-P.L. 86-36 [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

---

**From:** [redacted]
**Sent:** Thursday, April 11, 2013 12:05 PM
**To:** [redacted]
**Cc:**
**Subject:** (U) Clarification and Our Way Forward - [redacted] & [redacted]

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

[redacted]



Release: 2018-09
NSA: 04702

(b) (6)

I wanted to clarify our way forward for issuing PCS orders for [redacted] and [redacted] per guidance this morning. [redacted] is due to PCS [redacted] and we will meet with her immediately (tomorrow) to issue orders. I have reached out to [redacted] to see if either employee has a gov't credit card to put travel expenses on-haven't heard back yet. We can contact BF to put the airfare piece of travel on the CBA. After discussions with [redacted] we will have to issue a new set of orders for [redacted] to cover the PCS expenses. We will meet with [redacted] early next week to issue PCS orders so he may proceed with his plans for the HHT and PCS.

Also, per [redacted] the waivers for the relocation bonus should be done before the employees report as the CFR requires the decision to pay the relocation bonus be made prior to reporting. [redacted] will be processing the SPFs).

Do you want to sign the PCS orders or would you like [redacted] and I to sign? Did I miss anything for action? Thanks, [redacted]

[redacted]

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

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



Release: 2018-09
NSA: 04703

Doc ID: 6635428





# Appendix
# B31 – B34



Release: 2018-09
NSA: 04704

[redacted]

**From:** [redacted]
**Sent:** Friday, April 12, 2013 2:09 PM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) [redacted] and [redacted] report date

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

Hi [redacted]

Thank you for the information. We will re-issue the PCS documents and PCS orders with the new report date of [redacted]. If possible, can [redacted] and [redacted] meet with me Tuesday afternoon instead of Monday [redacted] 2:00 – 3:00 and [redacted] 3:00 – 4:00)? I need the time to re-do the documents. Thank you, [redacted]

[redacted]

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**From:** [redacted]
**Sent:** Friday, April 12, 2013 1:33 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) [redacted] and [redacted] report date
**Importance:** High

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

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

Hi [redacted]

I just spoke to [redacted] at site. ([redacted] is on leave.) He recommends that [redacted] and [redacted] start date be changed to [redacted] since it marks the beginning of a new pay period and it satisfies Kathy's 90-day requirement here at NSAW. Both [redacted] and [redacted] are amenable to the new report date. Do you still want to meet with [redacted] on Monday? And can [redacted] appointment be rescheduled for Monday afternoon also?

Thanks for your help.

(b)(6)

[redacted]



Release: 2018-09
NSA: 04705

B.31

[redacted]

**From:** [redacted]
**Sent:** Thursday, May 02, 2013 4:03 PM
**To:** [redacted]
**Subject:** RE: (U) Questions - SPF, PCS date, bonus
**Attachments:** CFR Relo Incentives.pdf

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

[redacted]

I forgot to include the answers to the second and third bullets below:

(b) (6)

- **I understand the PCS date for [redacted] and [redacted] has been changed to [redacted] Do you know why it changed?**

I do not know why the PCS date was changed. As far as I know Kathy Hutson directed that date to us.

- **You previously mentioned that [redacted] and [redacted] will receive a relocation bonus and that current policy states an employee must have a Successful rating on their most recent ACE to receive a relocation bonus. Where is this written in policy (please provide a copy or the link if you have it)?** CFR Section 575.2, Subpart B is attached. Pertinent paragraph is on page 3: 575.205(c) **Will a waiver to the policy be requested so they can receive a bonus without an ACE rating?** The last I'd heard was that the D/Chief [redacted] was going to prepare the Bonus waivers. They must be approved before the employees report to the site. I don't know if they have been completed. **If so, has this been done for other employees who PCS without a Successful rating on their most recent ACE?** According to the staff in my office we haven't had a relo bonus waiver in a while. I will need to ask the [redacted] staff if they have data on Relo Bonus waiver requests.

V/R

[redacted]

[redacted]

*"Trusted, Valued, Partner"*

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**From:** [redacted]
**Sent:** Thursday, May 02, 2013 3:08 PM



Release: 2018-09
NSA: 04706

B.32

**To:** [redacted]
**Subject:** RE: (U) Questions - SPF, PCS date, bonus

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[redacted]

I apologize for the delay. My research turned up an SPF for [redacted] with similar verbiage as [redacted] but the Subject is different. Please see the attached SPF. I think this is the document you are looking for.

V/R

[redacted]

[redacted]

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

*"Trusted. Valued. Partner"*

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**From:** [redacted]
**Sent:** Tuesday, April 30, 2013 3:29 PM
**To:** [redacted]
**Subject:** (U) Questions - SPF, PCS date, bonus

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[redacted]

(b)(6)

A few more questions with regard to investigation I have been assigned:

- Do you know if an SPF for the redirect of [redacted] hiring from NSAH to NSAW (similar to [redacted] attached) was completed? If so, and you have a copy, would you please provide to me?
- I understand the PCS date for [redacted] and [redacted] has been changed to [redacted] Do you know why it changed?
- You previously mentioned that [redacted] and [redacted] will receive a relocation bonus and that current policy states an employee must have a Successful rating on their most recent ACE to receive a relocation bonus. Where is this written in policy (please provide a copy or the link if you have it)? Will a waiver to the policy be requested so they can receive a bonus without an ACE rating? If so, has this been done for other employees who PCS without a Successful rating on their most recent ACE?



Release: 2018-09
NSA: 04707

Thank you.

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

[redacted]

[redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[redacted]

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Release: 2018-09
NSA: 04708

[redacted]

**From:** [redacted]
**Sent:** Tuesday, May 07, 2013 2:09 PM
**To:** [redacted]
**Cc:**
**Subject:** FW: (U) Orders/Entitlements for First Duty Hire with TDY En Route to NSAW

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Here is the soft copy.

(U//~~FOUO~~) [redacted] (b)(3) - P.L. 86-36

(U//~~FOUO~~)

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**From:** [redacted]
**Sent:** Wednesday, April 17, 2013 14:44
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) Orders/Entitlements for First Duty Hire with TDY En Route to NSAW

(b)(2)
(b)(3) - P.L. 86-36

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Hi All –

[redacted]

Doc ID: 6635428

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04710

[redacted] is happy to assist where we can, to include review of draft orders before they are issued to the employee, helping MB answer questions, and review of the TDY portion claims before they are sent to BF212 if needed.

Let me know how things work out, so if we need to tweak this guidance, we can do so.

If you have any questions please let us know.

(b) (2)
(b) (3) - P.L. 86-36

(U//~~FOUO~~)

[redacted]

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

(U//~~FOUO~~)

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NSA: 04711

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**From:**
**Sent:** Tuesday, February 05, 2013 9:19 AM
**To:**
**Cc:**
**Subject:** RE: (U) -- Advance EOD list for

All,

Please be sure this is confirmed and that he is EODing in Georgia. If he EODs at NSAW, he will be entitled to PCS entitlements and it creates a very messy process.

Thanks

(b) (6)

Please also let me know via email this is fixed and has confirmed his arrival in Georgia for

Thanks

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

**From:**
**Sent:** Tuesday, February 05, 2013 8:36 AM
**To:**
**Cc:**
**Subject:** (U) -- Advance EOD list for

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They have our listed as a hire –not a FGM hire. Can you please make sure he's set to EOD here?

Thanks

(U//~~FOUO~~)

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**From:**
**Sent:** Monday, February 04, 2013 12:11 PM



Release: 2018-09
NSA: 04712

B.34

# RE: (U//~~FOUO~~) [redacted] TDY to NSAW

Item ID: 102689
From: [redacted]
To: [redacted]
Subject: RE: (U//~~FOUO~~) [redacted] TDY to NSAW
Sent: February 15, 2013 8:03 AM
Received: February 15, 2013 8:03 AM

Subject: RE: (U//~~FOUO~~) [redacted] TDY to NSAW
Size: 3 KB (3,888 bytes)

Content Created: February 15, 2013 8:03 AM
Content Last Modified: February 15, 2013 8:03 AM

MIME Type: message/rfc822
Content MIME Type: text/plain
Character Set: utf8
Language: English
MD5 Hash: [redacted]
Message Hash:

Source: [redacted]
Location:
My tags:

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

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[redacted] should not have put that rant in an email. Very unprofessional, in my opinion. If you ask me, what's more ridiculous is hiring him at NSAG just so they could turn around and TDY him back to Maryland. Knowing what we now know, I would've recommended an EOD at NSAW and a pursuant PCS.

From: [redacted]
Sent: Thursday, February 14, 2013 12:37 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U//~~FOUO~~) [redacted] TDY to NSAW

[redacted]
I didn't say that I had nothing for him to do. I said I had nothing planned given our agreement to ship him up North upon his EOD. Please remember our discussion that I would get leadership to not count on his presence as YOU wanted him to attend two weeks of OJT with [redacted] and gang.
If the timing is bad, maybe someone should have coordinated his EOD timing better.....so, to avoid putting [redacted] in the middle of this ridiculous discussion, we will send him [redacted] at the convenience of your schedule.

[redacted]
From: [redacted]
Sent: Thursday, February 14, 2013 10:46 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U//~~FOUO~~) [redacted] TDY to NSAW

(b)(6)

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(b) (6)

We can have him come up [redacted] - you guys have been screaming for this guy for the past year and you don't have anything for him to do for 4 days?? We have that week slated to bootcamp the two folks going to Hawaii, so it only makes sense for me to tie up the staff at one shot.

[redacted]

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

From: [redacted]
Sent: Wednesday, February 13, 2013 4:08 PM
To: [redacted]
Cc: [redacted]

Subject: RE: (U//~~FOUO~~) [redacted] TDY to NSAW

[redacted]...I have nothing planned for him next week as we planned to ship him up there as discussed with [redacted] in May and December. I would be scrambling at this point. I really need for him to [redacted]

[redacted]

I have attached the RTA.....pleeeeaaasse!

v/r

[redacted]

From: [redacted]
Sent: Wednesday, February 13, 2013 1:45 PM
To: [redacted]
Cc: [redacted]

Subject: (U//~~FOUO~~) [redacted] TDY to NSAW

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[redacted]

I spoke with [redacted] and [redacted] and we prefer if [redacted] can report to [redacted] on [redacted] If this presents a problem please let us know. The reason for the request is we have three other new hires coming to the office [redacted] and it be more effective if we worked with everyone together. [redacted] would report to [redacted]

[redacted] also urgently needs [redacted] RTA so he can provide the funding source. Please send [redacted] the RTA as soon as possible, thank you.

v/r

[redacted]

(U//~~FOUO~~) [redacted]

[redacted]

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Doc ID: 6635428



*IV-13-0053*

**Appendix**
**B6 – B10**



Release: 2018-09
NSA: 04715

**From:**
**Sent:** Tuesday, March 04, 2014 1:05 PM
**To:**
**Cc:**
**Subject:** RE: (U) Follow-up re: TDY en-route question in January 2013

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Hello

I have nothing more to add/change.

Thanks,

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

**From:**
**Sent:** Friday, February 28, 2014 9:17 AM
**To:**
**Subject:** (U) Follow-up re: TDY en-route question in January 2013

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Hi

Thank you for speaking with me on the phone a few moments ago and helping me get clarification around the question that was asked in January.

I typed some notes from our conversation and I want to make sure I captured what you said, correctly. Please review and let me know or add/change as you deem appropriate.

- In January 2013, you asked the question about a new hire EOD'ing at Ft. Meade for training then PCS'ing to Hawaii because, around that time, was assisting with their requirement to have EOD at NSAW so that he could receive training prior to reporting to his position. The answer provided to you was passed to
- The reference to a 'substantial period of time', or '90 days' (unsure as to which term was used) was brought up in your meeting with Kathy Hutson (in April, after the IG complaint was filed) because you were reflecting on



Release: 2018-09
NSA: 04716

B.6

what you had learned in January – that they needed to be at NSAW for substantial period of time, or 90 days, otherwise they should be in a TDY en-route status.

- When [redacted] routed the SPF redirecting [redacted] hiring in late January 2013, you did not notice that time timeframe quoted therein was "30 - 60 days" at NSAW for training.
- The mission element drives the requirement as to how they want to process their new hires and [redacted] enables the process to meet the needs of the mission element.

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

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

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Thursday, February 27, 2014 4:00 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) [redacted] information

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Hello [redacted]

[redacted] was asked the question because she is the deputy chief of the [redacted] and I didn't know the answer as to whether this could be done or not or if we had done this before.

Thanks,

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Wednesday, February 26, 2014 9:54 AM
**To:** [redacted]
**Subject:** FW: (U) [redacted] information

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Thanks, [redacted]

Another question.....



Release: 2018-09
NSA: 04717

The first entry on the timeline states:

***Mid January: Question asked in reference to [redacted] new hires EODing at Fort Meade for training purposes than PCSing to Hawaii. ANSWER – Substantial period of time for training should be spent at NSAW, otherwise should be considered a short term TDY enroute.***

What prompted you to ask this question of [redacted] (b) (6)

This would have been just before [redacted] started routing the SPF to redirect his hiring from NSAH to NSAW, at the end of January, and before he EOD'd, which was [redacted]

Thank you.

(U//FOUO) [redacted] (b) (3) - P.L. 86-36
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Wednesday, February 26, 2014 9:45 AM
**To:** [redacted]
**Subject:** RE: (U) [redacted] information

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H[redacted]

Yes, this is the timeline that we used when explaining things to Kathy.

Thanks,

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Wednesday, February 26, 2014 9:43 AM
**To:** [redacted]
**Subject:** FW: (U) [redacted] information

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Release: 2018-09
NSA: 04718

Hi [redacted]

Question for you regarding the attached timeline.....

During your interview, you stated that when you met with Kathy Hutson, you presented a timeline of events (along with the cost comparison/analysis). I am wondering if this is the timeline. If not, would you please forward a copy of the timeline you presented to Kathy.

Thank you,

[redacted]

(U~~FOUO~~) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Tuesday, January 07, 2014 5:25 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) [redacted] information

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

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

Hello [redacted]

**Here is the information that I have on the subject we are discussing on Friday.**

Thanks,

[redacted]

[redacted]

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Release: 2018-09
NSA: 04719

[redacted]

**From:** [redacted]
**Sent:** Tuesday, February 25, 2014 12:31 PM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) IG investigation - TDY and PCS Policy question

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

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Hi [redacted]

I don't remember the exact date, but it was right after the 1st of the year that [redacted] was asked the question about EODing at NSAW and doing some training, then PCSing to Hawaii. At the time we knew no names. [redacted] asked me, and the answer was that if they were to be hired for Hawaii then they should be in a TDY en route in status while at NSAW and then PCS as a first duty hire to Hawaii. There are no emails or notes on this, but I do remember the question was asked right after I returned from leave for the holidays.

(U//~~FOUO~~)

[redacted]

(U//~~FOUO~~)

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**From:** [redacted]
**Sent:** Thursday, February 20, 2014 08:53
**To:** [redacted]
**Subject:** RE: (U) IG investigation - TDY and PCS Policy question

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

Hi [redacted]

I am seeking your verification on something….

I was told that, in January 2013 [redacted] consulted with you regarding a question that was asked of her in reference to [redacted] new hires EOD'ing at Fort Meade for training purposes then PCS'ing to Hawaii. The answer was that a substantial period of time for training should be spent at NSAW, otherwise should be considered a short term TDY en-route.

I have emails showing this topic was being discussed in April 2013, but am trying to verify if this was also discussed early on (before the new hires EOD'd) – in January 2013. Do you recall discussing this at that time or have any notes or emails showing that you were consulted on this matter in January 2013?



Release: 2018-09
NSA: 04720

[redacted]

**From:** [redacted]
**Sent:** Thursday, January 30, 2014 9:32 AM
**To:** [redacted]
**Subject:** RE: (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements

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

Hi [redacted]

During the original question from Chief of [redacted] it was discussed that they would be here at NSAW for several months prior to reporting to NSAH.

Thanks, [redacted]

[redacted]

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**From:** [redacted]
**Sent:** Thursday, January 30, 2014 9:22 AM
**To:** [redacted]
**Subject:** RE: (U) [redacted] & [redacted] ~~timeline & List of PCS vs. FDH Entitlements~~

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

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

Hi [redacted]

Thanks so much for your responses. Follow-on question.....

How/from whom did you get the impression that they would be at NSAW for approx one year prior to PCS?

I was just typing you another email as I have another question but will send it separately as it is a different topic.

Thank you, again.

[redacted]

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(U ~~FOUO~~) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14



Release: 2018-09
NSA: 04721

[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Thursday, January 30, 2014 9:04 AM
**To:** [redacted]
**Subject:** RE: (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements

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

H[redacted]

Answers to your questions are below in red. Thanks, [redacted]

[redacted]

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

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Do not further release without approval from originator

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**From** [redacted]
**Sent:** Wednesday, January 29, 2014 2:39 PM
**To:** [redacted]
**Subject:** FW: (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements
**Importance:** High

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

Hello [redacted]

As you may, or may not, know, I have been assigned to investigate the way in which [redacted] and [redacted] were hired for positions at NSAH with EOD'd at NSAW and subsequent PCS.

I have a few questions for you.....

In reference to your 8 April 2013 email, below, why did you prepare this timeline? Please elaborate.

In your email, below, you noted the following:



Release: 2018-09
NSA: 04722

***Mid January: Question asked in reference to [redacted] new hires EODing at Fort Meade for training purposes than PCSing to Hawaii. ANSWER – Substantial period of time for training should be spent at NSAW, otherwise should be considered a short term TDY enroute.***

In reference to the above,

1. Who asked the question? Chief of [redacted]
2. To whom was the question asked? Me and I went back to consult with our [redacted] Policy POC, [redacted]
3. Do you have a specific date as to when the question was asked? No, I do not recall as it was a verbal request
4. Who came up with the answer? Policy POC, [redacted]
5. Who provided the answer to the person who asked the question? I did
6. Were there any subsequent questions asked of [redacted] when the answer, as noted in your email, was provided? If so, please elaborate. No, not at that time since we were under the impression that they would be training for approx. a year prior to departure.
7. Are you aware of any discussions regarding a TDY-enroute as an option for [redacted] and/or [redacted] ? If so, please elaborate. No, not at first since we thought they would here at NSAW for approx. a year.

If you prefer to discuss or provide your answers to me, directly, rather reply via email, or if you have any questions or concerns, please let me know.

****Do not share the content of this email with, or forward this email to, anyone else****

Thank you,

[redacted]

(U//~~FOUO~~) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

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

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Monday, April 08, 2013 2:17 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) [redacted] & [redacted] timeline & List of PCS vs. FDH Entitlements

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

**Good Afternoon,**

**The following is the [redacted] timeline for [redacted] & [redacted] PCS processing thus far:**

**Mid January: Question asked in reference to [redacted] new hires EODing at Fort Meade for training purposes than PCSing to Hawaii. ANSWER – Substantial period of time for training should be spent at NSAW, otherwise should be considered a short term TDY enroute.**

**20 February: Desk Officer received a phone call from [redacted] asking how [redacted] & [redacted] could receive their PCS orders to Hawaii. Desk Officer asked when the employees would be reporting. She then provided guidance to [redacted]**



Release: 2018-09
NSA: 04723

[redacted] on the process for SPF waivers to (1) PCS during the employee's probationary period and (2) direct nomination for field assignments.

20 February: [redacted] and [redacted] Policy Officer communicated their concerns to [redacted] in relation to the processing of [redacted] & [redacted] He advised to follow the "normal" process.

14 March: SPF waiver for 2 year obligation rec'd in [redacted]

21 March: Field staffing issued official nomination for NSAH positions. [redacted] & [redacted] accepted the same day.

21 March: Desk Officer created PCS checklist in [redacted]

1 April: Desk Officer found out that [redacted] had PCS orders and [redacted] did not.

2 April: Desk Officer met with [redacted] in the morning and [redacted] in the afternoon to brief PCS entitlements. PCS orders were not issued at that time as the system wouldn't allow orders to budget check.

4 April [redacted] met with [redacted] to apprise her of the situation and that there were concerns over the process being used for [redacted] and [redacted] PCS to NSAH.

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

**Entitlements Listing**

**First Duty Hires** **PCS**

[redacted]

Thanks [redacted]

(b) (2)
(b) (3) - P.L. 86-36

[redacted]

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

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



Release: 2018-09
NSA: 04724

[redacted]

**From:** [redacted]
**Sent:** Thursday, April 11, 2013 9:39 AM
**To:** [redacted]
**Subject:** FW: (U) Hawaii Hire

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

Here is my initial contact with [redacted] regarding their need:

U//~~FOUO~~

[redacted]

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Delivering HR Solutions to the Global Workforce

U//~~FOUO~~

**From:** [redacted]
**Sent:** Tuesday, January 29, 2013 2:24 PM
**To:** [redacted]
**Subject:** RE: (U) Hawaii Hire

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

[redacted]

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

It's a thing of beauty – nice work!

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Tuesday, January 29, 2013 2:15 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) Hawaii Hire
**Importance:** High

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



Release: 2018-09
NSA: 04725

B.7

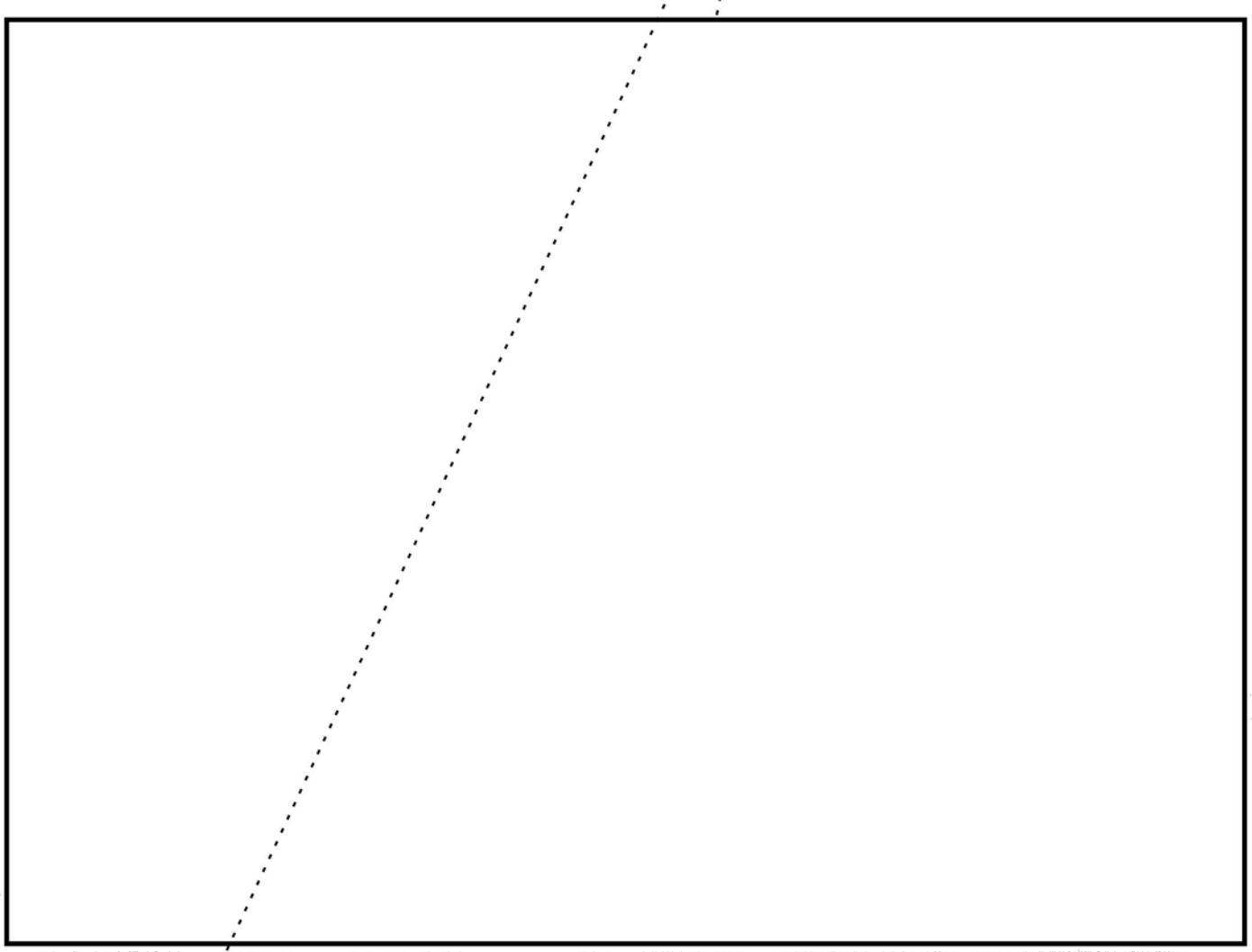
Here's the information you requested. I'm cc'ing so he can weigh in.

(b) (6)

Name:
Offer: unknown, but presumably
Work Role:
Job opening ID:
Justification to EOD at NSAW then PCS to NSAH:

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

recently accepted a verbal EIO for the position in Hawaii (job opening ID . He agreed to a n Hawaii, however would prefer that he in-process at NSAW instead.



**From:**
**Sent:** Tuesday, January 29, 2013 1:03 PM



Release: 2018-09
NSA: 04726

**To:** [redacted]
**Subject:** RE: (U) Hawaii Hire

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[redacted]

Thanks.

[redacted] I forgot to mention, can you add the Hawaii position # you were hiring him for – in addition to the Name, Work Role and Justification.

Thanks,

[redacted]

U//~~FOUO~~

[redacted]

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

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[redacted] (b)(6)

U//~~FOUO~~

**From:** [redacted]
**Sent:** Tuesday, January 29, 2013 12:55 PM
**To:** [redacted]
**Subject:** RE: (U) Hawaii Hire

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Thanks [redacted] I concur that is the path we would like to pursue. We will get you the verbiage asap.

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Tuesday, January 29, 2013 12:52 PM
**To:** [redacted]



Release: 2018-09
NSA: 04727

**Subject:** (U) Hawaii Hire
**Importance:** High

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[redacted]

I believe you were discussing the Hawaii hire with Kathy [redacted] and I already discussed right after the HRLT and he is going to send me a mission justification for hire at NSAW. I am preparing the SPF now and will await the justification to add to it.

[redacted] please send ASAP as the EOD is [redacted] and MB will not change course until I have the approved document.

Thanks,

[redacted]

(b) (6)

U//~~FOUO~~

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

[redacted]

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[redacted]

U//~~FOUO~~

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



Release: 2018-09
NSA: 04728

# FW: (U) Hire

Item ID: 102157
From:
To:
Subject: FW: (U Hire
Sent: January 30, 2013 2:29 PM
Received: January 30, 2013 2:29 PM

Subject: FW: (U Hire
Size: 9 KB (9,551 bytes)

Content Created: January 30, 2013 2:28 PM
Content Last Modified: January 30, 2013 2:29 PM

MIME Type: message/rfc822
Content MIME Type: text/plain
Character Set: utf8
Language: English
MD5 Hash:
Message Hash:

Source:
Location:
My tags:

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

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Just an FYI.
The memo is back in court now.
From:
Sent: Wednesday, January 30, 2013 1:19 PM
To:
Subject: RE: (U) Hire

This is a bit of a surprise, as I had spoken with and stated our preference. Understand the need and have been assured this is a benefit to all, so will sign and pass on.

From:
Sent: Wednesday, January 30, 2013 6:36 AM
To:
Cc:
Subject: FW: (U Hire
Importance: High
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Good morning, Attached is a memo seeking your concurrence to hire your new at NSAW instead of Hawaii. In a nutshell, we really need to spend a couple weeks training and educating him about the I just spoke to about it, and he agrees that it makes good sense to put him through boot camp now rather than later, especially since he lives a few miles from here. If you agree, please sign the appropriate signature block and return to who is kindly coordinating this for us. She is requesting final coordination ASAP today.

By the way, although the memo suggests that he could spend up to 60 days with us, I don't see any reason why he shouldn't be at site by mid to late March.
Please give me a call if you have any concerns/questions.
Thanks!

(U//~~FOUO~~)

From:
Sent: Wednesday, January 30, 2013 11:07 AM
To:
Subject: FW: (U) Hire
Importance: High
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~
Signed.

From:
Sent: Wednesday, January 30, 2013 10:59 AM
To:
Subject: FW: (U) Hire
Importance: High
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

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

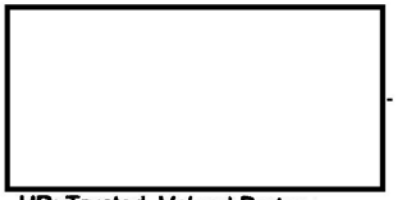
Please review. If you see any problems, return to me for editing before signing it. (I don't think I can make changes after it's been signed.) The only thing I'm unsure of is whether the position reports to (as indicated on the memo) or

From:
Sent: Wednesday, January 30, 2013 10:16 AM
To:
Subject: (U) Hire
Importance: High
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Please sign for before you depart. Have a great trip. Thanks.

Per our conversation, please sign the SPF as the originator and then pass to to sign. Can you then send to NSA Hawaii HR for their signature (and cc) and you were going to call them to discuss.
I need the signed form back from NSAH ASAP today - given their time difference.
I will now work with MB on their signature.
Thanks,

U//~~FOUO~~



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

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~~U//FOUO~~
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## Headers

| | |
|---|---|
| Date: | Wed, 30 Jan 2013 19:29:22 +0000 (UTC) |
| From: | [redacted] |
| To: | |
| Subject: | FW: (U) [redacted] Hire |
| MIME-Version: | 1.0 |
| Content-Type: | multipart/mixed; boundary=51d4f7152c086118536b85907d0f27c66 |

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

[redacted]

**From:** [redacted]
**Sent:** Monday, April 08, 2013 8:23 AM
**To:** [redacted]
**Subject:** FW: (U) SPF for MB Signature (URGENT)
**Attachments:** [redacted] New Hire SPF.pdf
**Importance:** High

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

[redacted]

Sending as requested: 3 of 4

V/R

[redacted]

[redacted]

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

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**From:** [redacted]
**Sent:** Wednesday, January 30, 2013 2:41 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** FW: (U) SPF for MB Signature (URGENT)
**Importance:** High

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

H[redacted]

Can you please advise on how I should proceed?

Thanks

[redacted]

Recruiter
Office of Recruitment & Staffing

[redacted]



B9

Release: 2018-09
NSA: 04733

[redacted]

*HR- Trusted, Valued Partner*

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**From:** [redacted]
**Sent:** Wednesday, January 30, 2013 2:37 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** FW: (U) SPF for MB Signature (URGENT)
**Importance:** High

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

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Hi [redacted]

To follow up on our previous discuss regarding the [redacted] Hire in Hawaii [redacted] I was successful in coordinating a local hire here an NSAW [redacted] for mission training with a subsequent PCS to site at a later date.

Attached is a heads up, I am still awaiting MB signature [redacted] is aware and verbally concurred). I wanted to let you know so you can redirect his hiring info to NSAW vs NSAH and begin to take the necessary actions for hire here. [redacted] requires he still EOD [redacted] He will no longer require First Duty Station Hire orders. Will you reissue a new FJO with location and NSAW salary information? Who contacts the applicant regarding the change? You or [redacted] as the hiring manager?

[redacted] was aware training was required but I don't believe aware of how it would eventually end up.

(b) (6)

Thanks;

[redacted]

U//~~FOUO~~

[redacted]

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Release: 2018-09
NSA: 04734

[redacted] (b) (6)

U//~~FOUO~~

**From** [redacted]
**Sent:** Wednesday, January 30, 2013 2:10 PM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** (U) SPF for MB Signature (URGENT)
**Importance:** High

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

Hi [redacted]

Per our conversation, here is the [redacted] hire SPF for MB signature. Please sign and return to me ASAP and I will then provide to our HR Recruiter and [redacted] for processing.

Thank you so much.

☺

U//~~FOUO~~

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

**HR: Trusted, Valued Partner**
**Delivering HR Solutions to the Global Workforce**

[redacted] (b) (6)

U//~~FOUO~~

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

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



Release: 2018-09
NSA: 04735

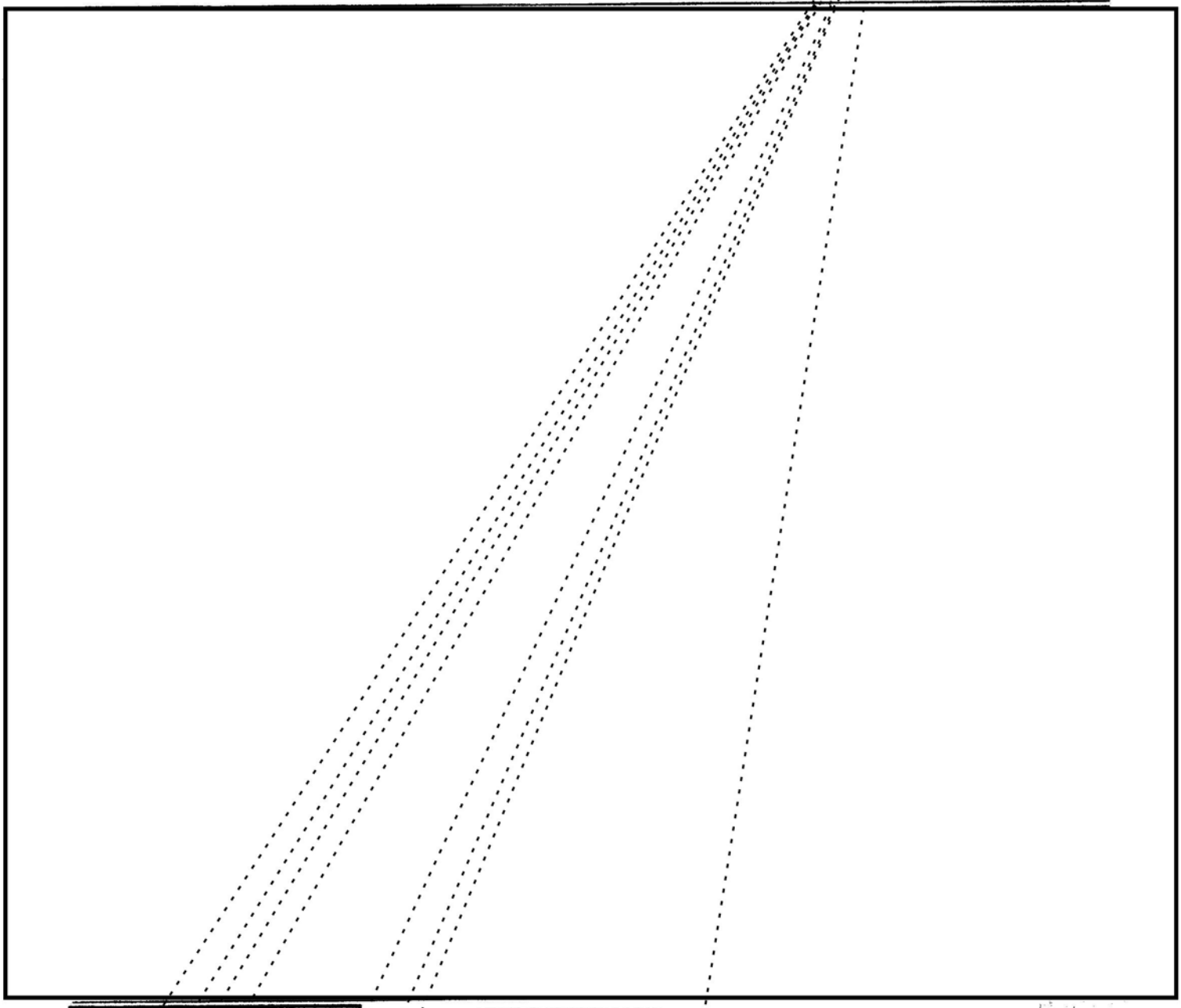
Doc ID: 6635428



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

SECURITY CLASSIFICATION

# NSA STAFF PROCESSING FORM



☒ Change Name and Date column(s) type

COORDINATION/APPROVAL

| | OFFICE | NAME AND DATE | SECURE PHONE | OFFICE | NAME AND DATE | SECURE PHONE |
|---|---|---|---|---|---|---|
| ☐ | | | | | | |
| ☑ | Ch | | | | | |
| ☐ | Ch MB | | | | | |
| ☐ | | | | | | |
| ☐ | Ch | | | | | |

| ORIGINATOR | ORG. | PHONE (Secure) | DATE PREPARED |
|---|---|---|---|
| | Ch | 963-0643 | 20130130 |

FORM A6796D REV JUN 2012 (Supersedes A6796D APR 2012)
NSN: 7540-FM-001-5465

Derived From: _____
Dated: _____
Declassify On: _____

SECURITY CLASSIFICATION

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Release: 2018-09
NSA: 04736

SECURITY CLASSIFICATION

[redacted] will EOD [redacted] onto the following position at [redacted] NSAW:

POSN: [redacted]
ORG: [redacted]
Work Role: [redacted]
Location: [redacted]
Hiring Manager: [redacted]

(b) (6)

[redacted] is expected to PCS NLT [redacted] to NSA/CSS Hawaii onto the following position:

POSN: [redacted]
Work Role: [redacted]
ORG: [redacted]
M/E: [redacted]
Reports To: [redacted] Director [redacted]

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

(U//~~FOUO~~ [redacted] new hire probationary period obligation will transfer from NSAW [redacted] to NSAH [redacted] upon his PCS.





Release: 2018-09
NSA: 04737

[redacted]

**From:** [redacted]
**Sent:** Wednesday, January 30, 2013 10:52 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) [redacted] Hire
**Attachments:** [redacted] New Hire SPF.pdf

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

Hi,

Here you go. Please make sure someone signs as the originator.
See you next week.

Thanks,

[redacted]

[redacted]

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

**From:** [redacted]
**Sent:** Wednesday, January 30, 2013 10:16 AM
**To:** [redacted]
**Subject:** (U) [redacted] Hire
**Importance:** High

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

[redacted] Please sign for [redacted] before you depart. Have a great trip. Thanks.

[redacted]

Per our conversation, please sign the SPF as the originator and then pass to [redacted] to sign. Can you then send to NSA Hawaii HF [redacted] for their signature (and cc) and you were going to call them to discuss.

I need the signed form back from NSAH ASAP today – given their time difference.

I will now work with MB on their signature.



Release: 2018-09
NSA: 04738

[redacted]

**From:** [redacted]
**Sent:** Monday, January 27, 2014 8:42 AM
**To:** [redacted]
**Subject:** RE: (U) FJO - [redacted]

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

Hi [redacted]
Thanks for your response. That must have been a confusing & busy time. Thank you for explaining. May I get a copy of the 4 Feb low-side email? Perhaps you already sent it (I haven't checked my low-side).
I hope your career fair went well.
Thanks again [redacted]

[redacted]

(U//~~FOUO~~) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From** [redacted]
**Sent:** Saturday, January 25, 2014 1:25 PM
**To:** [redacted]
**Subject:** RE: (U) FJO - [redacted]

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

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

Hi [redacted]

I will double check the dead file, but I am certain that we will not have a copy of the original letter. Normally once a letter has been updated we do not keep the original.

As you can see there was a lot of going back and forth with these two candidates. I have an email to [redacted] for the HI FJO on 4 Feb at 11:22am (low-side), then I have high side communication at 1pm for an FJO here at NSAW. I believe I re-did his letter three or four times, and will probably only have the finalized one in the file.

I am out of the office on Monday at a career fair, but will provide an update by COB Tuesday.

Thanks

attached at Appendix L

[redacted]
Recruiter
Office of Recruitment & Staffing
[redacted]



Release: 2018-09
NSA: 04739 B.10

[redacted]

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**From:** [redacted]
**Sent:** Wednesday, January 22, 2014 4:00 PM
**To:** [redacted]
**Subject:** (U) FJO - [redacted]

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

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

Hi [redacted]

Thank you for your help thus far.

The FJO, attached, that you provided to me is dated 5 February.

I have an email dated 24 January 2013, from you to [redacted] where you notified [redacted] that [redacted] has accepted the FJO.

This tells me there was an FJO dated, on or before, 24 January. Please provide a copy of the FJO that you are referring to in this email.

Someone told me that Recruitment keeps an "EOD dead file" (hopefully this term is familiar to you???). Perhaps it is filed there?

If not, what happened to Recruitment's copy of the FJO that you are referencing in your 24 January 2013 email?

Thank you,

[redacted]

(U//~~FOUO~~) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**



Release: 2018-09
NSA: 04740

**From:** [redacted]
**Sent:** Friday, January 17, 2014 12:20 PM
**To:** [redacted]
**Subject:** RE: (U) Return sid for documents

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

<<...>> <<...>>

[redacted]

Recruiter

Office of Recruitment & Staffing

[redacted]

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

*HR- Trusted, Valued Partner*

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**From:** [redacted]
**Sent:** Friday, January 17, 2014 12:20 PM
**To:** [redacted]
**Subject:** (U) Return sid for documents

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

(U//~~FOUO~~) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]



Release: 2018-09
NSA: 04741

Doc ID: 6635428





# APPENDIX C

# ENTITLEMENTS



Release: 2018-09
NSA: 04742

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04743

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04744

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04745

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04746

Doc ID: 6635428



*IV-13-0053*

# APPENDIX D

# AGENCY PROCESS FOR FIRST-DUTY-STATION FIELD HIRES



Release: 2018-09
NSA: 04747

(b)(2)
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04748

(b)(2)
(b)(3) - P.L. 86-36

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(b)(2)
(b)(3) - P.L. 86-36



Release: 2018-09
NSA: 04750

[redacted]

**Subject:** FW: (U) Orders/Entitlements for First Duty Hire with TDY En Route to NSAW

**From:** [redacted]
**Sent:** Monday, December 23, 2013 10:54 AM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** RE: (U) Orders/Entitlements for First Duty Hire with TDY En Route to NSAW

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

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

The entitlements would be the first duty hire unless they were a no break from another federal agency, in which case they would be eligible for everything except the relo incentive.

[redacted] put the process together for MB, who handles new hires. The process worked well for the two first duty hires that have come to NSAW for EOD since being put into place.

(U//~~FOUO~~)

[redacted]

(U//~~FOUO~~)

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**From:** [redacted]
**Sent:** Tuesday, December 17, 2013 16:01
**To:** [redacted]
**Subject:** RE: (U) Orders/Entitlements for First Duty Hire with TDY En Route to NSAW

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

Hi [redacted]

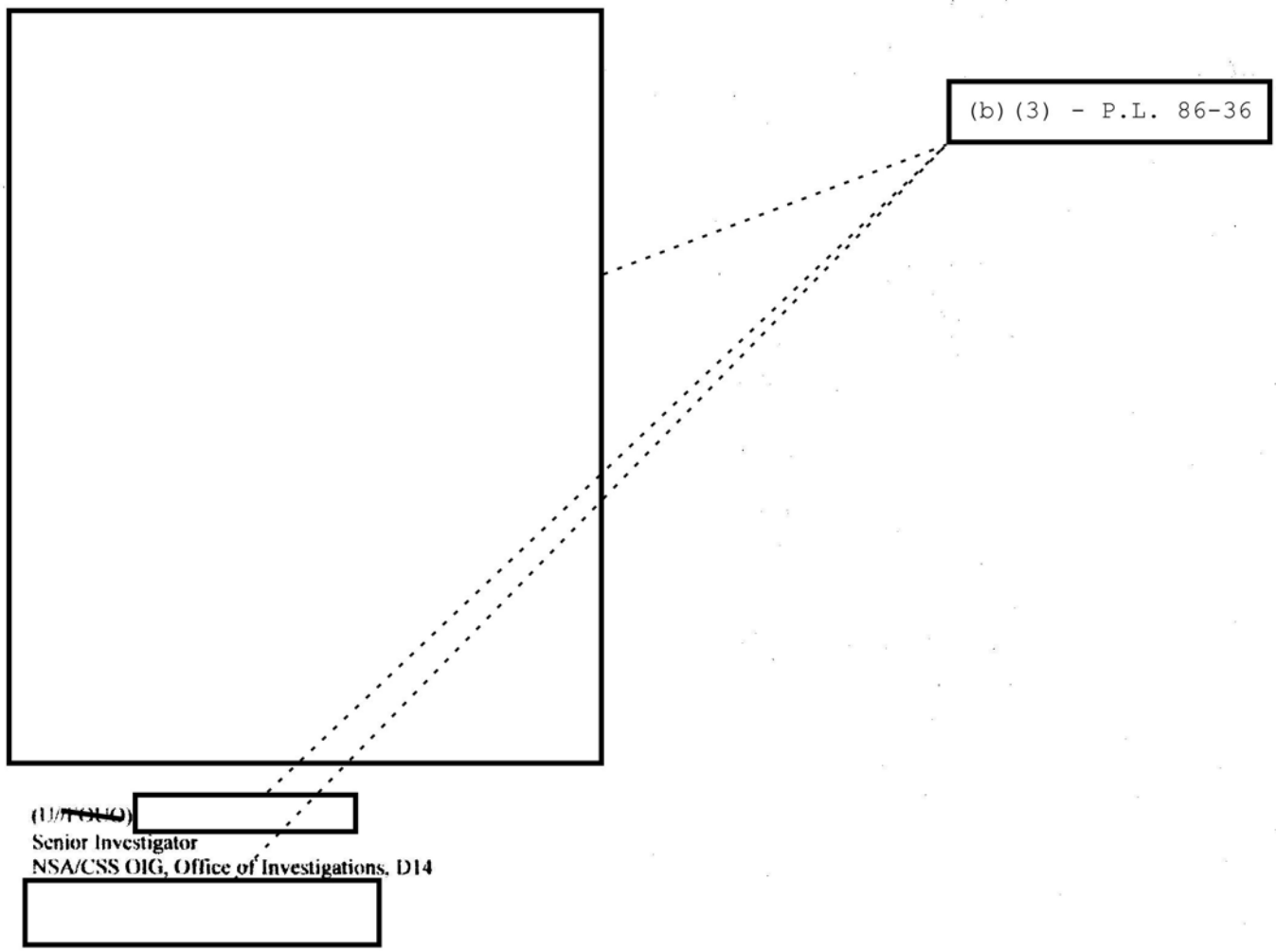
Question for you about the process outlined in your email below.....in the section PCS Entitlements and Orders, I'm assuming the entitlements for the new appointee would be First Duty Hire entitlements and not PCS entitlements, as listed below. Correct?

Also, have any changes been made to this process since April? If so, may I get an updated version? Has it been approved by all parties ([redacted]? Who else?)?

Thank you,



Release: 2018-09
NSA: 04751




(U//~~FOUO~~)
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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Release: 2018-09
NSA: 04752

Doc ID: 6635428





# APPENDIX E

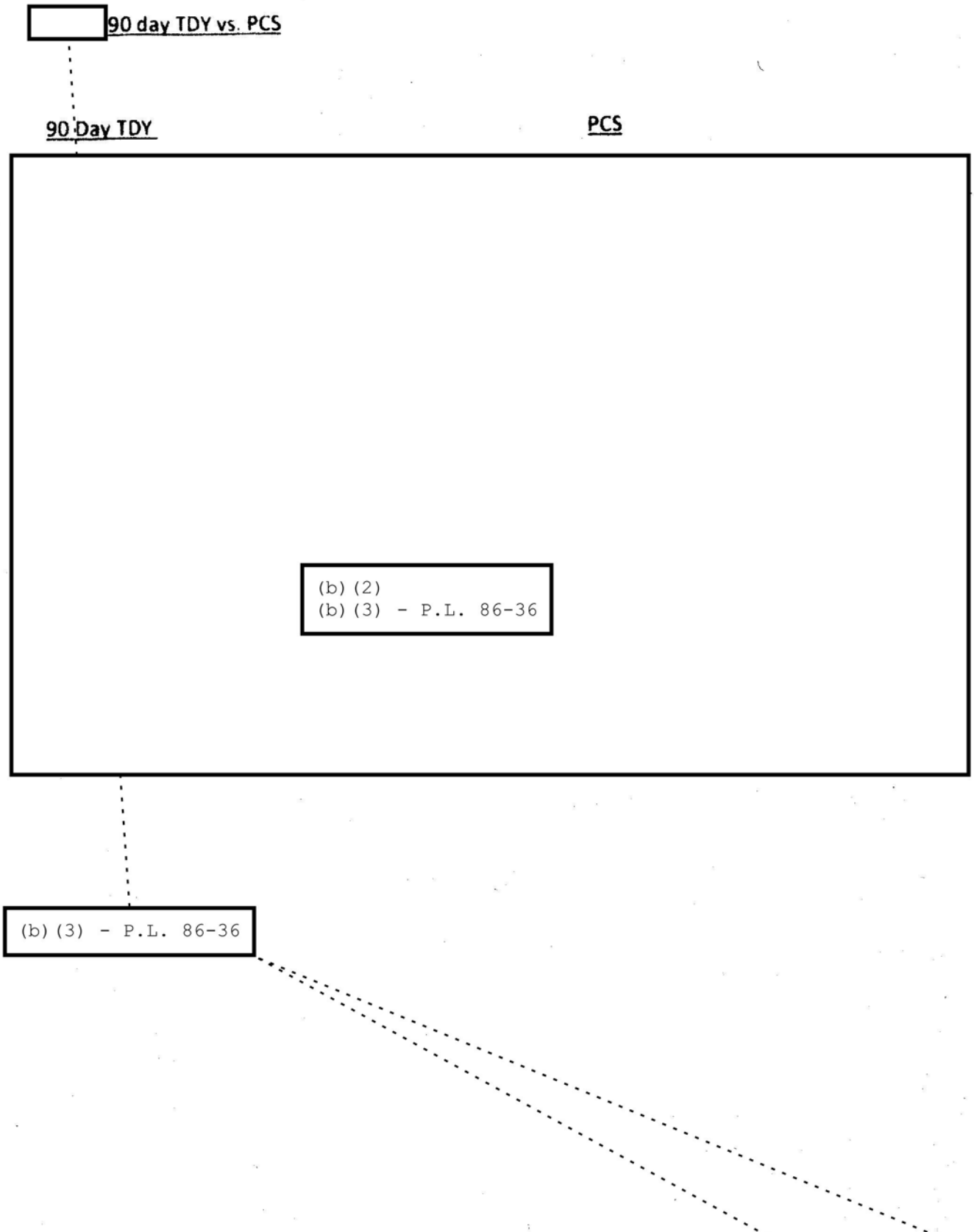
# COST ESTIMATES
# PCS vs. TDY En-route



Release: 2018-09
NSA: 04753

Doc ID: 6635428








Obtained from Chief
Prepared by:

Release: 2018-09
NSA: 64754

[redacted]

**From:** [redacted]
**Sent:** Monday, April 29, 2013 9:51 AM
**To:** [redacted]
**Subject:** RE: (U) Cost estimate

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

Good Morning [redacted]

MB should be able to provide the costs for a FDH to go to NSAH. The costs below are for a single person to PCS from MD to NSAH:

[redacted]

(b) (2)
(b) (3) - P.L. 86-36

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

Total Estimate [redacted]

V/R

[redacted]

[redacted]

*"Trusted, Valued, Partner"*

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**From:** [redacted]
**Sent:** Thursday, April 25, 2013 5:20 PM
**To:** [redacted]
**Subject:** (U) Cost estimate

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

**Good afternoon,**



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NSA: 04755

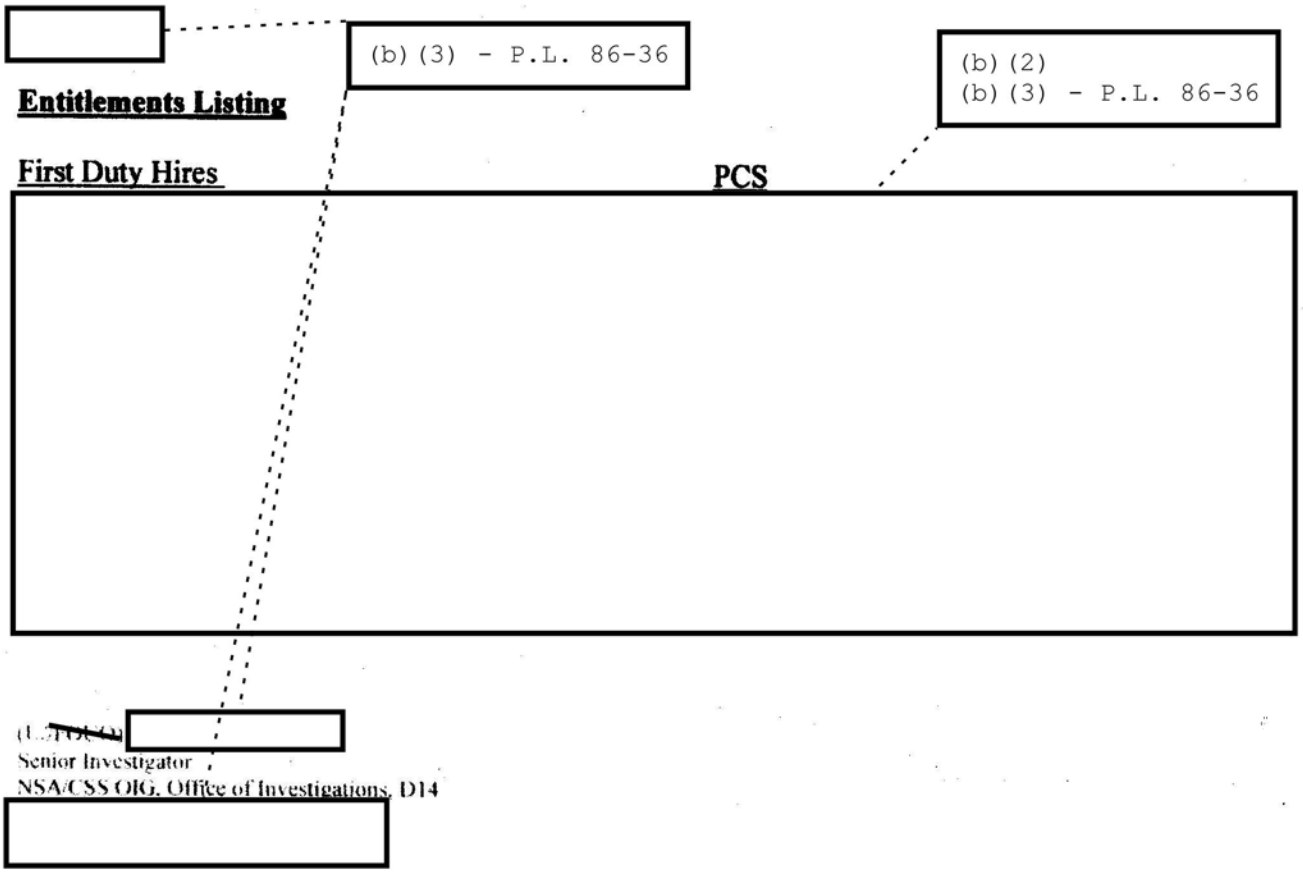
I am hoping your office might be able to assist with a cost estimate….

Considering the entitlements for a first duty hire and PCS, I would like to compare the cost of a first duty hire to Hawaii, to an NSAW hire with a subsequent PCS to NSAH.

Would your office be able to provide an approximate cost estimate for a PCS to NSAH from MD?

I will check with MB for the approximate cost of a first duty hire to NSAH unless, for some reason, your office might have that information.

Please let me know, and thank you.




Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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



Release: 2018-09
NSA: 04756

[redacted]

**From:** [redacted]
**Sent:** Wednesday, May 01, 2013 4:20 PM
**To:** [redacted]
**Subject:** FW: (U)

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

[redacted]

See below

[redacted]

**From:** [redacted]
**Sent:** Monday, April 29, 2013 1:12 PM
**To:** [redacted]
**Subject:** RE: (U)

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

[redacted]

The average cost for new hires from MD to HI is [redacted]

[redacted]

[redacted] (b) (6)

**From:** [redacted]
**Sent:** Friday, April 26, 2013 8:43 AM
**To:** [redacted]
**Subject:** (U)

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[redacted]

**Can you provide below info requested?**

Would your office be able to provide an approximate cost estimate for a first duty hire to NSAH from MD?



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NSA: 04757

Doc ID: 6635428





# APPENDIX F

## [redacted] BOOTCAMP TRAINING SCHEDULE

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



Release: 2018-09
NSA: 04758

[redacted]

**To:** [redacted]
**Subject:** RE: (U) IG Investigation - Request for Interview

**From:** [redacted]
**Sent:** Thursday, December 12, 2013 1:58 PM
**To:** [redacted]
**Subject:** RE: (U) IG Investigation - Request for Interview

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

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

Hello [redacted] The green blocks were originally designated for [redacted] (whose background is [redacted] the blue ones carved out time for [redacted] (whose background is [redacted] and the yellow ones indicated a joint topic of interest. As is often the case with such plans, some of our SMEs took more than the time allotted, other SMEs were pulled away on other business and had to reschedule, both sat in on topics that I originally expected only one to attend, etc., so creating the calendar really just forced my folks to (a) think about what our new hires needed to learn (b) schedule some face time with them. Also, please recall that I was called out of state for a family emergency in late Feb / early Mar, and no one was specifically put in charge of enforcing a strict schedule. As I said before, the schedule was very fluid, and everyone adapted to the dynamic, I can say, however, that I never saw either of them wandering around looking for something to do. [redacted] in particular, is very inquisitive and enjoys learning from anyone who will talk to him. One other thing: our ultimate goal for both of them is to have them achieve some depth in their chosen field yet be sufficiently broad in the entire [redacted] spectrum. My experience in the field (where we are often just one deep) supports the concept of breadth over depth.

Please let me know if you have any other questions.

[redacted]

(b)(6)

**From:** [redacted]
**Sent:** Monday, December 09, 2013 5:03 PM
**To:** [redacted]
**Subject:** RE: (U) IG Investigation - Request for Interview

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

Hi [redacted]

I've had quite a delay in working on this case due to other priorities, but recently began working on it again.

Regarding the bootcamp calendar/schedule you provided in your email, below.....For the events listed on the calendar for week one, [redacted] there are some time slots where two events are listed -- perhaps [redacted] attended one, and [redacted] the other? I would like to understand which events [redacted] attended and which events [redacted] attended. Do the colors of the calendar appointments indicate who attended what?...or what do the different colors indicate, if anything?

If you wish to meet again to discuss anything further, just let me know.



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NSA: 04759

Thanks,

[redacted]

(U//FOUO)
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:**
**Sent:** Wednesday, May 08, 2013 11:59 AM
**To:**
**Subject:** RE: (U) IG Investigation - Request for Interview

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

[redacted]

You expressed interest in learning more about our "boot camp" schedule and the impromptu "shadowing" events that arose while [redacted] and [redacted] were with us. The attached screen images were extracted from a division-wide Outlook Calendar that was created specifically for the boot camp. Please recall that I referred to Week 3 and beyond as a very fluid environment in which our program managers provided "grab your stuff, you're coming with me" learning opportunities. I've also attached a Word document with extracts from our weekly accomplishment reports (WARs) which highlight some of [redacted] and [redacted] activities.

I hope this helps.

[redacted]



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NSA: 04761

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Release: 2018-09
NSA: 04762

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

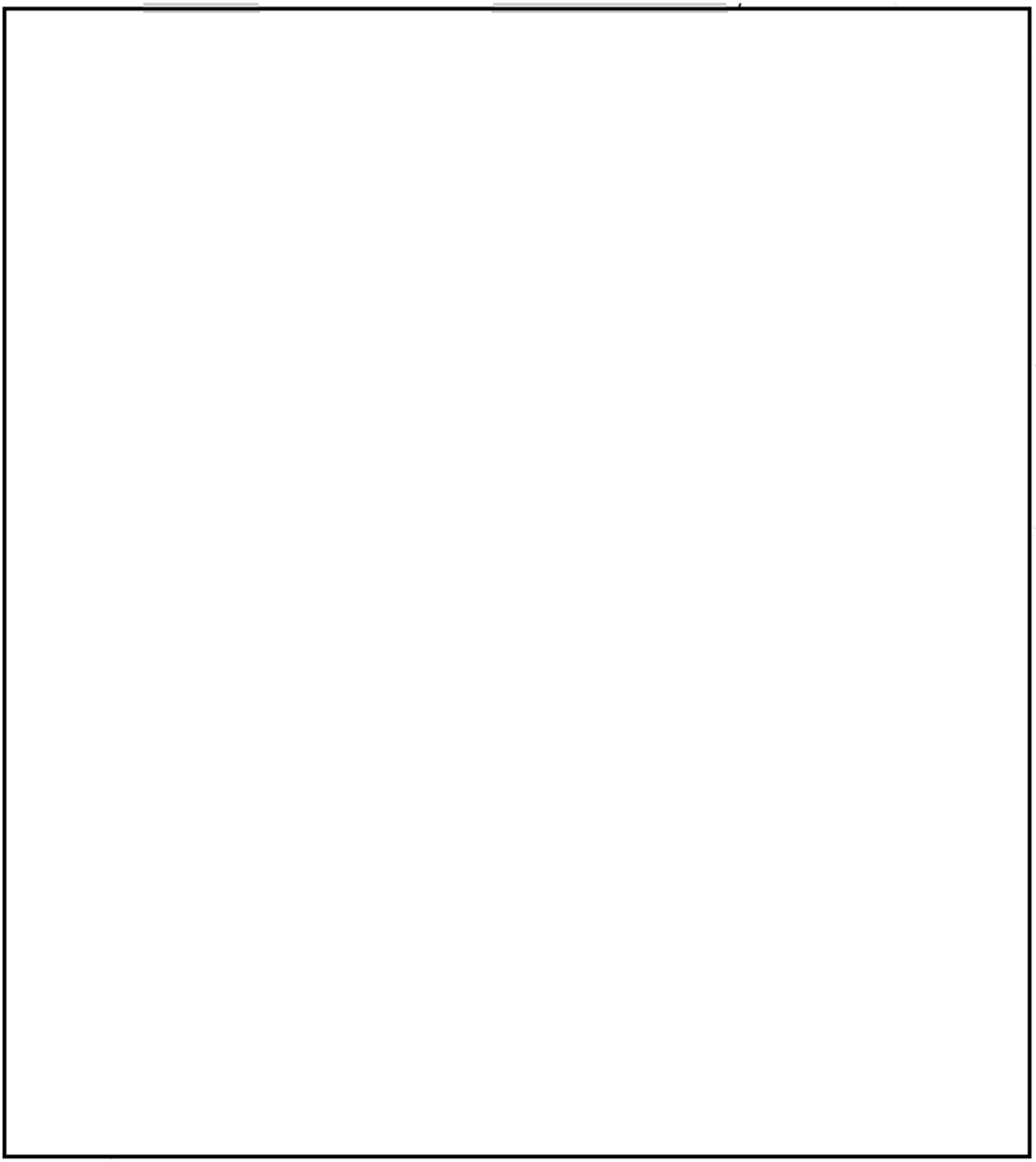




Release: 2018-09
NSA: 04763

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



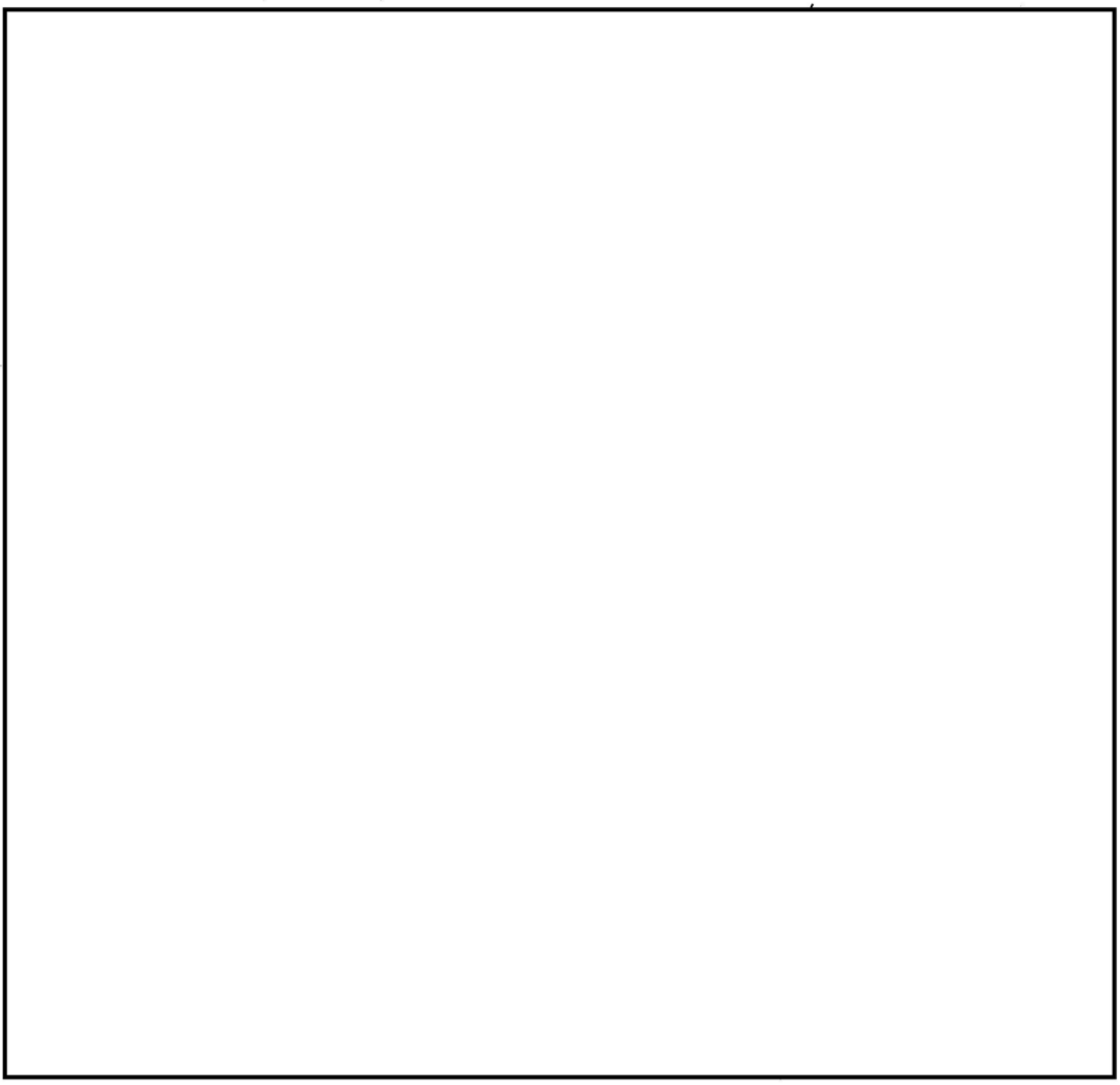




Release: 2018-09
NSA: 04764

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Release: 2018-09
NSA: 04765

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



Release: 2018-09
NSA: 04766

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





Release: 2018-09
NSA: 04767

Doc ID: 6635428

(U) IG Investigation - Request for Interview

**From:** [redacted]
**Sent:** Wednesday, May 08, 2013 11:59 AM
**To:** [redacted]
**Subject:** RE: (U) IG Investigation - Request for Interview
**Attachments:** [redacted]WAR items.doc

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

[redacted]

You expressed interest in learning more about our "boot camp" schedule and the impromptu "shadowing" events that arose while [redacted] and [redacted] were with us. The attached screen images were extracted from a division-wide Outlook Calendar that was created specifically for the boot camp. Please recall that I referred to Week 3 and beyond as a very fluid environment in which our program managers provided "grab your stuff, you're coming with me" learning opportunities. I've also attached a Word document with extracts from our weekly accomplishment reports (WARs) which highlight some of [redacted] and [redacted] activities.

I hope this helps.

[redacted]

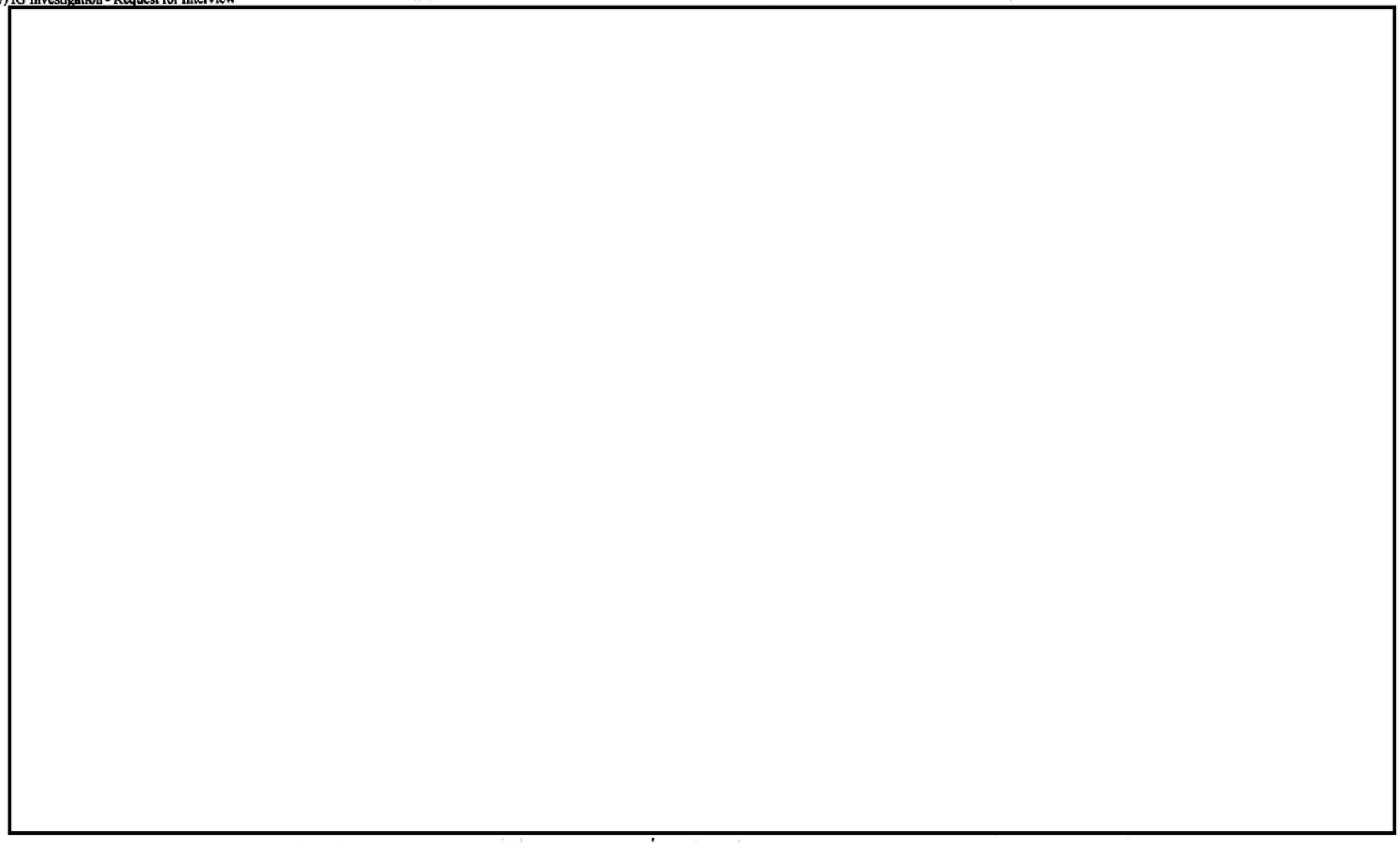
(b)(3) - P.L. 86-36

Release: 2018-09
NSA: 04768

Doc ID: 6635428

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

Release: 2018-09
NSA: 04769



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

Release: 2018-09
NSA: 04770

Doc ID: 6635428

**From:**
**Sent:** Friday, May 03, 2013 12:22 PM
**To:**
**Subject:** RE: (U) IG Investigation - Request for Interview

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

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No problem. Thanks for checking. Thanks for your time and assistance today.

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NSA: 04771

(U//FOUO)
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:**
**Sent:** Friday, May 03, 2013 12:20 PM
**To:**
**Subject:** FW: (U) IG Investigation - Request for Interview

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Since neither nor nor I have a copy of "redirect hiring" memo, perhaps her recruiter, can fill in the blanks. note provides some detail.

Still working on those other deliverables for you.

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

(U//~~FOUO~~)

**From:**
**Sent:** Friday, May 03, 2013 8:44 AM
**To:**
**Subject:** RE: (U) IG Investigation - Request for Interview

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Hi

Sorry just getting in.

th

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NSA: 04772

Doc ID: 6635428

I cannot find an SPF for [redacted] I also have the mission piece you sent me on the 4 . I don't recall pulling the SPF together – in looking back I know I was off on 4 and 5 Feb and when I came back in I checked with [redacted] our recruiter, if she needed anything else. She didn't, and at that point the "redirection" of the hiring for both was underway. My assumption is they used the mission piece since I was out and proceeded.

[redacted]

U//~~FOUO~~

[redacted]

(U//~~FOUO~~) DropBox [redacted]

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NSA: 04773

Doc ID: 6635428





# APPENDIX G

# ANNUAL CONTRIBUTION EVALUATION (ACE) DOCUMENTATION and POLICY



Release: 2018-09
NSA: 04774

Doc ID: 6635428

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**From:** [redacted]
**Sent:** Tuesday, May 07, 2013 3:50 PM
**To:** [redacted]
**Subject:** RE: (U) Creation of ACE Plans

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

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H [redacted]

(b)(6)

I pulled the Documents Actions Report for the 2 employees and here is what I found:

[redacted]

**Plan Dates**

| Employee Name | Employee ID | Appraisal Type | Assigned Role | Plan Cycle | Appraisal Start Date | Appraisal End Date | Plan Due Date | Rating Date | Plan Effective Date | Plan Submitted By | Plan Approved |
|---|---|---|---|---|---|---|---|---|---|---|---|
| [redacted] | | | | 2013 Cycle | [redacted] | | [redacted] | 05/16/13 | 04/25/13 | 05/01/13 | 05/01/13 |

**Evaluation Dates**

| Employee Name | Employee ID | Appraisal Type | Assigned Role | Plan Cycle | Appraisal Start Date | Appraisal End Date | Plan Due Date | Rating Date | Plan Effective Date | Plan Submitted By | Evaluation Status | Evaluation Acknowledged by Employee |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [redacted] | | | | 2013 Cycle | [redacted] | | [redacted] | 05/16/13 | | | In Progress | |

[redacted]

**Plan Dates**

| Employee Name | Employee ID | Appraisal Type | Assigned Role | Plan Cycle | Appraisal Start Date | Appraisal End Date | Plan Due Date | Rating Date | Plan Effective Date | Plan Submitted By | Plan Approved |
|---|---|---|---|---|---|---|---|---|---|---|---|
| [redacted] | | | | 2013 Cycle | [redacted] | | [redacted] | 05/17/13 | 04/18/13 | 04/18/13 | 04/18/13 |

**Evaluation Dates**

| Employee Name | Employee ID | Appraisal Type | Assigned Role | Plan Cycle | Appraisal Start Date | Appraisal End Date | Plan Due Date | Rating Date | Plan Effective Date | Plan Submitted By | Evaluation Status | Evaluation Acknowledged by Employee |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [redacted] | | | | 2013 Cycle | [redacted] | | [redacted] | 05/17/13 | | | In Progress | |

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NSA: 04775

Please let me know if you need more information.

[redacted]

(U//~~FOUO~~) [redacted]

[redacted]

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**From:** [redacted]
**Sent:** Tuesday, May 07, 2013 11:13 AM
**To:** [redacted]
**Subject:** (U) Creation of ACE Plans

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

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

Hell[redacted]

**Does the HR system show when an ACE plan was actually created? If so, I would like to know when plans were created for:**

[redacted]

**already have copies of the ACE plans showing the rating period begins on [redacted] but I am interested in knowing when the plans were actually created.**

**Thank you,**

[redacted]

(b)(6)

(U//~~FOUO~~) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

****PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action****



Release: 2018-09
NSA: 04776

PRIVACY ACT STATEMENT:
Authority for collecting information requested on this form is contained 10 U.S.C. Sections 1601-1614, 50 U.S.C. Section 402 note, and Executive Orders 12333 and 12968. NSA's Blanket Routine Uses found at 58 Fed. Reg. 10,531 (1993) as well as the specific uses found in GNSA09 apply to this information. The requested information will be used for promotion, training, assignment and other human resource purposes. Your disclosure of requested information is voluntary. However, failure to furnish the requested information, other than the Employee ID number, may delay inclusion of the information into your personnel files for consideration in human resource actions.

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

## Performance Document - Perf. Plan and Evaluation

# Manager Evaluation

## Section 1 - Objectives



Release: 2018-09
NSA: 04777

Doc ID: 6635428

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



## Objectives Summary

**Rating:**

**Summary Weight:** 60% (not less than 60%)

(b)(6)

## Section 2 - Performance Elements

### Accountability for Results

**Description:** Defense Intelligence employees are expected to take responsibility for their work, setting and/or meeting priorities, and organizing and utilizing time and resources efficiently and effectively to achieve the desired results consistent with their organization's goals and objectives. In addition, IC supervisors and managers are expected to use these same skills to accept responsibility for and achieve results through the actions and contributions of their subordinates and their organization as a whole.

**Rating:**

### Communication

**Description:** Defense Intelligence employees are expected to effectively comprehend and convey information with and from others in writing, reading, listening, and verbal and non-verbal action. Employees are expected to use a variety of media in communicating and making presentations appropriate to the audience. In addition, IC supervisors and managers are expected to use effective communication skills to build cohesive work teams, develop individual skills, and improve performance.

**Rating:**

### Critical Thinking

**Description:** Defense Intelligence employees are expected to use logic, analysis, synthesis, creativity, judgment, and systematic approaches to gather, evaluate, and use multiple sources of information to inform decisions and outcomes. In addition, IC supervisors and managers are expected to establish a work environment where employees feel free to engage in open, candid exchanges of information and diverse points of view.

**Rating:**

### Engagement and Collaboration

**Description:** Defense Intelligence employees have a responsibility to provide information and knowledge to achieve results. They are expected to recognize, value, build, and leverage organizationally appropriate diverse collaborative networks of coworkers, peers, customers, stakeholders, and teams within an organization and/or across the Defense Intelligence Components and the IC. In addition, Defense Intelligence supervisors and managers are expected to create an environment that promotes engagement, collaboration, integration, and the sharing of information and knowledge.

**Rating:**

### Personal Leadership and Integrity

**Description:** Defense Intelligence employees are expected to demonstrate personal initiative and innovation as well as integrity, honesty, openness, and respect for diversity in their dealings with coworkers, peers, customers, stakeholders, teams, and collaborative networks across the IC. Shows dedication to the principles of diversity and inclusion by demonstrating inclusiveness and sensitivity to individual differences and taking responsibility for



Release: 2018-09
NSA: 04778

maintaining a work environment free from harassment and discrimination. Defense Intelligence employees also are expected to demonstrate core organizational, DoD, and IC values including selfless service, a commitment to excellence, and the courage and conviction to express their professional views.

**Rating:**

**Technical Expertise**

**Description:** Defense Intelligence employees are expected to acquire and apply knowledge, subject matter expertise, tradecraft, and/or technical competency necessary to achieve results. This includes employee compliance with EO 13526 regarding the proper handling of classified information.

**Rating:**

**Performance Elements Summary**

**Rating:**

**Summary Weight:** 40% (not less than 40%)

**Comments:**

(b) (6)

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

## Section 3 - Employee Comments

**Comments:**

## Section 4 - Overall Summary

**Rating:**

## Section 5 - Signatures

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



Release: 2018-09
NSA: 04779

[redacted]

**From:** [redacted]
**Sent:** Wednesday, February 12, 2014 3:04 PM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) ACE Policy question

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

[redacted]

Below is the guidance on how a case like the one you described below should be handled. I probably gave you more than what you needed but I wanted to make sure I clarified how this situation should be/should have been handled to assist with your investigation.

According to NSA/CSS Policy Manual 4-16A, Chapter 2, Annual Contribution Evaluation (ACE), employees should be given performance objectives in writing within 30 days from the time they are hired and/or reassigned, from the beginning of the cycle, or when there is a need to update/add objectives as a result of mission changes. Therefore, this new hire should have had a meeting with his/her supervisor to discuss expectations (face-to-face is possible or if training was held off campus, over the phone). The beginning of the plan should be from their EOD date [redacted] and cover the objectives expected to the completed once the employee returns to the office. The objectives should not be written to address training but should be written in a way that does not penalize the employee for attending a [redacted] training at the beginning of the cycle.

(b) (6)

At the time the employee returns to the office the supervisor can make updates to the plan as necessary but the dates should cover the cycle from EOD date through July 31. The employee would not be rated for the time they were at training and an NR rating would not be appropriate in this case since they will have over 90 days under the plan to obtain a rating at the end of the cycle.

If for some reason the employee were to be reassigned upon their return (highly unlikely since they are serving a 2 year trial and/or obligation period and would need a waiver to move), it would then be appropriate for the supervisor to select non-rated (NR) for all objectives and elements and make a note in each section that the employee was in training for the period covered in the document. If the evaluation's end date is May 2 or later, the NR would become the employee's final for the cycle and the statement you pulled from the policy applies; the employee would not receive a rating for the cycle (profile would not record anything) but for bonus calculation purposes the Compensation Work Bench (CWB) would use the average for the employee's pay pool (presumptive rating) to assign them a raking in the pay pool.

Your last question regarding "long term training", that refers to employees who are assigned to training that cover most or all of the ACE cycle and therefore would be given a placeholder ACE that would be rated as NR at the end of the cycle. Since these employees would not have at least 90 days under an approved plan, they would receive a presumptive rating.

(U//~~FOUO~~) [redacted]

[redacted]

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NSA: 04780

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**From:**
**Sent:** Thursday, January 23, 2014 10:02 AM
**To:**
**Subject:** (U) ACE Policy question

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

Good morning,

With regard to an OIG investigation, I have a question regarding ACE policy as it pertains to new hires who attend training for their first of employment.

Here is the scenario/question....

(b) (6)

A new Agency appointee EODs attends the Agency's required New Employee Orientation training for 2 weeks , and then attends other training (defined as a mission element bootcamp-type of training) for the next days before reporting to the position they were hired to fill. At this point, they would have spent their first days in training.

Should an ACE plan be prepared to cover the days of training? Should they receive ratings for this timeframe?

If so, should the rating period begin (their EOD date), or the date they began the bootcamp training,

I read the policy at Chapter 2, X. Special Circumstances, A.1.d. – were it notes a presumptive rating will be given for employees who are in "long-term training" -- how does the Agency define "long-term training"?

If I should direct my question to someone else, please let me know.

****Do not share or distribute this email further****

Thank you,

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

(U//~~FOUO~~)

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14



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**B. (U) Performance Rating Cycle**

1. (U) The rating cycle officially begins on 1 August of each year with the performance planning process, and ends each year on 31 July unless adjusted by Agency or DoD guidance.

2. (U) *Performance Review Authorities* (PRAs) communicate strategic organizational guidance at the beginning of each rating cycle.

**C. (U) Minimum Period of Performance**

1. (U) To be rated, employees must perform under an approved *Performance Plan* for at least 90 days during the current rating cycle.

2. (U) Employees who have not completed the minimum period of performance during the applicable rating cycle shall not be rated. Periods of less than 90 days not included in the current rating cycle will be covered in the subsequent rating cycle.

3. (U) Employees who are not ratable because they have not or will not have performed the minimum required period of service shall be so advised by the rater during the initial performance planning session.

4. (U) The rating cycle for an employee shall not exceed 15 months. No extension to the rating cycle will be granted for any reason.

5. (U) Employees who have performed for the minimum period shall be issued an Evaluation of Record in accordance with this chapter.

6. (U) If the employee has been covered by the Performance Plan but not by the rater for 90 days at the end of the rating cycle, the organization can allow either the new rater or the next level manager in the organization to complete the Evaluation of Record, with input from prior raters/managers.

**D. (U) Performance Planning**

1. (U) During August of each year, raters and employees shall engage in dialogue to establish performance objectives that the employee shall be expected to accomplish during the rating cycle.



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should represent the culmination of year-long, ongoing feedback between the rater and employee regarding performance.

2. (U) When employees and raters differ in their perceptions of accomplishments, the rater shall address the differences in the end-of-year performance dialogue.

3. (U) Feedback provided to the employee shall include a discussion of the accomplishments during the year and how work-related behaviors captured in the performance elements may have contributed to or inhibited overall success. The discussion shall also focus on achievements against developmental goals for the year and what additional developmental objectives may contribute to continued improvements in employee performance.

4. (U) Employees have 10 days from the time the proposed performance evaluation is made available and presented by the rater to acknowledge the evaluation and submit comments. Once the employee has acknowledged receipt of the evaluation and returned it to the rater, the rater will sign or electronically complete the evaluation and it becomes the official Evaluation of Record.

5. (U) If the employee refuses to acknowledge or is unavailable to acknowledge the performance evaluation within 10 days, the rater may notate this circumstance and complete the evaluation.

## X. (U) Special Circumstances

### A. (U) Situations Where an Evaluation of Record is not Completed

1. (U) An employee will receive a *presumptive rating of record* if he/she:

   a. (U) Has not been under a Performance Plan for a minimum of 90 days at the end of a rating cycle and does not have a *Closeout Evaluation* (does not include new hires); or

   b. (U) Is absent in a non-duty status (e.g., Family Medical Leave (FML) or Leave Without Pay (LWOP)) at the end of a rating cycle and does not have a Closeout Evaluation; or



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c. (U) Has been in a clearance-suspended status for more than 9 months at the end of a rating cycle and does not have a Closeout Evaluation; or

d. (U) Is absent in a duty status (e.g., long-term training or other special circumstances) and does not have a Closeout Evaluation.

2. (U) If an employee has a Closeout Evaluation prior to any reasons listed in #1 above, that Closeout Evaluation shall become the Evaluation of Record.

3. (U) Employees hired in the last 90 days of the rating cycle will not receive a rating of record, nor will they receive a presumptive rating. Accomplishments from this period will be included in the following year's Evaluation of Record, which can cover up to 15 months.

**B. (U) Employees on Deployments or Details**

1. (U) If an employee is deployed or detailed, the employee's parent organization rater, in collaboration with the forward deployed or detailed supervisor, is responsible for modifying the performance plan, documenting the employee's performance while on deployment/detail, and completing the final evaluation.

2. (U) Objectives that support the work being performed while on deployment or detail must be added to the Performance Plan. The new plan will include both the new deployment or detail objectives and the existing objectives. The existing objectives may need to be modified as a result of adding new deployment/detail objectives.

3. (U) At the end of the cycle, the rater will solicit input from the deployment/detail supervisor regarding the deployment/detail objectives.

**C. (U) Employees Absent to Perform Uniformed Military Service**

1. (U) Employees who are absent from their positions in order to perform uniformed military service shall be entitled to all protections of Reference 6.

2. (U) Employees who leave their positions during a rating cycle to serve a period of active uniformed military service, and who have completed at least 90 days under their Performance Plan, shall be entitled to a Closeout



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PRIVACY ACT STATEMENT:
Authority for collecting information requested on this form is contained 10 U.S.C. Sections 1601-1614, 50 U.S.C. Section 402 note, and Executive Orders 12333 and 12968. NSA's Blanket Routine Uses found at 58 Fed. Reg. 10,531 (1993) as well as the specific uses found in GNSA09 apply to this information. The requested information will be used for promotion, training, assignment and other human resource purposes. Your disclosure of requested information is voluntary. However, failure to furnish the requested information, other than the Employee ID number, may delay inclusion of the information into your personnel files for consideration in human resource actions.

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

## Performance Document - Perf. Plan and Evaluation

# Manager Evaluation

## Section 1 - Objectives



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**Objectives Summary**

**Rating:**

**Summary Weight:** 60% (not less than 60%)

(b) (6)

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

## Section 2 - Performance Elements

**Accountability for Results**

**Description:** Defense Intelligence employees are expected to take responsibility for their work, setting and/or meeting priorities, and organizing and utilizing time and resources efficiently and effectively to achieve the desired results consistent with their organization's goals and objectives. In addition, IC supervisors and managers are expected to use these same skills to accept responsibility for and achieve results through the actions and contributions of their subordinates and their organization as a whole.

**Rating:**

**Communication**

**Description:** Defense Intelligence employees are expected to effectively comprehend and convey information with and from others in writing, reading, listening, and verbal and non-verbal action. Employees are expected to use a variety of media in communicating and making presentations appropriate to the audience. In addition, IC supervisors and managers are expected to use effective communication skills to build cohesive work teams, develop individual skills, and improve performance.

**Rating:**

**Critical Thinking**

**Description:** Defense Intelligence employees are expected to use logic, analysis, synthesis, creativity, judgment, and systematic approaches to gather, evaluate, and use multiple sources of information to inform decisions and outcomes. In addition, IC supervisors and managers are expected to establish a work environment where employees feel free to engage in open, candid exchanges of information and diverse points of view.

**Rating**

**Engagement and Collaboration**

**Description:** Defense Intelligence employees have a responsibility to provide information and knowledge to achieve results. They are expected to recognize, value, build, and leverage organizationally appropriate diverse collaborative networks of coworkers, peers, customers, stakeholders, and teams within an organization and/or across the Defense Intelligence Components and the IC. In addition, Defense Intelligence supervisors and managers are expected to create an environment that promotes engagement, collaboration, integration, and the sharing of information and knowledge

**Rating:**

**Personal Leadership and Integrity**

**Description:** Defense Intelligence employees are expected to demonstrate personal initiative and innovation as well as integrity, honesty, openness, and respect for diversity in their dealings with coworkers, peers, customers, stakeholders, teams, and collaborative networks across the IC. Shows dedication to the principles of diversity and inclusion by demonstrating inclusiveness and sensitivity to individual differences and taking responsibility for



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maintaining a work environment free from harassment and discrimination. Defense Intelligence employees also are expected to demonstrate core organizational, DoD, and IC values including selfless service, a commitment to excellence, and the courage and conviction to express their professional views.

**Rating:**

**Technical Expertise**

**Description:** Defense Intelligence employees are expected to acquire and apply knowledge, subject matter expertise, tradecraft, and/or technical competency necessary to achieve results. This includes employee compliance with EO 13526 regarding the proper handling of classified information.

**Rating:**

**Performance Elements Summary**

**Rating**

**Summary Weight:** 40% (not less than 40%)

**Comments:**

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

## Section 3 - Employee Comments

**Comments:**

(b) (6)

## Section 4 - Overall Summary

**Rating:**

## Section 5 - Signatures

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



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NSA: 04787

Doc ID: 6635428





# APPENDIX H

**Documentation,** [redacted]

**Employee Profile**
**Hire Action (SF50)**
**Two-year New Hire Waiver**
**PCS Orders**
**Claim Vouchers**

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



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EMPLOYEE PRIVACY ACT
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(b)(6)

Standard Form 50
Rev 7/91
U.S. Office of Personnel Management
Guide to Processing Personnel Actions, Chapter 4

# NOTIFICATION OF PERSONNEL ACTION

| 46. Employing Department or Agency | | | 50. Signature/Authentication and Title of Approving Official |
|---|---|---|---|
| Department of Defense<br>National Security Agency/Central Security Service. | | | |
| 47. Agency Code | 48. Personnel Office ID | 49. Approval Date | Kathleen A. Hutson<br>Associate Director for Human Resources |
| DD28 | 6944 | 02-11-2013 | |

Editions Prior to 7/91 Are Not Usable After 6/30/93

1 - Employee Copy

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(b)(6)

SECURITY CLASSIFICATION

# NSA STAFF PROCESSING FORM

| | | |
|---|---|---|
| TO Chief [redacted] | EXREG CONTROL NUMBER | KCC CONTROL NUMBER |
| THRU | ACTION: [X] APPROVAL [ ] SIGNATURE [ ] INFORMATION | EXREG SUSPENSE / KCC SUSPENSE / ELEMENT SUSPENSE |
| SUBJECT: U//~~FOUO~~) Waiver to Two-Year Obligation - [redacted] | | |
| DISTRIBUTION: [redacted] | | |

SUMMARY

[redacted]

COORDINATION/APPROVAL

| OFFICE | NAME AND DATE | SECURE PHONE | OFFICE | NAME AND DATE | SECURE PHONE |
|---|---|---|---|---|---|
| [redacted] | | | | | |
| [redacted] | | | | | |
| | | | | | |
| Site HR | | | | | |

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

| ORIGINATOR | ORG. | PHONE (Secure) | DATE PREPARED |
|---|---|---|---|
| [redacted] | | | |

FORM A6796DE REV NOV 2008(Supersedes A6796 FEB 05 which is obsolete)
NSN: 7540-FM-001-5465
Derived From:
Dated:
Declassify On:

SECURITY CLASSIFICATION
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(b)(6)



Release: 2018-09
NSA: 04797

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

# REQUEST/AUTHORIZATION FOR DOD CIVILIAN PERMANENT DUTY OR TEMPORARY CHANGE OF STATION (TCS) TRAVEL

*(Reference: Joint Travel Regulations) (Read Privacy Act Statement on back before completing form.)*

## SECTION I - REQUEST FOR OFFICIAL TRAVEL

1. DATE (YYYYMMDD): 20130418
2. NAME (Last, First, Middle):
3. SOCIAL SECURITY NUMBER:
4. NEW POSITION TITLE: FEDERAL GOVT EMPLOYEE
5. GRADE OR RATING:
6. RETIREMENT CODE (Insert retirement code from Block 30 of employee's most recent SF 50. If unknown, employee should contact their servicing personnel office.): FERS
7. RELEASING OFFICIAL STATION AND LOCATION, OR ACTUAL RESIDENCE: DEPARTMENT OF DEFENSE, FT MEADE, MD 20755-6000
8. NEW OFFICIAL STATION AND LOCATION, ACTUAL RESIDENCE OR ALTERNATE DESTINATION: DEPARTMENT OF DEFENSE, KUNIA, HI 96857-5300; LENGTH OF TOUR: 36 Months
9. REPORTING DATE AT NEW DUTY STATION (YYYYMMDD):
10. TRAVEL PURPOSE: [X] BETWEEN OFFICIAL STATIONS; [ ] RENEWAL AGREEMENT; [ ] RETURN FROM OVERSEAS FOR SEPARATION; [ ] TEMPORARY CHANGE OF STATION; [ ] OTHER
11. TRANSPORTATION MODE: [ ] GOVERNMENT; [X] COMMERCIAL; [ ] POC; [ ] RAIL; [X] AIR; MILEAGE RATE: $ 0.240
12a. PER DIEM FOR EMPLOYEE: [X] YES [ ] NO
b. PER DIEM FOR DEPENDENT(S): [ ] YES [X] NO
13a. ROUND TRIP TRAVEL FOR HOUSE HUNTING: [X] YES [ ] NO; ACTUAL EXPENSE [X] FIXED
b. NUMBER OF DAYS (Including travel): 10
14a. TEMPORARY QUARTERS SUBSISTENCE EXPENSE: [X] YES [ ] NO; ACTUAL EXPENSE [X] FIXED
b. NUMBER OF DAYS AUTHORIZED: 30
15a. HOUSEHOLD GOODS (HHG) SHIPMENT: [X] YES [ ] NO; [ ] COMMUTED RATE; [X] GOVERNMENT BILL OF LADING (GBL)
b. NET WEIGHT AUTHORIZED:
16. OTHER AUTHORIZED EXPENSES: [X] TEMPORARY STORAGE OF HHG; [X] NONTEMPORARY STORAGE OF HHG; [ ] RELOCATION SERVICES; [ ] PROPERTY MANAGEMENT SERVICES; [X] REAL ESTATE EXPENSES; [X] UNEXPIRED LEASE; [X] RELOCATION INCOME TAX ALLOWANCE; [X] POV SHIPMENT [ ] CONUS [X] OCONUS; [X] MISCELLANEOUS EXPENSES; [ ] TRAVEL ADVANCE AUTHORIZED (Amount): $
17. DEPENDENT TRAVEL: [ ] CONCURRENT; [ ] DELAYED; [ ] EARLY RETURN; [X] NOT AUTHORIZED
18a. DEPENDENT TRAVEL FROM (Home Address):
b. TO (New PDS): (b) (6)
19. DEPENDENTS

| a. NAME (Last, First, Middle initial) | b. RELATIONSHIP | c. DATE OF BIRTH (YYYYMMDD) |
|---|---|---|
| | | |

20. ESTIMATED COST

| a. PER DIEM | b. TRAVEL | c. OTHER | d. TOTAL |
|---|---|---|---|
| $ | | | |

21. TRANSPORTATION AGREEMENT SIGNED (X one): [X] YES [ ] NO; DATE SIGNED (YYYYMMDD): 20130402

## SECTION II - AUTHORIZATION FOR OFFICIAL TRAVEL

22. ACCOUNTING CITATION:
CONTINUED IN BLOCK 28
23. APPROVING OFFICIAL
a. TITLE: APPROVING OFFICIAL
24. AUTHORIZING/ORDER ISSUING OFFICIAL
a. TITLE: AUTHORIZING OFFICIAL
b. SIGNATURE:
c. ORGANIZATION ADDRESS: FT MEADE, MD 20755-6000
25. TRAVEL AUTHORIZATION NUMBER:
26. DATE ISSUED (YYYYMMDD): 20130418

DD FORM 1614, MAY 2003 PREVIOUS EDITION IS OBSOLETE.

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

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

**PRIVACY ACT STATEMENT**

*(5 U.S.C. §552a)*

**AUTHORITY**: 5 U.S.C. §§5701, 5702, and E.O. 9397 (SSN)

**PRINCIPAL PURPOSE(S)**: Used as authority to issue transportation documents, bills of lading for household goods and automobiles, and as a supporting authorization for cash payment of travel and transportation allowances

**ROUTINE USE(S)**: None

**DISCLOSURE**: Voluntary, however, failure to provide the requested information may preclude timely consideration of your request

**SECTION III - ADMINISTRATIVE INFORMATION**

**27. CLAIMANT - FORWARD COMPLETED SETTLEMENT CLAIM TO THE FOLLOWING ADDRESS:**

*(Losing Gaining Activity - provide the address to where the employee should submit this claim for final disbursement.)*

FOR EMPLOYEES, PCS CLAIMS MUST BE SUBMITTED WITHIN 5 DAYS UPON COMPLETION OF HHT/PCS. PLEASE CONSULT YOUR LOCAL HR OFFICE OR MGL TO SUBMIT VOUCHERS. FAX [redacted] OR MAIL VOUCHERS TO: DEPARTMENT OF DEFENSE, 9800 SAVAGE ROAD, FT. MEADE, MD 20755-6647, ATTN: [redacted]

[redacted]

**28. REMARKS OR OTHER AUTHORIZATIONS** *(Use this space for special requirements, leave, excess baggage, etc., or other authorization.)*

This PDT/TCS travel authorization may be amended by the gaining activity. Expenses/charges not allowed at Government expense are the financial responsibility of the employee concerned

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

BLOCK #22: ACCOUNTING INFORMATION: CONTINUED

[redacted]

BLOCK #28: REMARKS FOR TRAVEL ORDER [redacted]

TRAVEL AND TRANSPORTATION:

[redacted]

DD FORM 1614 (BACK), MAY 2003

# DEPARTMENT OF DEFENSE (DOD) TRANSPORTATION AGREEMENT
# TRANSFER OF CIVILIAN EMPLOYEES OUTSIDE CONUS (OCONUS)

*(Outside the 48 Contiguous States and the District of Columbia)*

## PRIVACY ACT STATEMENT

(5 U.S.C. §552a)

**AUTHORITY:** 5 U.S.C. §5701, §5722, §5723, §5724, and E.O. 9397 (SSN)

**PRINCIPAL PURPOSE(S):** Used to establish Government time in service requirements in order for the employee (including appointees and student trainees) to be eligible for travel and transportation expenses when transferred to positions outside the Continental United States (OCONUS).

**ROUTINE USE(S):** In addition to being used by officials and employees of the applicant's Service in determining eligibility for travel and transportation expenses, the information contained herein may be provided to law enforcement personnel investigating those suspected of fraudulently obtaining allowances.

**DISCLOSURE:** Voluntary; however, completion of this form is necessary before transfer can be authorized and expenses paid. The personal information requested is necessary to properly identify the employee.

| A. EMPLOYEE NAME *(Last, First, Middle Initial)* | B. TYPE OF AGREEMENT |
|---|---|
| | [ ] INITIAL [X] PERMANENT CHANGE OF STATION (PCS) ONLY<br>[ ] RENEWAL [ ] RENEWAL IN CONJUNCTION WITH PCS |

| C. EMPLOYEE SSN | D. NEW APPOINTEE OR STUDENT TRAINEE | E. REPORT DATE TO NEW OR FIRST PERMANENT DUTY STATION (PDS) *(YYYYMMDD)* |
|---|---|---|
| | [ ] YES<br>[X] NO | |

| F. LAST PDS LOCATION | G. ACTUAL RESIDENCE AT TIME OF APPOINTMENT *(To be determined at time of initial agreement)* |
|---|---|
| Ft. Meade, MD 20755 (b) (6) | (b) (3) - P.L. 86-36<br>(b) (6) |

1. 5 U.S.C. §5722 and §5723, provide, under certain conditions, for travel and transportation expenses of the employee (including new appointees or student trainees eligible for first PDS travel), appropriate allowances for the employee's immediate family, movement and storage of household goods (HHG) and personal effects, and certain other allowances incident to an appointment or transfer to an OCONUS location, except movement and storage of HHG is not allowed for round-trip renewal agreement travel. Under the law, the allowances shall not be authorized unless the employee agrees in writing to remain in the Government service for a prescribed period of time. Accordingly, to establish eligibility for the authorized allowances, the following agreement must be executed.

2. I understand and agree that:

a. When I complete 36 months, the prescribed tour of duty, I will be eligible for return travel and transportation allowances at Government expense for myself, my dependents, or my household effects, to my actual residence at time of appointment stated above for purpose of separation from the service, unless separated early for reasons beyond my control that are acceptable to the agency concerned.

b. I will remain in Government service for at least 12 months beginning with the effective date of my transfer or appointment to my new OCONUS PDS, unless separated for reasons beyond my control that are acceptable to the agency concerned. If I fail to remain in service the required minimum period of time, or if I am removed for cause before expiration of the required minimum period of service, I am obligated and will, upon demand, repay to the Government a sum of money equivalent to what the Government paid for travel and transportation and related allowances associated with the transfer of myself and my dependents, e.g., HHG storage and shipment, CONUS temporary quarters subsistence expenses, (but not OCONUS temporary quarters subsistence allowance), real estate and/or relocation expenses, miscellaneous expenses, and any other related allowances incident to my transfer, from beginning point of travel to the PDS. The employing Agency may withhold any final pay due to me to apply against or liquidate any indebtedness arising from a violation of this agreement.

3. I understand that the period of service specified above is for the sole purpose of establishing my eligibility for travel and transportation allowances, and other related allowances which may be authorized.

*(Continued on Back)*

| H. EMPLOYEE SIGNATURE | I. DATE SIGNED *(YYYYMMDD)* |
|---|---|
| | 20130416 |

DD FORM 1617, NOV 1999 PREVIOUS EDITION IS OBSOLETE.

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

J. **OTHER REMARKS** *(To be completed by personnel office or employing agency officials only.)*

**DD FORM 1617 (BACK), NOV 1999**

Doc ID: 6635428



# NATIONAL SECURITY AGENCY
# RELOCATION INCENTIVE SERVICE AGREEMENT

I [redacted] hereby accept the relocation incentive amount as calculated in the Certification of Relocation Incentive Eligibility form. I agree to serve for the Director, National Security Agency at the new Duty Station (NSAH) for a minimum of 36 months.

The only exceptions to this agreement are: (1) the Government determines that it is necessary to relocate me to a different commuting area, or (2) the agreement is terminated for the convenience of the Government.

I understand that failure to complete the above length of tour, or any portion thereof, as a result of my misconduct, unsatisfactory performance, or my own request will require that I repay a pro rata portion of the relocation incentive. The pro rata portion will be based on the period of service remaining under this Agreement. Upon reassignment from the above tour of duty, NSA Finance will take action to recoup this pro rata amount after notifying me of the amount owed.

I understand that my Relocation Incentive Action will be processed the 1st full pay period after the date on which the employee reports for duty at the new duty station. Payment will be included in the employee's pay for the first full pay period served at the new duty station. This ensures that the Relocation Incentive is taxed based on the new duty station.

[redacted] (b) (6)

Employee's Signature

[redacted]

PCS Officer's Signature as Witness

[redacted]

Printed Name

[redacted]

Printed Name

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

04/16/2013

Date

Date

Revised: 01 Nov 2012
Global HR & PCS Service Center

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



Release: 2018-09
NSA: 04802

Doc ID: 6635428



# NATIONAL SECURITY AGENCY
# CERTIFICATION OF RELOCATION INCENTIVE ELIGIBILITY

Authorities: Title 5, United States Code, Section 5753; Title 5, Code of Federal Regulations, Part 575, Subpart B; Section 405 of Public Law 102-496, dated 24 October 1992. DIRNSA's Extended Enterprise Incentives Decision (DIRGRAM-204) dated 2 October 2001.

The Director, National Security Agency has determined that, in the absence of such an incentive, difficulty would be encountered in filling this position with a high quality candidate. Under the provisions of the above authorities, a relocation incentive is authorized for acceptance of and relocation to a position in a different commuting area as follows:

Employee's Name: [redacted] (b) (3) - P.L. 86-36 (b) (6)

New Duty Station: NASH

New Position/Grade: [redacted]

Effective (Report) Date: [redacted]
(date employee reported for duty at new duty station)

New Annual Rate of Pay: [redacted]
(in position to which relocated) INCLUDING locality-based comparability payments

Relocation Incentive Percentage Rate: [redacted]

Relocation Incentive Payment Amount: [redacted]

Relocation Incentive Payment is (circle one): One Time Lump / Multi-Year based on initial Tour Length

Length of Obligation (Initial Tour Length): 36 months
(IAW NSA/CSS PMM 391 1-4, but not less than 12 months) (computed from effective date)

Expiration Date of Service Obligation: [redacted] (b) (6)
(computed from effective date)

***Relocation Incentive Action will be processed the 1st full pay period after the date on which the employee reports for duty at the new duty station. Payment will be included in the employee's pay for the first full pay period served at the new duty station. This ensures that the Relocation Incentive is calculated and taxed based on the new duty station. For Multi-Year Relocation Incentives, future payments will be made the first full pay period after the anniversary of the first payment and will be based on the employee's basic pay at the time they reported for duty.**

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

Form completed by: [redacted]
PCS Officer's Signature Printed Name Date

[redacted] 4/16/2013
Employee's Signature Printed Name Date

Revised: 01 Nov 2012
Global HR & PCS Service Center



Release: 2018-09
NSA: 04803

Doc ID: 6635428

(b) (6)

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(b) (6)

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April 15, 2013

Name [redacted] Current Salary [redacted] Field Salary [redacted]

## Summary of CONUS PCS Entitlements

[redacted]

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Global HR & PCS Service Center

(b) (2)
(b) (3) - P.L. 86-36

Release: 2018-09
NSA: 04804

Doc ID: 6635428



April 15, 2013

(b)(2)
(b)(3) - P.L. 86-36



Revised: 15 Oct 2012
Global HR & PCS Service Center

Release: 2018-09
NSA: 04805

Doc ID: 6635428



April 15, 2013



(b) (2)
(b) (3) - P.L. 86-36



Revised: 15 Oct 2012
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Release: 2018-09
NSA: 04806

Doc ID: 6635428

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



April 15, 2013

I have been fully briefed on all above entitlements and understand that the rates used herein were current at the time of my briefing, but are subject to change. Questions about entitlements will be addressed to [redacted] or site HR as appropriate.

Employee Signature: [redacted] Date: 04/16/2013

Desk Officer Signature: _____ Date: _____

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



Revised: 15 Oct 2012
Global HR & PCS Service Center

Release: 2018-09
NSA: 04807

SECURITY CLASSIFICATION

(b) (6)

# DECLARATION OF INTENT TO REMAIN AT POST OF DUTY

IN [X] accepting an overseas assignment — AS (Work Role/Grade)

IN [ ] the continued performance of my overseas duties

SKILL COMMUNITY | AT (Location): NSAH | FOR A PERIOD OF: 36 months

I agree to accept the following condition of employment: should an emergency be declared or should the evacuation of non-combatants be ordered during my tour of duty, I will remain at my post of duty and will perform the duties assigned to me by the Director, NSA/CSS, until I am relieved or ordered to a new assignment by the Director, NSA/CSS, or his duly authorized representative, or until I am recalled to active duty.

CHECK APPROPRIATE ITEMS

[ ] I possess no status in the U.S. military reserve system.

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[ ] I hold a *(standby, ready, retired)* reserve status, as indicated below

[ ] ARMY [ ] NAVY [ ] AIR FORCE [ ] MARINE CORPS [ ] COAST GUARD

In accordance with PMM Chapter 390.3-5e, signing this declaration is a condition of assignment overseas. Refusing to sign means (A) Your current tour will not be extended, or (B) You will not be selected for this assignment.

PRINTED NAME | SIGNATURE | DATE: 04/16/2013

WITNESSED

NAME | DATE

TITLE

FORM P7929 REV MAR 2001 (*Supersedes P7929 REV JAN 2000 which is obsolete*) | SECURITY CLASSIFICATION

Derived From:
Dated:
Declassify On:

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

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(b) (6)

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**Memorandum for the Record: OFFICIAL MODES OF TRAVEL FOR PCS VS CIRCUITOUS TRAVEL**

I [redacted] understand that I am only authorized official travel by the designated official mode of travel (see below) between my official duty stations at government expense for my PCS travel. Any personal changes that I wish to make in conjunction with my PCS travel that is not on the government contracted carrier and/or not the standard flight routing is considered circuitous travel. This includes Military Air such as the Patriot Express. I understand that in order to perform circuitous travel I must make my original travel reservations with [redacted] (or local travel office if at a field site) and cancel that reservation. Once the reservation is cancelled [redacted] will credit that amount to my Government Travel Charge Card account and I will be free to make my own personal arrangements as long as it is on a US carrier. By making my own personal travel arrangements, I understand that I will be responsible for any costs that exceed the authorized official mode of travel. If there are any delays en route when performing circuitous travel, the government will not be responsible for lodging or per diem during this delay and I will be required to take my own personal annual leave during that period, which must be approved in advance by my gaining supervisor.

I understand that I will be reassigned to my new duty station the day after I depart my current duty station. I understand that I am only authorized duty hours on my normally scheduled work days (Monday – Friday, up to 8 hours per day unless on a documented shift schedule, such as AWS 6) and agree to submit a leave request to my gaining supervisor approving up to 14 days of annual leave beginning with the day after I depart in the event of any travel delays caused by traveling via circuitous travel for personal reasons.

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

Employee Signature: [redacted]

Date: 04/16/2013

HR Signature: _____

Date: _____

Official Travel Modes IAW the JTR/MG Policy:

**POV:** If the employee/dependent can drive their POV to the new PDS over hard-surfaced all-weather highways (including ferries), POV is the official mode of transportation. Examples include PCS within CONUS, from CONUS to Alaska or Ottawa, Canada, within Europe (UK to Germany), etc.

**Commercial Air via Contract Carrier:** For all other PCS travel, commercial air is the official mode of transportation. Examples include PCS to Hawaii, from the US to most foreign OCONUS PDS, from one foreign PDS to another (unless reachable by hard-surface). PCS travel on a Foreign Flag carrier is prohibited, unless approved in advance by the Chief or D/Chief, [redacted] and only if a US Flag carrier is not available. For RAT, one alternate location may be authorized IAW with the JTR.

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Release: 2018-09
NSA: 04809

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## Government Travel Charge Card (GTCC) Acknowledgement

You are responsible to pay your Government Travel Charge Card (GTCC) account by the due date even if reimbursement has not yet occurred. Respond promptly to your statements to avoid late charges/delinquency.

Approximately 30 days prior to departure, you must contact the GTCC Program Office to have your GTCC placed in PCS/Mission Critical status prior to incurring expenses. Please send an email to DL BF212_travelcard or call 769-7100s requesting PCS status and your departure date. PCS Status is only for 90 days, so you don't want to request it too soon.

As soon as you pay your last statement prior to your departure, you are responsible for contacting the APC (see GTCC POC sheet) to change your address. Contact them immediately for any other issues with your GTCC.

Airline tickets are not released until approximately 1 week prior to travel so reimbursement can occur prior to your due date.

Vouchers for PCS expenses charged to the GTCC should be submitted within 5 business days.

For after-hours emergencies when using GTCC, please call [redacted]

You may use the GTCC for the following expenses if applicable to your PCS (please check with your desk officer if you have any questions on what entitlements are authorized for your PCS):

Airfare
Taxi or Rental Car (government compact rate only, no insurance) to/from airport
Postage for items mailed via USPS to new duty station
POV Drop Off or Pick up at port (Only when authorized - not for employee arranged POV Shipment)
Gas, Lodging, and Meals for Cross Country Travel
FTA – Foreign Transfer Allowance
TQSA – Temporary Quarters Subsistence Allowance
TQSE – Temporary Quarters Subsistence Expense (Actual/Itemized ONLY)
UK VISA Fees

[redacted]
Employee Signature

04/16/2013
Date

[redacted]
HR Officer Signature

Date

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(b)(6)

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NSA: 04810

Defense National Relocation Program (DNRP) Declination

I [redacted], have been counseled on the DNRP. I am declining use of the program and understand that my travel orders cannot be amended to add this entitlement at a later date.

[redacted]

Employee's Name, Date

[redacted]

HR Rep's Name, Date

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Doc ID: 6635428



# HOUSEHUNTING METHOD ELECTION FORM

Househunting Trips (HHT) (taxable entitlement) are a discretionary entitlement which may be authorized for PCS within the United States when the old and new duty stations are at least 75 miles apart. Up to 10 calendar days may be authorized (including weekends, holidays and travel time). Days must be consecutive and cannot be interrupted for TDY (including permissive), visit to the new office, or leave. Please note that election of a HHT with an election of Temporary Quarters Subsistence Expense – Actual Expense (TQSE – AE) method will limit the initial period of TQSE – AE to 30 days, with the possibility of extending to 45 days in limited circumstances (See TQSE Election Form for details).

Lodging Plus Method: The HHT includes round trip airfare, per diem (paid at the standard CONUS per diem rate - NOT the site per diem rate) and a compact rental car (GPS not authorized per JTR) for employee and spouse. Other dependents may travel at the employee's expense. (Note: A domestic partner is not a spouse and cannot be authorized a HHT 1 USC 7).

Lump Sum Method: The HHT includes airfare, a compact rental car for up to 10 days, and a Lump Sum per diem payment based on the site per diem rate. When the employee and spouse both perform HHT travel (either separate or together), the per diem rate of the new PDS is multiplied by 6.25. If only one person performs a HHT (either the employee or spouse), then the per diem rate of the new PDS is multiplied by 5. The employee and/or spouse may then flex the number of days they perform HHT travel, NTE 10 consecutive calendar days.

HHT Method Comparison

| Lodging Plus Method | Lump Sum Method |
|---|---|
| | |

(b) (6)

Please select one:

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☐ wish to decline a Househunting trip.

☐ wish to elect the Lodging-Plus Method for my Househunting trip.

☐ wish to elect the Lump Sum Method for my Househunting trip.

☐ understand my election and that if I elect a Househunting & TQSE AE my initial TQSE will be limited to 30 days.

**Signature:** _____ **Date:** 04/16/2013

**PCS Officer Signature:** _____ **Date:** _____



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(b) (6)

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# TEMPORARY QUARTERS SUBSISTENCE EXPENSE (TQSE) LUMP SUM METHOD ELECTION FORM

TQSE LUMP SUM (LS) - payment will be calculated using the per diem rate in affect at the time TQSE LS is accepted, based on the report date and where temporary quarters will be occupied (either old or new PDS). Receipts are not required for reimbursement.

| Authorized Traveler | Day 1 - 30 |
|---|---|
| Employee | Locality Rate at old/new official station x .75 |
| Spouse/Dependents | Locality Rate at old/new official station x .25 |

I am requesting ____ days at my old duty station and ____ days at my new duty station for a total of ____ days (NTE 30 days) of TQSE LS.

Employee: Please provide justification for number of days requested:

Number of days approved: ____ HR Rep Signature: _____

If number of days approved is less than the number requested, do you still wish to elect TQSE LS?

Yes or No (circle one) Employee Signature: _____

Please initial each item below:

(b) (6)

_____ understand that an extension to the number of days approved may not be granted for any reason.

_____ understand that TQSE is subject to Federal, State, and Local taxes, as well as FICA (if covered RS) and Medicare.

_____ certify that while receipts are not required for TQSE LS, I will be incurring expenses for myself my dependents related to temporary quarters and/or subsistence.

_____ elect the United States Lump Sum option and understand that this election is irrevocable.

_____ **understand my election and decline the Actual Expense TQSE option.**

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(b) (6)

**Signature:** _____ **Date:** 04/16/2013

**PCS Officer Signature:** _____ **Date:** _____

Revised: 3 January 2013
Global HR & PCS Service Center

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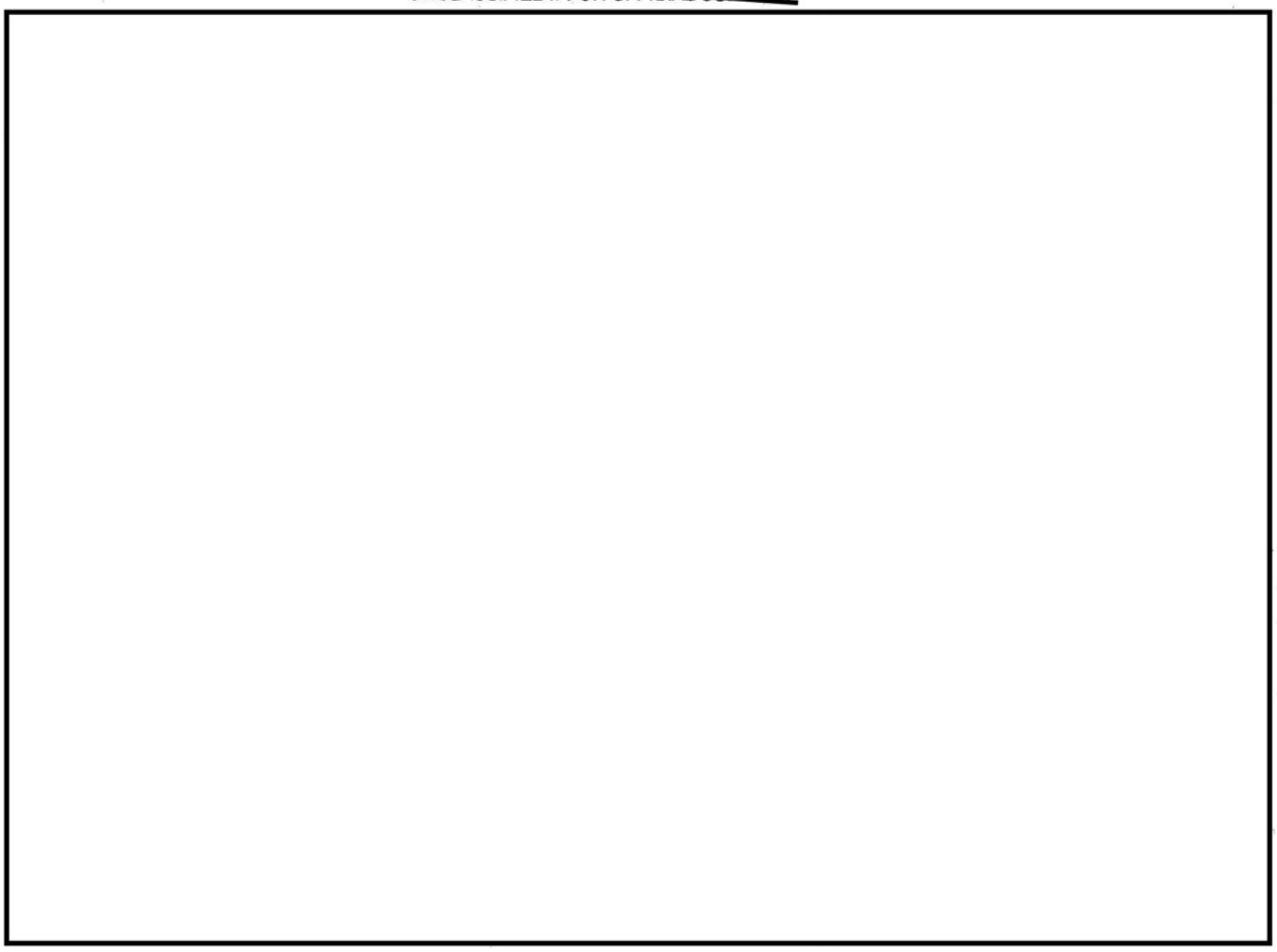
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NSA: 04816

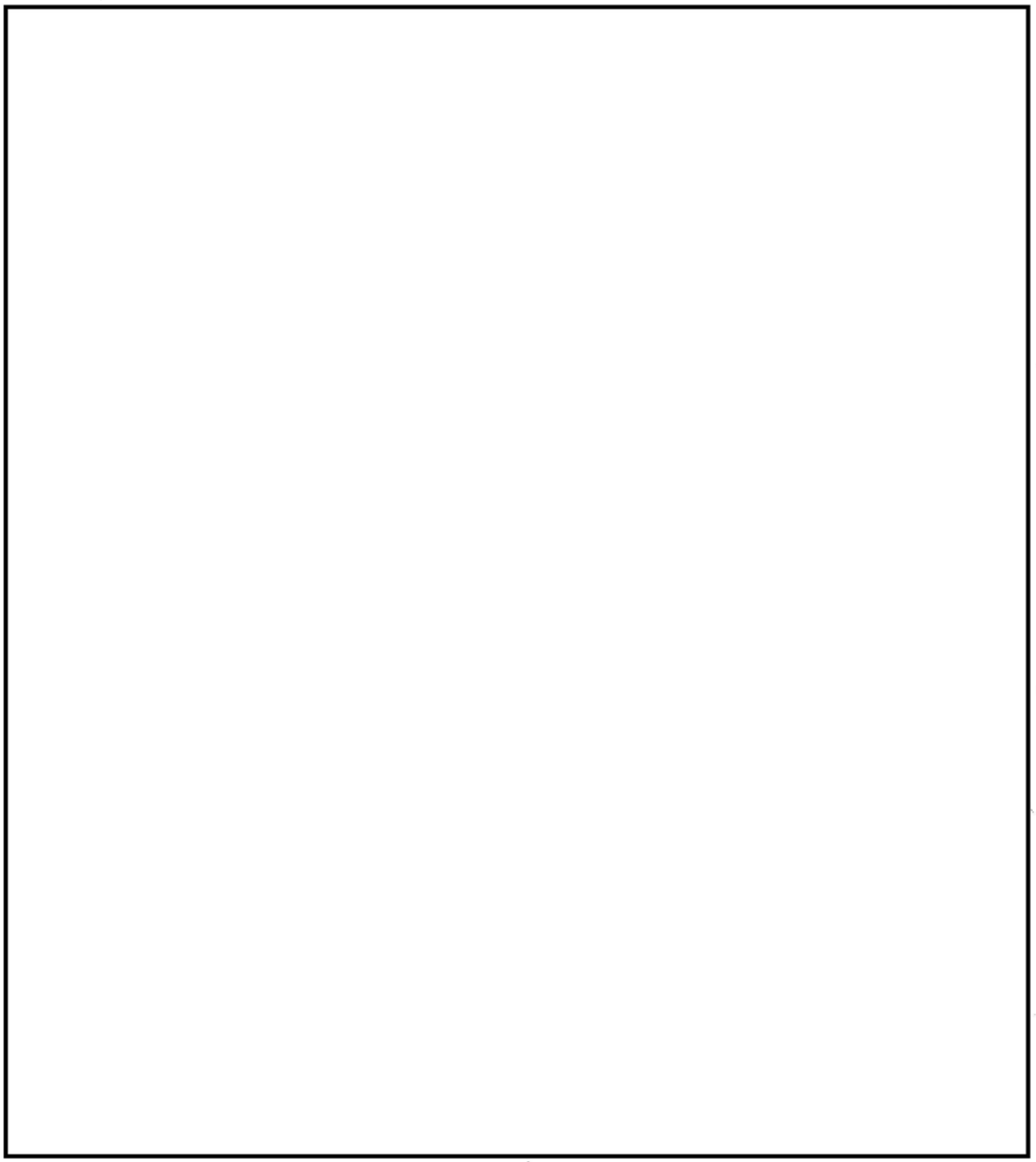
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NSA: 04822

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Release: 2018-09
NSA: 04823

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(b)(6)



Release: 2018-09
NSA: 04825

# House Hunting Trip (HHT) Worksheet

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NSA: 04826

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(b)(6)

Release: 2018-09
NSA: 04827

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(b)(6)

Release: 2018-09
NSA: 04828

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



Release: 2018-09
NSA: 04829

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Release: 2018-09
NSA: 04830

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Release: 2018-09
NSA: 04831

[redacted]

**From:** [redacted]
**Sent:** Monday, February 10, 2014 1:17 PM
**To:** NSA TDY; [redacted]
**Subject:** RE: (U) Return RTA NSAW TDY [redacted]
**Attachments:** [redacted] 140124 - 140202 MD AMENDMENT.pdf; NSAW TDY Reciepts [redacted].pdf

(b) (6)

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Here is the amended RTA. Thank you.

V/r,

[redacted]

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

---

**From:** NSA TDY
**Sent:** Monday, February 10, 2014 5:39 AM
**To:** [redacted]
**Cc:**
**Subject:** RE: (U) Return RTA NSAW TDY [redacted]

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Due to a recent audit we require that the right hand side of the RTA in the "Actual TDY Dates and Location" section be completed prior to your claim being processed for reimbursement. Please resubmit the completed RTA, along with all required receipts to NSA_TDY. Thank you.

**WebRTA coming soon. For additional information, please access Wiki Page -**

[redacted]

[redacted]

Finance Accounting Technician
BF212 Travel Entitlements Office

[redacted]

---

**From** [redacted]
**Sent:** Monday, February 10, 2014 10:30 AM
**To:** NSA TDY
**Cc:** [redacted]
**Subject:** FW: (U) Return RTA NSAW TDY [redacted]

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Please process for reimbursement.



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NSA: 04832

Thank you.

(U//~~FOUO~~)

[redacted]

From: [redacted]
Sent: Friday, February 07, 2014 5:55 PM
To: [redacted]
Cc:
Subject: (U) Return RTA NSAW [redacted]

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[redacted]

Forgot to add the receipts ☺ Attached is the whole package.

(b)(6)

V/r,

[redacted]

[redacted]

[redacted]

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NSA: 04833

Doc ID: 6635428





# APPENDIX I

# 58 COMP.GEN. 744

# &

# DECISIONS BY
# CIVILIAN BOARD OF CONTRACT APPEALS

**GSBCA 14750-Relo**
**GSBCA 16349-Relo**
**GSBCA 16687-Relo**
**CBCA 2842-Relo**



Release: 2018-09
NSA: 04834

Doc ID: 6635428




**B-194642, AUGUST 24, 1979, 58 COMP.GEN. 744**
B-194642. Aug 24, 1979

**B-194642, AUGUST 24, 1979, 58 COMP.GEN. 744**

OFFICERS AND EMPLOYEES - TRANSFERS - RELOCATION EXPENSES - NEW APPOINTEES NEW APPOINTEES CANNOT BE REIMBURSED TRAVEL AND RELOCATION EXPENSES FROM WASHINGTON, D.C., TO NEXT DUTY STATION. RECORD INDICATES THAT AGENCY ERRONEOUSLY INDICATED WASHINGTON AS PERMANENT DUTY STATION INSTEAD OF TEMPORARY DUTY STATION WHILE APPOINTEES WHERE TRAINED FOR 4 MONTHS. NEW APPOINTEES MUST BEAR EXPENSE OF REPORTING TO FIRST OFFICIAL DUTY STATION AND SUCH DUTY STATION MUST BE WHERE MAJOR PART OF EMPLOYEES' DUTIES ARE PERFORMED AND WHERE THEY ARE EXPECTED TO SPEND GREATER PART OF TIME. GOVERNMENT IS NOT RESPONSIBLE FOR UNAUTHORIZED ACTS OF ITS AGENTS. ERRONEOUS PAYMENTS MUST BE COLLECTED. LEAVES OF ABSENCE - ANNUAL - CHARGING - HOUSE HUNTING TRIP UPON TRANSFER NEW APPOINTEES WERE ERRONEOUSLY AUTHORIZED HOUSE-HUNTING TRIPS FROM TRAINING SITE TO FIRST OFFICIAL STATION. AGENCY SHOULD CHARGE EMPLOYEES ANNUAL LEAVE FOR TIME SPENT ON HOUSE-HUNTING TRIPS. IF LEAVE CHARGES RESULT IN NEGATIVE LEAVE BALANCES, THERE ARE OVERPAYMENTS OF PAY WHICH MAY BE CONSIDERED FOR WAIVER UNDER 5 U.S.C. 5584. HOWEVER, ANNUAL LEAVE SHOULD NOT BE CHARGED FOR EXCESS TRAVEL TIME EN ROUTE TO APPOINTEES' FIRST DUTY STATION REQUIRED BECAUSE OF TRAINING. SUBSISTENCE - PER DIEM - TRAINING PERIODS - TRAINING SITE STATUS NEW HIRES AND TRANSFEREES MAY BE AUTHORIZED SUBSISTENCE AT WASHINGTON, D.C., SINCE IT IS A TRAINING SITE AND NOT A PERMANENT DUTY STATION. RATE SHOULD BE THAT AUTHORIZED BY FEDERAL TRAVEL REGULATIONS. IN THIS CONNECTION WASHINGTON HAS BEEN DESIGNATED AS HIGH RATE GEOGRAPHIC AREA. TRAVEL EXPENSES - FIRST DUTY STATION - TRAINING DUTY PRIOR TO REPORTING NEW HIRES WHO TRAVELED TO TRAINING SITES EN ROUTE TO FIRST DUTY STATION MAY BE AUTHORIZED TRAVEL EXPENSES IN EXCESS OF WHAT WOULD HAVE BEEN INCURRED IN TRAVELING DIRECT FROM EMPLOYEES' HOMES TO THEIR FIRST DUTY STATION. OFFICERS AND EMPLOYEES - TRANSFERS - RELOCATION EXPENSES - TEMPORARY QUARTERS - ENTITLEMENT TEMPORARY QUARTERS SUBSISTENCE MAY NOT BE PAID INCIDENT TO TRAINING. HOWEVER, TRANSFEREES WOULD BE ENTITLED TO THAT AND OTHER RELOCATION ALLOWANCES INCIDENT TO PERMANENT CHANGE OF STATION.

IN THE MATTER OF CECIL M. HALCOMB, ET AL. - REIMBURSEMENT OF NEW APPOINTEES FOR TRAVEL AND RELOCATION EXPENSES, AUGUST 24, 1979:

THIS ACTION IS IN RESPONSE TO A REQUEST FROM JOHN E. O'GRADY, AN AUTHORIZED CERTIFYING OFFICER OF THE FISH AND WILDLIFE SERVICE (FWS), U.S. DEPARTMENT OF THE INTERIOR, FOR AN ADVANCE DECISION. THE REQUEST INVOLVES REIMBURSEMENT OF TRAVEL AND RELOCATION EXPENSES INCURRED BY CECIL M. HALCOMB, MICHAEL A. LUCCKINO, DAVID O. CARTWRIGHT, AND JAMES V. KLETT, NEW APPOINTEES IN A NON-MANPOWER-SHORTAGE CATEGORY.

THE FOUR EMPLOYEES WERE ASSIGNED TO THE FWS WASHINGTON, D.C. OFFICE FOR A PERIOD OF ABOUT 4 MONTHS. DURING THAT PERIOD THEY SPENT ABOUT 2 WEEKS IN WASHINGTON. THE REMAINDER OF THE TIME WAS SPENT IN TRAINING AT GLYNCO, GEORGIA. THE MAIN ISSUE IS WHETHER WASHINGTON WAS THEIR DUTY STATION FOR THE PURPOSE OF DETERMINING THEIR ENTITLEMENT TO REIMBURSEMENT OF TRAVEL AND RELOCATION EXPENSES. THE AGENCY HAS ADVISED THAT IT HAS PAID SIMILAR CLAIMS AND OTHERS ARE PENDING. THUS, OUR DECISION WILL BE DISPOSITIVE OF SIMILAR PAST AND PRESENT CLAIMS.

THE RECORD SHOWS THAT THE FWS DIVISION OF LAW ENFORCEMENT USES SPECIAL AGENTS FOR THE ENFORCEMENT OF FEDERAL LAWS RELATING TO WILDLIFE. TO MEET THE MANPOWER REQUIREMENTS OF LAW ENFORCEMENT, FWS HIRES TRAINEE SPECIAL AGENTS. IN ADDITION TO THE NEW HIRES, SOME OF THE TRAINEES ARE TRANSFERRED FROM WITHIN THE AGENCY OR FROM OTHER GOVERNMENT AGENCIES. ALL OF THE TRAINEES ARE CONSIDERED BY THE DIVISION OF LAW ENFORCEMENT TO BE WASHINGTON OFFICE EMPLOYEES AND THAT OFFICE IS DESIGNATED AS THEIR OFFICIAL DUTY STATION. TRAVEL ORDERS ARE ISSUED TO THIS EFFECT.


Release: 2018-093/25/2014
NSA: 04835

THE TRAINEES ARE NORMALLY DIRECTED TO REPORT TO THE WASHINGTON OFFICE FOR PROCESSING OF EMPLOYMENT PAPERS AND TO TAKE THE OATH OF OFFICE PRIOR TO REPORTING TO THE DEPARTMENT OF THE TREASURY FEDERAL LAW ENFORCEMENT TRAINING CENTER (FLETC), GLYNCO, GEORGIA. OCCASIONALLY THEY MAY BE DIRECTED TO REPORT DIRECTLY TO FLETC, IN WHICH CASE PERSONNEL FROM WASHINGTON GO TO GLYNCO TO COMPLETE THE PAPERWORK AND ADMINISTER THE OATH OF OFFICE. PRIOR TO HIRING, ALL CANDIDATES ARE TOLD THEY WILL BE SENT TO FLETC FOR A PERIOD OF UP TO 4 MONTHS OF TRAINING. A PERMANENT DUTY LOCATION IS TO BE DETERMINED PRIOR TO OR UPON COMPLETION OF TRAINING.

NEWLY HIRED TRAINEES ARE REQUIRED TO PAY ALL OF THEIR EXPENSES FOR TRAVEL TO WASHINGTON. TRAINEES WITH PRIOR CONTINUOUS GOVERNMENT SERVICE ARE GIVEN ORDERS TRANSFERRING THEM TO WASHINGTON AT GOVERNMENT EXPENSE EVEN THOUGH THEY HAVE BEEN INFORMED THAT THEY WILL BE ASSIGNED TO A PERMANENT DUTY STATION WHILE AT FLETC. IN MOST CASES SUCH EMPLOYEES DO NOT MOVE THEIR FAMILIES UNTIL THEY ARE TRANSFERRED AGAIN FOLLOWING TRAINING. ALL TRAINEES, BOTH NEW HIRES AND TRANSFEREES, PAY THEIR OWN SUBSISTENCE EXPENSES FOR THE TIME SPENT IN WASHINGTON, AND RECEIVE A REDUCED PER DIEM OF $4 PER DAY WHILE AT THE FLETC.

THE CERTIFYING OFFICER QUESTIONS THE DESIGNATION OF WASHINGTON AS THE FIRST OFFICIAL DUTY STATION BECAUSE THIS RESULTS IN THE NEW EMPLOYEES BEING TOLD THAT THEY WILL BE ENTITLED TO MOVING AND OTHER TRAVEL EXPENSES ASSOCIATED WITH A PERMANENT CHANGE OF STATION AFTER THEY HAVE COMPLETED TRAINING AND HAVE BEEN ASSIGNED TO ANOTHER POST OF DUTY. HE ALSO BELIEVES THAT DUE TO THE NATURE OF THE ASSIGNMENT, AND THE SHORT PERIOD OF TIME INVOLVED, THE WASHINGTON OFFICE SHOULD BE DESIGNATED ONLY AS AN ADMINISTRATIVE HEADQUARTERS FOR ALL TRAINEES.

THE CERTIFYING OFFICER ALSO STATES THAT PRIOR CLAIMS OF THIS NATURE HAVE BEEN AUTHORIZED AND PAID. ALSO, WITHOUT SUBMITTING ANY VOUCHERS HE HAS SUMMARIZED THE FACTS OF FOUR ADDITIONAL CASES. THEREFORE, HE RAISES THE FOLLOWING SPECIFIC QUESTIONS:

1. IF A DETERMINATION IS MADE THAT ERRONEOUS PAYMENTS HAVE BEEN MADE WILL IT BE NECESSARY TO RESEARCH PRIOR PAYMENTS AND INITIATE COLLECTION ACTION TO RECOVER AMOUNTS IMPROPERLY PAID, AND CHARGE ANNUAL LEAVE ACCOUNTS FOR THE OFFICIAL DUTY TIME USED FOR HOUSE-HUNTING TRIPS AND/OR TRAVEL ENROUTE TO THE OFFICIAL DUTY STATION?

2. IF YOUR ANSWER TO THE FIRST QUESTION IS YES, MAY AN ALLOWANCE BE MADE TO NEW HIRES FOR SUBSISTENCE EXPENSES INCURRED FOR THE TIME SPENT IN WASHINGTON, D.C.? IF SO, AT WHAT DAILY RATE?

3. IF THE ANSWERS TO QUESTIONS 1 AND 2 ARE AFFIRMATIVE, ARE THE TRANSFEREES WHO WERE AUTHORIZED PCS MOVES TO WASHINGTON, D.C., ENTITLED TO SUBSISTENCE? IF NOT, ARE THEY ENTITLED TO TEMPORARY QUARTERS UNDER 5 U.S.C. 5724A(3) AND FPMR 101-7.2-5.1?

QUESTION 1

THE LOCATION OF AN EMPLOYEE'S PERMANENT DUTY STATION PRESENTS A QUESTION OF FACT AND IS NOT LIMITED BY THE ADMINISTRATIVE DESIGNATION. 58 COMP.GEN 147(1977). SUCH DUTY STATION MUST BE WHERE THE MAJOR PART OF THE EMPLOYEE'S DUTIES ARE PERFORMED AND WHERE HE IS EXPECTED TO SPEND THE GREATER PART OF HIS TIME. 32 COMP.GEN. 87(1952); BERTIL PETERSON, B-191039, JUNE 16, 1978. THERE MUST BE SOME DUTIES BEYOND TAKING THE OATH, PHYSICAL EXAMINATION, OR JOB TRAINING. 22 COMP.GEN. 869 (1943). ALSO, SEE 41 COMP.GEN. 371(1967). IN THE INSTANT CASE THE CERTIFYING OFFICER SAYS THAT AT THE MID-POINT IN TRAINING AT THE FLETC, THE TRAINEES ARE BROUGHT TO THE WASHINGTON OFFICE FOR 1 WEEK. ER WITH THE TIME SPENT WHEN THE TRAINEE FIRST REPORTS FOR SWEARING IN, IS NORMALLY THE TOTAL TIME SPENT IN THE WASHINGTON OFFICE. THUS, THE FACTS INDICATE THAT THE AGENCY DESIGNATION OF WASHINGTON AS THE FIRST OFFICIAL DUTY STATION IS ERRONEOUS.

THE GENERAL RULE IS THAT AN EMPLOYEE MUST BEAR THE EXPENSES OF TRAVEL TO HIS FIRST PERMANENT DUTY STATION IN THE ABSENCE OF A STATUTE TO THE CONTRARY. 53 COMP.GEN. 313(1973); 30 ID. 373(1951. ALSO, NEW APPOINTEES MAY NOT BE AUTHORIZED REIMBURSEMENT OF EXPENSES WHICH ARE AUTHORIZED IN THE CASE OF TRANSFERS, SUCH AS RESIDENCE SALE AND PURCHASE EXPENSES, COST OF HOUSE-HUNTING TRIP, ETC. THIS IS SO EVEN IN CASES WHERE NEW APPOINTEES MAY BE ALLOWED TRAVEL AND TRANSPORTATION EXPENSES BY STATUTE. SEE FEDERAL TRAVEL REGULATIONS (FPMR 101-7) PARAS. 2-1.5F(4) AND 2-1.5G(2) (C)(MAY 1973). MOREOVER, AN AGENCY MAY NOT AUTHORIZE EXPENSES ASSOCIATED WITH A TRANSFER OF STATION BASED ON THE IMPROPER DESIGNATION OF A TEMPORARY DUTY STATION. B-186181, APRIL 1, 1969.



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IT IS UNFORTUNATE THAT THE AGENCY OFFICIALS EXCEEDED THEIR AUTHORITY BY ERRONEOUSLY DETERMINING THE EMPLOYEES' OFFICIAL DUTY STATION AND AUTHORIZING TRAVEL AND RELOCATION EXPENSES, BUT IT IS WELL ESTABLISHED THAT THE UNITED STATES CAN BE NEITHER BOUND NOR ESTOPPED BY THE UNAUTHORIZED ACTS OF ITS AGENTS. 54 COMP GEN. 747(1975); KENNETH P. LINDSLEY, JR., B-194341, MAY 22, 1979; FEDERAL CROP INSURANCE CORPORATION V. MERRILL, 332 U.S. 380(1947).

IN VIEW OF THE ABOVE THE EMPLOYEES' CLAIMS FOR REIMBURSEMENT FOR TRAVEL AND RELOCATION EXPENSES BASED ON WASHINGTON BEING THEIR OFFICIAL STATION MAY NOT BE PAID, AND THE AMOUNT ADVANCED TO COVER SUCH EXPENSES SHOULD BE COLLECTED BACK IN THE USUAL MANNER. ALSO, SINCE THE PAYMENT OF SIMILAR CLAIMS IN THE PAST WOULD BE ERRONEOUS UNDER THE WELL ESTABLISHED PRINCIPLES STATED ABOVE, IT WILL BE NECESSARY TO RESEARCH PRIOR PAYMENTS AND INITIATE COLLECTION ACTION WHEN ERRONEOUS PAYMENTS ARE IDENTIFIED. SUCH PAYMENTS MAY NOT BE WAIVED SINCE 5 U.S.C. 5584(1976) SPECIFICALLY STATES OVERPAYMENTS OF TRANSPORTATION EXPENSES AND ALLOWANCES MAY NOT BE WAIVED.

UNDER THE PRINCIPLES STATED ABOVE THE AUTHORIZATION OF HOUSE-HUNTING TRIPS WAS NOT PROPER. THEREFORE, ANNUAL LEAVE SHOULD BE CHARGED FOR THE TIME SPENT BY EMPLOYEES ON IMPROPERLY AUTHORIZED HOUSE-HUNTING TRIPS. THIS CONNECTION WE HAVE HELD THAT WAIVER OF A CHARGE TO ANNUAL LEAVE UNDER THE PROVISIONS OF 5 U.S.C. 5584 IS APPROPRIATE WHEN, AS A RESULT OF A LATER ADJUSTMENT TO AN EMPLOYEE'S LEAVE ACCOUNT, IT IS SHOWN THAT THE EMPLOYEE HAS TAKEN LEAVE IN EXCESS OF THAT TO WHICH HE IS ENTITLED, THEREBY CREATING A NEGATIVE BALANCE IN HIS ANNUAL LEAVE ACCOUNT. OTHERWISE, THERE IS NO OVERPAYMENT WHICH MAY BE CONSIDERED FOR WAIVER UNDER THE WAIVER STATUTE SINCE THE ERROR IS SUSCEPTIBLE TO CORRECTION THROUGH REDUCTION OF THE EMPLOYEE'S POSITIVE LEAVE BALANCE. 56 COMP.GEN. 824, 828(1977); B-176020, AUGUST 2, 1972. THUS, IT WILL BE NECESSARY TO DETERMINE ON A CASE-BY-CASE BASIS IF THE EMPLOYEE HAS SUFFICIENT ANNUAL LEAVE TO HIS CREDIT TO COVER THE ADJUSTMENT. IF, AFTER ADJUSTMENT, IT IS SHOWN THAT THE EMPLOYEE TOOK LEAVE IN EXCESS OF THAT TO WHICH HE WAS ENTITLED (RESULTING IN A NEGATIVE BALANCE WHICH CANNOT BE BROUGHT FORWARD TO THE FOLLOWING YEAR'S ACCOUNT), AN OVERPAYMENT IS CREATED FOR THAT YEAR WHICH MAY BE CONSIDERED FOR WAIVER. HOWEVER, ANNUAL LEAVE SHOULD NOT BE CHARGED FOR EXCESS TRAVEL TIME EN ROUTE TO THE OFFICIAL DUTY STATION REQUIRED BECAUSE OF THE TRAINING.

YOUR FIRST SPECIFIC QUESTION IS ANSWERED ACCORDINGLY.

QUESTION 2

THE NEW HIRES MAY BE AUTHORIZED SUBSISTENCE AT WASHINGTON SINCE IT IS A TRAINING OR TEMPORARY DUTY SITE, NOT A PERMANENT DUTY STATION. COMP.GEN. 313(1973); 9 ID. 359 (1930). THE RATE TO BE PAID WOULD BE THAT AUTHORIZED BY THE FEDERAL TRAVEL REGULATIONS IN EFFECT AT THE TIME THE EMPLOYEES PERFORMED SUCH TRAINING. IN THIS CONNECTION WE POINT OUT THAT WASHINGTON HAS BEEN LISTED AS A DESIGNATED HIGH-RATE GEOGRAPHIC AREA SINCE 1975. THE NEW HIRES WOULD ALSO BE AUTHORIZED TRAVEL EXPENSES IN EXCESS OF WHAT WOULD HAVE BEEN INCURRED IN GOING DIRECT FROM THE EMPLOYEE'S HOME TO HIS FIRST DUTY STATION AFTER COMPLETION OF TRAINING. 22 COMP.GEN. 869(1943); 10 ID. 222(1930).

QUESTION NUMBER 2 IS ANSWERED ACCORDINGLY.

QUESTION 3

THE TRANSFEREES MAY BE AUTHORIZED SUBSISTENCE TO THE SAME EXTENT AS THE NEW HIRES AS DISCUSSED IN OUR REPLY TO QUESTION NUMBER 2. TEMPORARY QUARTERS SUBSISTENCE ALLOWANCE MAY NOT BE PAID INCIDENT TO TRAINING. HOWEVER, AS PREVIOUSLY STATED, THE DESIGNATION OF WASHINGTON AS A PERMANENT DUTY STATION WAS IN ERROR. THUS, QUALIFIED TRANSFEREES WOULD BE ENTITLED TO TEMPORARY QUARTERS SUBSISTENCE ALLOWANCE INCIDENT TO THEIR PERMANENT CHANGE OF STATION. SEE ROBERT V. BROWN, B-195281, MAY 24, 1976. ALSO, THEY MAY BE AUTHORIZED OTHER RELOCATION ALLOWANCES INCIDENT TO THEIR TRANSFER.

QUESTION NUMBER 3 IS ANSWERED ACCORDINGLY.

GENERAL

THE CERTIFYING OFFICER QUESTIONS THE FORM OF ISSUANCE OF THE TRAVEL ORDERS. WE WOULD NOT OBJECT TO ANY AUTHORIZATION WHICH STATES THE CIRCUMSTANCES OF TRAVEL AS SPECIFICALLY AS POSSIBLE AND THE EMPLOYEES ARE NOT AUTHORIZED REIMBURSEMENT BEYOND THE SCOPE OF THE APPLICABLE STATUTES AND REGULATIONS.

ACCORDINGLY, THE AGENCY SHOULD TAKE SUCH ACTION AS NECESSARY CONSISTENT WITH THE FOREGOING.


Release: 2018-09 3/25/2014
NSA: 04837

Doc ID: 6635428



Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

January 29, 1999

GSBCA 14750-RELO

In the Matter of CHARLES G. BAKALY, III

Charles G. Bakaly, III, Washington, DC, Claimant.

Gregory L. Lefever, Administrative Officer, Office of the Independent Counsel, Washington, DC, appearing for Office of the Independent Counsel.

BORWICK, Board Judge.

The Office of the Independent Counsel (OIC) requests a decision pursuant to 31 U.S.C. 3529 (1996) (section 3529 decision) in the matter of Charles G. Bakaly, III, claimant. Claimant, the spokesman for the Independent Counsel (IC), was authorized reimbursement of real estate transaction expenses for the sale of his house in Los Angeles, California, and the purchase of a residence in Washington, D.C., arising from his alleged permanent change of station, as well as for temporary quarters subsistence and other travel expenses. The OIC seeks advice on whether claimant "should have been transferred or relocated as a new appointee." For the reasons stated below, we conclude that claimant should have been relocated as a new appointee when he moved with his family from Los Angeles to Washington, D.C., in August of 1998, and not as an employee transferring from an official duty station in Los Angeles. The circumstances are unusual, but in light of the chronology of events and the agency's actions, we cannot conclude on this record that the agency has established that Los Angeles was, in fact, claimant's official station from which he could transfer as an employee.

The facts as revealed by the record are as follows. The OIC explains in its referral letter to the Board that in early April 1998, the head of the agency decided to appoint claimant to fill an urgently needed position and claimant began working "almost immediately." The appointment document the OIC provided the Board shows that, effective April 13, 1998, the OIC appointed claimant to an excepted temporary indefinite appointment as an attorney (independent counsel), whose employing office was in Washington, D.C. The OIC, moreover, authorized claimant's temporary duty (TDY) travel between Los Angeles, California and Washington, D.C. for the period April 1, 1998 (some twelve days before the effective date of claimant's appointment) through June 30, 1998. The OIC's Administrative Officer states that when



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claimant was appointed, he was placed in TDY status at the time of his appointment from what the Administrative Officer stated was "his official duty station--California." On the travel authorization, the OIC deemed claimant's permanent duty station to be "Los Angeles [California]."

In the OIC's Request to the Board, Attachment Two (July 17, 1998), the OIC Administrative Officer explained that in early April 1998, the duration of claimant's position was uncertain. When clamant was initially appointed, the IC and Deputy IC viewed claimant's appointment lasting for one or two months, with the potential to become permanent if the OIC management and claimant worked well together and if the role and responsibilities of claimant's position became clearer with the passage of time. As explained by the Administrative Officer in that attachment, in early April 1998, claimant had no intention of relocating to Washington, D.C. because he did not know how long his services would be needed by the OIC.

In Attachment Two, the Administrative Officer stated that in late May 1998, claimant's position with the OIC became "'more' permanent" because strong working relationships had developed among claimant, the IC and Deputy IC. Additionally, in May 1998 the IC publicly stated that "there is no end in sight to the investigation." The IC, therefore, requested claimant to continue his employment with the OIC for the indefinite future. The Administrative Officer maintains that claimant's position then changed from a very temporary and uncertain position to a more permanent one, albeit temporary as well.[foot #] 1

By second travel authorization signed on July 1, 1998, the OIC authorized claimant's TDY travel from Los Angeles to Washington, D.C., from July 1, 1998 through September 30, 1998. Again, the OIC deemed claimant's official duty station to be "Los Angeles [California]." The record does not establish whether claimant ever worked in Los Angeles during his TDY periods. The issuance of the two travel authorizations for consecutive periods between April 1 and September 30 indicate, in the absence of

---------- FOOTNOTE BEGINS ---------

[foot #] 1 On November 16, 1998, the Board requested from the OIC documents reflecting conversion of claimant's appointment; the Administrative Officer responded by memorandum of December 18 that "the conversion was documented in no other place except that attachment [Attachment Two]." The IC's request in May 1998 that claimant stay with the office on a more or less permanent basis did not change his April appointment. Claimant's appointment remained a permanent indefinite temporary appointment, just as it had been in April.

---------- FOOTNOTE ENDS ----------

evidence to the contrary, that claimant spent most or all of his working time in Washington, D.C.

Although the Administrative Officer maintains that



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claimant's position became more permanent in late May 1998, it was not until July 23, 1998, that claimant signed a one-year service agreement, reflecting his transfer effective on August 10th of that year from his "residence located in Los Angeles" to the OIC "new duty station" in Washington, D.C.[foot #] 2 In that agreement, claimant also agreed to remain in the service of the Government for twelve months following the date of his transfer unless separated for reasons beyond claimant's control. The OIC then issued travel authorizations to claimant dated July 23, August 3, and August 14, 1998, for relocation benefits for claimant and his family, including one-way airfare transportation between Los Angeles and Washington, D.C., temporary quarters subsistence expense, real estate allowances, and transportation and storage of household goods. As in the authorizations for claimant's TDY, the OIC listed Los Angeles as claimant's "official duty station."

Discussion

It has long been the general rule that, unless provided by statute or regulation having the force of statute, new appointees must bear the expense of moving to their first duty station. Thomas D. Wegner, 68 Comp. Gen. 133, 135 (1988); Cecil M. Halcomb, 58 Comp. Gen. 744, 746 (1979); Donald S. Schneider, 53 Comp. Gen 313 (1973); 22 Comp. Gen. 885, 886 (1943). In Halcomb, the General Accounting Office (GAO) held that the Fish and Wildlife Service of the Department of the Interior could not designate its law-enforcement agents' training site as their first permanent duty station in order to increase the agents' entitlement to relocation expenses. In so concluding, GAO relied on the above-stated rule concerning new appointees and the other well-established principle that the permanent duty station is that site where the major part of the employee's duties are performed and where the employee is expected to spend the major part of his or her time. Two years later, in response to the Federal Bureau of Investigation's (FBI's) request to revisit these issues, the GAO in 60 Comp. Gen. 569 (1981) reaffirmed Halcomb and elaborated its reasoning. The 1981 case involved two issues--whether, in order to ensure agents' eligibility for relocation benefits, the FBI could designate a training site as a permanent duty station, or, in the alternative, could designate the place of appointment as a short duration permanent duty station. The GAO concluded that the FBI could do neither:

---------- FOOTNOTE BEGINS ---------

[foot #] 2 The Federal Travel Regulation requires that an employee sign service agreements as a condition of eligibility for reimbursement of authorized relocation expenses. 41 CFR 302-1.5(a) (1998).

---------- FOOTNOTE ENDS ----------

As explained in 22 Comp. Gen. 869 (1943), the newly appointed employee who performs actual and substantial duty at his place of appointment--as distinguished from job training or completing administrative matters for



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> entry on the rolls--may have this place designated as his permanent duty station. However, in the absence of such actual and substantial duty, the place of appointment or place of training is only a temporary duty station even if the new appointee's permanent duty station is not ascertained until after his appointment or training. If such is the case, the training site may be regarded as the appointee's designated duty station for administrative purposes but not for the purpose of establishing [the appointee's] entitlement to travel and relocation expenses upon subsequent assignment to a permanent duty station. . . .
>
> The assignment of agents to a different location--the "home office" for [one] month following training would not establish that location as their first permanent duty station. An employee's official or permanent duty station is a matter of fact and not merely one of administrative designation. It is the place at which [the employee] actually is stationed, the place where [the employee] expects and is expected to spend the greater part of his time. We have long held that an employee may not be assigned to a duty station at which he is not expected to remain for an extended period of time for the purpose of increasing his entitlement to travel and relocation expenses.

Id. at 572 (citations omitted).

The current statute provides only limited relocation benefits to a new appointee. Agencies are authorized to pay for a new appointee's travel expenses, the travel and transportation expenses of the appointee and his or her immediate family, transportation of the appointee's household goods and personal effects, and transportation under limited circumstances of a privately owned motor vehicle from the appointee's place of residence at the time of selection or assignment to his duty station. 5 U.S.C. 5723 (Supp. II 1996).[foot #] 3

---------- FOOTNOTE BEGINS ---------

[foot #] 3 Until 1991, only appointees to the Senior Executive Service, Presidential appointees paid at or above a GS-16 level, and other appointees assigned to positions for which the Office of Personnel Management had determined there to be a manpower shortage were entitled to these limited benefits. The class of appointees entitled to limited benefits was broadened by the Treasury, Postal Service and General Government Appropriations Act of 1991 to include a "new appointee . . . to any position." Pub. L. No. 101-509, 206(b)(1), 104 Stat. 1389, 1457 (1990) (codified as amended at 5 U.S.C. 5723(a)(1)).

---------- FOOTNOTE ENDS ----------

The Federal Travel Regulation (FTR) similarly provides that new appointees are eligible for payment of travel expenses (including per diem), transportation for the appointee's immediate family, mileage (if the family's privately-owned vehicle is used), and transportation and temporary storage of household goods (or



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nontemporary storage of household goods if the appointment is in an isolated location), and transportation of mobile homes. 41 CFR 302-1.10(a), (e). New appointees, however, are not entitled to reimbursement of certain other expenses allowable to transferees: per diem for family members, cost of a house-hunting trip, subsistence while occupying temporary quarters, miscellaneous expense allowance, residence sale and purchase expenses, lease-breaking expenses, and relocation services. 5 U.S.C. 5724a(a), (b)(1); 41 CFR 302-1.2(a)(1), -1.10(f).

Federal employees are entitled to relocation benefits when they are transferred "between official stations located within the United States." 5 U.S.C. 5724a(b)(1).[foot #] 4 The FTR defines "official station or post of duty" as that site where the employee regularly reports for work, or, in the case of relocation benefits, as that residence from which the employee regularly commutes to and from work. 41 CFR 302-1.4(k).

The current FTR definition of official station or post of duty is consistent with the principle that the official station is the place where the employee actually expects and is expected to spend the greater part of his or her time, and performs actual and substantial duties of the office. In another matter involving the OIC, we concluded that an employee could be paid relocation expenses for her move from Little Rock, Arkansas to Washington, D.C. when she established that Little Rock, Arkansas was in fact her previous official station before the transfer because she regularly reported for duty in Little Rock and commuted from her residence in Little Rock to her workplace. Deborah Gershman, GSBCA 14569-RELO, 98-2 BCA 29,811, at 147,633.

The OIC's designation of Los Angeles as claimant's "duty station" in his travel orders did not in fact make Los Angeles claimant's official station for the purpose of increasing claimant's entitlement to relocation benefits. The OIC has not established that claimant performed substantial work in Los Angeles or that Los Angeles was the site at which claimant was expected to spend the majority of his time. Indeed, the OIC's sending claimant immediately after his appointment on TDY to Washington, D.C. for an extended period shows that, if and when claimant's job became as permanent as OIC employment can be, Washington, D.C. was to be his first official or permanent duty

---------- FOOTNOTE BEGINS ---------

[foot #] 4 An employee and the employee's family are entitled to en-route travel expenses for travel "between the employee's old and new official station." 5 U.S.C. 5724a(a).

---------- FOOTNOTE ENDS ----------

station. That expectation was confirmed by claimant's subsequent transfer to Washington, D.C. in August 1998.

If the OIC could demonstrate that claimant performed actual



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and substantial duties for the OIC in Los Angeles, during the period April to September 1998, then we would have no basis to question Los Angeles as a proper official or permanent duty station from which claimant was transferred to Washington, D.C. See Thomas D. Wegner, 68 Comp. Gen. at 135. The OIC has not made that showing to the Board. Based upon the record presented to us, as a new appointee, claimant was responsible for bearing the expense of his transfer to Washington, D.C., save for those expenses which are explicitly granted by 5 U.S.C. 5723 and the FTR, 41 CFR 302-1.10(a), (e). Claimant's first official or permanent duty station--Washington, D.C.--was established at the earliest in May 1998 when the IC requested claimant to work more or less permanently for the OIC in Washington, D.C. Los Angeles was not claimant's official duty station from which he could transfer so as to make him eligible for full relocation benefits.

ANTHONY S. BORWICK
Board Judge



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NSA: 04843

Board of Contract Appeals

General Services Administration

Washington, D.C. 20405

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February 25, 2004

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GSBCA 16349-RELO

In the Matter of A UNITED STATES SECRET SERVICE EMPLOYEE

A United States Secret Service Employee, Washington, DC, Claimant.

Keith W. Young, Assistant Director, Office of Administration, United States Secret Service, Department of Homeland Security, Washington, DC, appearing for Department of Homeland Security.

BORWICK, Board Judge.

The agency, the Department of Homeland Security, through the United States Secret Service (USSS), requests a decision pursuant to 31 U.S.C. § 3529 (2000) regarding the duty reporting date for the agency's newly appointed Uniformed Duty Officers (UDOs). The question arises because the agency's initial orientation/training site for the UDOs and their initial permanent duty site are in the same geographical area (as defined by the agency) of Washington, D.C. The agency requests an opinion on whether a new appointee's duty reporting date is the date of the appointee's initial arrival for orientation in Washington, D.C., or is the date the appointee begins work in Washington, D.C., after completion of



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training and graduation from the training course. The agency's question is limited to a newly appointed UDO who has not held previous appointments in the federal service.

Presently the agency considers the new appointee's arrival date for orientation as the date a new appointee reports for permanent duty. We conclude that this policy is in accord with the Federal Travel Regulation (FTR), applicable statute, and case law construing statute and regulation.

Background

The USSS selects new appointees for the UDO positions, which are located in Washington, D.C. The typical appointment letter advises each new appointee of his or her selection for a Schedule B Excepted Appointment as a UDO in Washington, D.C., and the yearly salary. The letter advises that the appointment as a UDO is contingent upon the favorable completion of a background investigation and the satisfactory completion of all required training.

Additionally, the letter advises that the agency will reimburse the new appointee for those relocation benefits allowable for new appointees under the FTR, i.e., costs of transportation for the appointee and the appointee's family, transportation and temporary storage of household goods, and a per diem allowance for travel to Laurel, Maryland, the agency's training site in the Washington suburbs. The agency does not reimburse the new appointee for per diem at Laurel, Maryland.

The agency subjects its new appointees to an extensive training regimen. Upon selection, the agency instructs the appointees to go to the agency's Rowley Training Center (RTC) in Laurel for a one-week orientation into the USSS. The orientation consists of being sworn in as a federal employee, physical fitness assessment, handgun familiarization, and administrative procedures. The agency reports that during orientation, at a scheduled relocation briefing, the employees sign the service agreement required by the FTR as a condition of obtaining relocation benefits.

The appointees then travel to the Federal Law Enforcement Training Center (FLETC) in Artesia, New Mexico, for an additional nine weeks of training. Upon completion of that training the new appointees return to the RTC for their final ten weeks of training.

Laurel



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Upon satisfactory completion of the required training, the appointees graduate and then report for duty as UDOs in the Washington, D.C., area.

The USSS has defined the term "post of duty" as encompassing an area within fifty miles of the employees' residence or within fifty miles of where they report for work daily. The RTC is approximately twenty-two miles from the White House, which is at or near where the appointees will report for duty as UDOs.

The agency states:

> [The USSS] has considered the initial arrival to RTC in [Laurel], MD for orientation as the date the new appointee is reporting to the first official station. As a result, the appointee's travel from their [sic] residence (assuming it is outside the Washington, D.C. area) to report to training has constituted transportation of the employee to the first official station. In most cases the appointees do not move their families or transport their household goods until either after their completion of training in FLETC or the second portion of their training at the RTC. As a result, the appointee must generally return to their residence (at their own cost) to move their families and/or transport their household goods.
>
> Furthermore, considering this early date as reporting to the first initial station restricts the appointee's entitlement to per diem during the time in training at [the] RTC.

In questioning its present policy, the agency notes that the appointees are not performing actual and substantial duties during their orientation at Laurel, but are instead undergoing training. The agency, relying on one opinion of this Board and two opinions of the General Accounting Office (GAO), [Foot # 1 ] argues that "the training site may be designated the appointee's duty station for administrative purposes[, but] it should not be used to establish the appointee's entitlement to travel and relocation expenses."

********** Footnote Begin **********



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[Foot # 1 ] Charles G. Bakaly, III, GSBCA 14750-RELO, 99-1 BCA 30,249; 60 Comp. Gen. 569 (1981); Cecil M. Halcomb, 58 Comp. Gen. 744 (1979).

********** Footnote End **********

In conclusion, the agency asks the Board:

> Are we correct in concluding that the actual reporting date to the first official station for the new Uniformed Division appointee is the earlier of the following two dates:
>
> the date a residence is established in the Washington, D.C. area; or
>
> the date he/she reports to work as a [UDO] upon completion of training and graduation.

Discussion

The FTR provides that a permanent change of station is "the assignment of a new appointee to an official station . . . on a permanent basis." 41 CFR 302-4.1 (2003). It also defines "official station" as the location of the employee's permanent work assignment. 41 CFR 300-3.1. The appointment letter assigns a new appointee to the appointee's permanent duty station of Washington, D.C. The Washington, D.C., area is the location of the new appointee's permanent work assignment and fully meets the FTR's definition of "official station." Thus, as soon as the employee arrives in Washington, he or she is at his or her official station. The fact that the first assignment is for orientation and the second is for training becomes immaterial.

For the purpose of providing relocation benefits for a new appointee, nothing in statute or regulation allows the agency to deem as the reporting date the date that the appointee reports for work after completion of training. Indeed, the statute granting the new appointee limited relocation benefits provides that the agency may pay the appointee travel and transportation expenses "whether or not the individual selected has been appointed at the time of the travel." 5 U.S.C. 5723(c) (2000). Consequently, we cannot read statute or regulation as permitting that the conditions of appointment--satisfactory completion of the background investigation and completion of training--be completed before a new appointee



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reports for permanent duty. For administration of the relocation benefits of a new appointee, all that the FTR requires is that the new appointee be assigned to the actual permanent duty post. Here, the permanent duty post is Washington, D.C., and that post is where the new appointee is assigned.

The cases relied upon by the agency for the contrary conclusion are distinguishable. Halcomb and its successor, 60 Comp. Gen. 569, involved the question of whether an agency could designate an orientation or training site (other than the future permanent duty site) as a permanent duty station for the purpose of granting relocation benefits not otherwise available to new appointees. It was in that context that the GAO held:

> The location of an employee's permanent duty station presents a question of fact and is not limited by the administrative designation. Such duty station must be where the major part of the employee's duties are performed and where he is expected to spend the greater part of his time. There must be some duties beyond taking the oath, physical examination or job training. In the instant case, the certifying officer says that at the mid-point in training at the FLETC, the trainees are brought to the Washington office for [one] week. That time, together with the time spent when the trainee first reports for swearing in, is normally the total time spent in the Washington office. Thus, the facts indicate that the agency designation of Washington as the first official duty station is erroneous.

60 Comp. Gen. 569, 570-11 (citations omitted); see also Cecil M. Halcomb, 58 Comp. Gen. 744 (1979). The Board's opinion in Bakaly involved the same issue as applied to a residence instead of to an orientation or training site. Here, unlike the cases above, Washington, D.C., is a new appointee's legitimate permanent duty station and also his or her orientation and training site.

The agency argues that, under its present policy, a new appointee is not able to obtain temporary duty per diem during the orientation period in Washington, D.C. This is true; statute provides for an employee's travel entitlements "when traveling on official business away from the employee's designated post of duty." 5 U.S.C. 5702. The present policy, which establishes Washington, D.C., as the employee's designated post of duty during the new appointee's orientation, means that a new appointee is eligible for travel entitlements



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during his or her training period in Artesia, New Mexico--but not during the orientation program in Washington, D.C. or the training in nearby Laurel, Maryland.

The agency, therefore, may not deem that the actual reporting date to Washington, D.C., to be the earlier of the date the employee establishes a residence in the Washington, D.C., area or the date that the new appointee reports for work as a UDO upon completion of training and graduation.

ANTHONY S. BORWICK

Board Judge



Release: 2018-09-04/2013
NSA: 04849

Board of Contract Appeals

General Services Administration

Washington, D.C. 20405

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October 7, 2005

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GSBCA 16687-RELO

In the Matter of OPHER HEYMANN

Opher Heymann, Arlington, VA, Claimant.

Judy Hughes, Travel Management and Procedures Office, Defense Finance and Accounting Service, Columbus Center, Columbus, OH, appearing for Department of Defense.

BORWICK, Board Judge.

Mr. Opher Heymann, claimant, seeks reimbursement of temporary quarters subsistence expenses (TQSE) from the Department of the Army, agency, incident to his travel to his first duty station as a new appointee. As a new appointee, claimant was not entitled to reimbursement of TQSE even though the agency's travel authorization purported to authorize reimbursement and even though agency officials in e-mail messages implied he would be reimbursed for TQSE. The agency's reimbursement of claimant's voucher for TQSE would have violated statute, the Federal Travel Regulation (FTR), and the Joint Travel Regulations (JTR). The Board denies the claim.



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NSA: 04850

The record before the Board shows the following. On or about December 15, 2004, the agency by e-mail message advised claimant, who resided in Wurzburg, Germany, that it would offer him a position with the agency at The Pentagon in Washington, D.C. The agency suggested January 24, 2005, as a convenient entry on duty date. Claimant agreed that January 24 would be a practical starting date. Claimant and agency officials discussed reimbursement for TQSE in the e-mail messages; the clear implication from the agency's e-mail messages to claimant was that reimbursement of TQSE would be allowed.

On February 2, the agency issued a retroactive travel authorization, which erroneously noted that claimant had traveled "between official stations" and properly noted claimant's reporting date as January 24, 2005. The authorization purported to grant claimant entitlement to reimbursement of actual TQSE, although the number of days supposedly authorized was not stated. The authorization also granted claimant transportation by commercial air and shipment of household goods.

Invoices in the record before the Board show that claimant rented quarters in Arlington, Virginia, starting on January 19, 2005, and stayed in those quarters until February 18, 2005. Claimant then rented other quarters in Arlington and stayed in those quarters from February 19 through March 20.

On March 14, the agency issued an amendment to claimant's travel authorization purporting to specify the number of days of TQSE for which claimant was eligible (sixty). On June 20, claimant submitted a voucher for reimbursement of $5898.89. On June 22, the agency, for a second time, amended the travel authorization, eliminated the entitlement to TQSE reimbursement, and noted in block 22 of the order that the authorized travel was to claimant's initial duty station.

On or about June 23, 2005, the agency's Permanent Change of Station (PCS) Division denied claimant's reimbursement request for TQSE because he was a new appointee. The denial was referred through the agency's PCS Division and Appeals Travel Branch to the Defense Finance and Accounting Service (DFAS), Travel Management and Procedures Office. On June 27, 2005, DFAS denied the claim because reimbursement of TQSE for new appointees is not permitted under the JTR. DFAS stated that erroneous information and authorizations provide no basis for payment of expenses that are not allowed by statute or

regulation. DFAS, at claimant's request, forwarded the matter to this Board as a claim.

Discussion

The agency hired claimant as a new appointee. Statute and regulation provide limited relocation benefits to a new appointee, and reimbursement of TQSE expenses is not one of those benefits. 5 U.S.C. 5723(a) (1)-(3), 5724a (2000); 41 CFR 302-3.2, -3.3 (2004); JTR C5080-B.5. The agency's original travel authorization and first amended authorization that granted claimant reimbursement of TQSE were erroneous and cannot create an entitlement that does not exist in statute and regulation. Put another way, an agency may not pay monies in violation of statute and regulation, even though the travel authorization purported to create the entitlement and an employee relied upon the authorization to his detriment. Federal Crop Insurance Corp. v. Merrill, 332 U.S. 380, 384-85 (1947); Kevin R. Kimiak, GSBCA 16641-RELO, 05-2 BCA 33,007; John J. Churchill, GSBCA 16419-RELO, 04-2 BCA 32,698. The same principle holds true for erroneous written or oral advice that new appointees are eligible for TQSE reimbursement incident to first duty station travel. Charles M. Russell, GSBCA 16000-RELO, 03-1 BCA 32,716.

We understand that claimant is frustrated by the course of events resulting in the agency's seeming to grant claimant an entitlement and then denying reimbursement after claimant incurred the expense. Nonetheless, the agency acted in accordance with statute and regulation in denying reimbursement and we thus can not grant claimant relief.

We have seen many of these cases. We encourage agencies to ensure that their travel and transportation officials provide accurate advice to new appointees as to the proper scope of their first hire relocation benefits, and ensure that travel authorizations are properly prepared so that this situation does not occur.

---

ANTHONY S. BORWICK

Board Judge



Release: 2018-09
NSA: 04852

Doc ID: 6635428

UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

June 1, 2012

CBCA 2842-RELO

In the Matter of JUSTIN M. KEARNS

Justin M. Kearns, Denver, CO, Claimant.

David G. Achterberg, Director, Saftey, Security, and Law Enforcement, Bureau of Reclamation, Department of the Interior, Denver, CO, appearing for Department of the Interior.

**GOODMAN**, Board Judge.

The agency has submitted this claim on behalf of claimaint, Justin M. Kearns, an employee of the Department of the Interior, seeking review of denial of relocation costs incurred by claimant when he was hired by the agency.

## Factual Background

Claimant was hired by the agency as a new appointee in 2010. The agency represented to claimant that he would be entitled to reimbursement of various relocation costs if he accepted the offer of employment. Claimant accepted the position and relocated. Approximately thirty days after he entered on duty, claimant was notified by the agency that he had been erroneously offered reimbursement of costs available only to transferred employees, and not available to new appointees. The agency subsequently reissued his travel orders, including the notation "no sale or purchase of home authorized."

Claimant submitted two travel vouchers, seeking reimbursement of costs incurred for temporary quarters subsistence expense (TQSE) and real estate expenses relating to the sale of his residence where he resided before he entered on duty and the purchase of a residence at his duty station. The agency denied reimbursement of the costs sought, on

Release: 2018-09
NSA: 04853

Doc ID: 6635428



the basis that new appointees are not entitled to reimbursement for TQSE and real estate expenses when relocating to begin federal employment.

The agency admits that claimant was erroneously advised that he would receive relocation benefits to which new appointees are not entitled. Even so, the agency official submitting the claim on claimant's behalf urges the Board to grant entitlement to claimant for these costs, as he alleges the agency could have structured the offer of employment to include other incentives available to new appointees had the error been realized before claimant accepted the erroneous offer and reported for duty. Claimant states that had the reimbursement of TQSE and real estate expenses not been offered to him, he may have chosen not to take the position.[1]

## Discussion

New appointees cannot receive reimbursement for costs to which they are not entitled by law or regulation. *Roscoe C. Howard, Jr.*, GSBCA 16181-RELO, 04-1 BCA ¶ 32,435 (2003). The Federal Travel Regulation (FTR) explicitly states that new appointees are not eligible to receive TQSE and reimbursement of real estate expenses when they relocate to begin federal employment. 40 CFR 302-6.5, -11.4 (2010).

This Board has held that it is settled that new employees are entitled to limited benefits that do not include reimbursement of TQSE or real estate expenses. ***William Arnold Kristapovich***, CBCA 2390-RELO, 11-2 BCA ¶ 34,826. An agency's erroneous authorization of these expenses creates no entitlement of the employee to payment of these expenses. ***William Arnold Kristapovich***; *see also Evester Edd*, CBCA 1582-RELO, 09-2 BCA ¶ 34,232; *Maxia Dong*, CBCA 733-RELO, 07-2 BCA ¶ 33,626.

## Decision

The claim is denied.

ALLAN H. GOODMAN

[1] We determine entitlement to reimbursement of relocation costs based on actual circumstances. The parties' suggestion as to how this dispute could have been avoided is not relevant. *Roger G. Greening*, GSBCA 13924-RELO, 97-1 BCA ¶ 28,883; *Harlan C. Thiel*, GSBCA 13668-RELO, 97-1 BCA ¶ 28,710 (1996)

Release: 2018-09
NSA: 04854

Doc ID: 6635428



Board Judge

Release: 2018-09
NSA: 04855

Doc ID: 6635428





# APPENDIX J

## Office of Recruitment
## History of Agency Hiring



Release: 2018-09
NSA: 04856

[redacted]

**From:** [redacted]
**Sent:** Tuesday, March 11, 2014 5:05 PM
**To:** [redacted]
**Subject:** RE: (U) Recruiting Question - PCS

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

[redacted]

Your statement below is correct.

[redacted]

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

[redacted]

**From:** [redacted]
**Sent:** Monday, March 10, 2014 2:31 PM
**To:** [redacted]
**Subject:** FW: (U) Recruiting Question - PCS

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

Hi [redacted]

In case you received my previous email regarding this matter, I slightly edited my noted and tried to recall the previous email. If the recall was not successful, please refer to this email. Thank you.....

I appreciate you forwarding the email below.

In [redacted] absence, thank you for speaking on the phone with me this afternoon to discuss further.

Based on our conversation, I documented a few notes, below, and would like to confirm with you that I have captured the gist of our conversation, correctly. Please respond with your concurrence or any additions/edits. Thank you for your assistance, [redacted]

- The Office of Recruitment has performed a check of past hiring records to identify if the Agency has ever hired someone for a position in the field, who EOD'd at NSA with a subsequent PCS, and who were in receipt of PCS entitlements (vs. first duty station entitlements).....
  - Based on the available records and the memories of Recruiters, there have been no other new appointees processed in this manner other than [redacted] and [redacted]
  - Some new appointees hired for positions in the field have EOD'd at NSAW for training or other purposes, then reported to their positions in the field with first duty station entitlements, not PCS entitlements.



Release: 2018-09
NSA: 04857

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

**From:** [redacted]
**Sent:** Monday, March 10, 2014 2:05 PM
**To:** [redacted]
**Subject:** FW: (U) Recruiting Question - PCS

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

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

[redacted]

[redacted]

**From:** [redacted]
**Sent:** Monday, March 10, 2014 1:29 PM
**To:** [redacted]
**Subject:** FW: (U) Recruiting Question - PCS

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

FYI

[redacted]

Personnel Privileged Information

Do not release without permission of [redacted]

Do not further release without approval from originator

This document may contain Privacy Act (1974, as amended) information which must be protected IAW NSA/CSS Policy 1-34 or removed prior to further disclosure. This information is ~~for Official use only (FOUO)~~



Release: 2018-09
NSA: 04858

**From:** [redacted]
**Sent:** Monday, March 10, 2014 1:25 PM
**To:** [redacted]
**Subject:** RE: (U) Recruiting Question

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

[redacted]

I can't say for sure, but I remember there was one person that I was hiring for Denver. He lived in MD and wanted to start at NSAW for the orientation. However, I recall it falling through because they did not want to give him the PCS benefits.

[redacted]

(U//~~FOUO~~)

[redacted]

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

**From:** [redacted]
**Sent:** Monday, March 10, 2014 12:39 PM
**To:** [redacted]
**Subject:** (U) Recruiting Question

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

[redacted]

Do you recall if we ever hired anyone for a field site that started at NSAW and then PCSd within a few weeks?

[redacted]

[redacted]

Personnel Privileged Information



Release: 2018-09
NSA: 04859

Doc ID: 6635428





# APPENDIX K

## TRAINING RECORDS, [redacted] and [redacted]

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



Release: 2018-09
NSA: 04860

Doc ID: 6635428

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

PERSONNEL PRIVILEGED

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*** sponsored by another Intelligence Community Agency is listed. If a course from another Agency is listed, a request ***
*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name:
Learner ID:
Department: Hawaii

| Course Designator | Start Date | End Date | Title | Hours | Score |
|---|---|---|---|---|---|
| OHES2000 | | | (U) WORKPLACE AND EMPLOYEE EMERGENCY PREPAREDNESS | 0.5 | P |
| OHES1102 | | | (U) LOCKOUT TAGOUT | 4 | P |
| OVSC1000 | 07-JUN-2013 | 20-JUN-2013 | (U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING | 1 | P |
| | 07-MAY-2013 | 07-MAY-2013 | (U) | 4 | P |
| EEOD2101 | 25-APR-2013 | 25-APR-2013 | (U) EEO, DIVERSITY & DISABILITY AWARENESS | 4 | P |
| | 16-APR-2013 | 16-APR-2013 | (U) | 8 | P |
| HRSD00008 | | | (U) HR COGNOS QUERY STUDIO BASIC, LEVEL I | 4 | NE |
| SSET2000 | 01-APR-2013 | 01-APR-2013 | (U) CI/OPSEC/UNAUTHORIZED DISCLOSURE REFRESHER | 1 | P |
| RESM2455 | | | (U) NSA's INTERNAL CONTROL PROGRAM | 4 | P |
| HRSD00017 | | | (U) GETTING STARTED WITH HR SHAREPOINT | 2 | NE |
| EDUC1501 | | | (U) TEACHING AT NSA | 2.5 | P |
| OHES3201 | | | (U) OCCUPATIONAL SAFETY AND HEALTH FUNDMENTALS | 32 | P |
| OPSE1301 | 22-FEB-2013 | 22-FEB-2013 | (U) OPSEC FUNDAMENTALS | 1 | P |
| SSET1101 | 22-FEB-2013 | 22-FEB-2013 | (U) ANTI-TERRORISM FORCE PROTECTION TRAINING | 1 | P |
| CLAS1700 | 22-FEB-2013 | 22-FEB-2013 | (U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING | 1 | P |
| OIAC1180 | 20-FEB-2013 | 20-FEB-2013 | (U) CYBER AWARENESS CHALLENGE | 1 | P |
| RESM1510 | | | (U) ASSET MANAGEMENT FOR USERS | 1 | P |
| TIPA1001 | 15-FEB-2013 | 15-FEB-2013 | (U) TRAFFICKING IN PERSONS AWARENESS TRAINING | 1 | P |
| OIAC1180 | 15-FEB-2013 | 18-NOV-2013 | (U) CYBER AWARENESS CHALLENGE | 1 | P |
| OVSC1000 | 15-FEB-2013 | 15-FEB-2013 | (U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING | 1 | P |
| DODM1001 | 15-FEB-2013 | 15-FEB-2013 | (U) CONTINUITY AWARENESS TRAINING | 1 | P |
| PRIV1001 | 14-FEB-2013 | 14-FEB-2013 | (U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES | 1 | P |
| EEOD1120 | 14-FEB-2013 | 14-FEB-2013 | (U) NO FEAR ACT TRAINING | 1 | P |
| EDUC1111 | | | (U) E-CLASS FOR PARTICIPANTS | 1 | NE |
| CLAS1000 | 14-FEB-2013 | 15-FEB-2013 | (U) ELEMENTS OF CLASSIFICATION AND MARKING | 1 | P |
| CROR1100 | | | (U) NEW EMPLOYEE ORIENTATION | 64 | NE |
| | 10-JUL-2012 | 10-JUL-2012 | (U) | 4 | P |

(b) (6)

* Indicates Embedded Course



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NSA: 04861

Doc ID: 6635428

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

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*** for approval of the document should be submitted via email to DL DJ4_privacy with a copy of the training history attached.***

Name:
Learner ID:
Department: Hawaii

| Course Designator | Start Date | End Date | Title | Hours | Score |
|---|---|---|---|---|---|
| | | | (U) | 0.5 | P |
| OHES2000 | | | (U) WORKPLACE AND EMPLOYEE EMERGENCY PREPAREDNESS | 0.5 | P |
| | | | (U) | 0 | Certified |
| OHES1102 | | | (U) LOCKOUT TAGOUT | 4 | P |
| OVSC1000 | 08-JUN-2013 | 14-JUN-2013 | (U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING | 1 | P |
| | | | (U) | 4 | P |
| OHES1109 | | | (U) HEARTSAVER CPR AED ADULT ONLY | 4 | P |
| EEOD2101 | 25-APR-2013 | 25-APR-2013 | (U) EEO, DIVERSITY & DISABILITY AWARENESS | 4 | P |
| | | | (U) | 1 | P |
| | | | (U) | 8 | P |
| NHN_BC | | | (U) BUILDING COMMUNITY | | P |
| NHN_E6 | | | (U) EPISODE 6: HIGH IMPACT HIRING | | P |
| NHN_E7 | | | (U) EPISODE 7: FORGING BREAKTHROUGHS | | P |
| NHN_E2 | | | (U) EPISODE 2: COLLABORATION | | P |
| NHN_E4 | | | (U) EPISODE 4: SELF MANAGEMENT, PART 2 | | P |
| NHN_E3 | | | (U) EPISODE 3: SELF MANAGEMENT, PART 1 | | P |
| NHN_E5 | | | (U) EPISODE 5: PARTNERING FOR RESULTS | | P |
| NHN_E1 | | | (U) EPISODE 1: SELLING TO SPONSORS | | P |
| NHN_BY | | | (U) CAPTURING BRAND YOU | | P |
| NHN_BC | | | (U) BUILDING COMMUNITY | | P |
| NHN_7H | | | (U) 7 HABITS | | P |
| RESM2455 | | | (U) NSA's INTERNAL CONTROL PROGRAM | 4 | P |
| SSET2000 | 25-MAR-2013 | 25-MAR-2013 | (U) CI/OPSEC/UNAUTHORIZED DISCLOSURE REFRESHER | 1 | P |
| HRSD00017 | | | (U) GETTING STARTED WITH HR SHAREPOINT | 2 | NE |
| EDUC2501 | | | (U) TRAINING METHODS FOR CRYPTOLOGIC INSTRUCTORS | 32 | 92 |
| | | | (U) | 16 | NE |
| EDUC1501 | | | (U) TEACHING AT NSA | 2.5 | P |
| OHES3201 | | | (U) OCCUPATIONAL SAFETY AND HEALTH FUNDMENTALS | 32 | P |
| SSET1101 | 25-FEB-2013 | 25-FEB-2013 | (U) ANTI-TERRORISM FORCE PROTECTION TRAINING | 1 | P |
| CLAS1000 | 22-FEB-2013 | 22-FEB-2013 | (U) ELEMENTS OF CLASSIFICATION AND MARKING | 1 | P |
| TIPA1001 | 22-FEB-2013 | 22-FEB-2013 | (U) TRAFFICKING IN PERSONS AWARENESS TRAINING | 1 | P |
| OPSE1301 | 22-FEB-2013 | 25-FEB-2013 | (U) OPSEC FUNDAMENTALS | 1 | P |
| CLAS1700 | 21-FEB-2013 | 22-FEB-2013 | (U) RECORDS MANAGEMENT ANNUAL AWARENESS TRAINING | 1 | P |
| EEOD2102 | | | (U) PREVENTING HARASSMENT | 1.5 | P |
| OVSC1000 | 20-FEB-2013 | 21-FEB-2013 | (U) NSA/CSS INTELLIGENCE OVERSIGHT TRAINING | 1 | P |
| EEOD1120 | 20-FEB-2013 | 20-FEB-2013 | (U) NO FEAR ACT TRAINING | 1 | P |
| DODM1001 | 15-FEB-2013 | 15-FEB-2013 | (U) CONTINUITY AWARENESS TRAINING | 1 | P |
| PRIV1001 | 15-FEB-2013 | 15-FEB-2013 | (U) ANNUAL PRIVACY AWARENESS FOR EMPLOYEES | 1 | P |
| OIAC1180 | 15-FEB-2013 | 22-FEB-2013 | (U) CYBER AWARENESS CHALLENGE | 1 | P |
| RESM1510 | | | (U) ASSET MANAGEMENT FOR USERS | 1 | NE |
| EDUC1111 | | | (U) E-CLASS FOR PARTICIPANTS | 1 | NE |
| CROR1100 | | | (U) NEW EMPLOYEE ORIENTATION | 64 | NE |

* Indicates Embedded Course

---- Page 1 of 1 ----

(b) (6)

Release: 2018-09
NSA: 04862

Doc ID: 6635428





# APPENDIX L

# FINAL JOB OFFERS



Release: 2018-09
NSA: 04863

[redacted]

**From:** [redacted]
**Sent:** Tuesday, April 29, 2014 12:31 PM
**To:** [redacted]
**Subject:** FW: Final Job Offer

H[redacted]

I am so sorry, I thought I sent this email over... please find attached the original FJO sent 4 Feb. Please let me know if you have any questions.

Thanks

[redacted]

NSA
Office of Recruitment and Hiring
9800 Savage Rd., Ste. 6779
Attn: MB2 [redacted]
Ft. Meade, Md. 20755

**From** [redacted]
**Sent:** Monday, February 04, 2013 11:22 AM
**To:** [redacted]
**Cc:** [redacted]
**Subject:** Final Job Offer

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

[redacted]

(b)(6)

CONGRATULATIONS! You have been fully cleared and ready to hire as a [redacted] and qualify for a salary of [redacted]

***This appointment is a First Duty hire at Honolulu, Hawaii with a rotation date of 36 month. First Duty hires at certain locations must have a set tour with a rotation date. The tour may be extended at a certain location for up to two additional years.***

In order to move forward, please confirm the following:

- Current mailing address
- Acceptance of the position

Now we can establish an Enter On Duty (EOD) date, which you would need to start at the beginning of a new pay period. We have the following upcoming dates available:

- 25 February 2013
- 11 March 2013



Release: 2018-09
NSA: 04864

- 25 March 2013
- 8 April 2013

Please select the date that best works for you, contingent on the remaining receipt of the above information. Let me know if you have any remaining questions and I will be happy to assist. Thanks and once again, CONGRATULATIONS!

Respectfully,

[redacted]

Recruiter, Office of Recruitment & Staffing

[redacted]

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



Release: 2018-09
NSA: 04865

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

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

February 4, 2013

[redacted]

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

(b)(6)

Dear [redacted]

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a [redacted] GG-0000 [redacted] at [redacted] base salary, plus a locality pay of [redacted] for a total of [redacted] per annum.

This offer is contingent upon receipt of official documentation of your degree(s) and/or certificate(s) as appropriate. You must provide an official copy of your final transcript(s) as evidence of the degree(s) awarded or credits earned.

You are scheduled to begin employment on Monday, [redacted] and will attend our "Enter on Duty" employee orientation the first ten days. The orientation gives us the opportunity to welcome you and familiarize you with NSA. It will also ensure all necessary paperwork is completed for payroll, benefits, human resources, etc. As your report date approaches, please be on the lookout for an email from the Orientation Manager, detailing your reporting instructions. It should arrive 7 to 10 days prior to your report date. It is important that you ensure we have current email address and contact information in case there are any changes to the location of the orientation.

We ask that you provide an official copy of your final transcript(s) as evidence of the degree(s) awarded or credits earned. If unable to acquire a final transcript(s) prior to your start date, other written confirmation by the school registrar's office of the degree(s) awarded to or credits earned by you will suffice temporarily.

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits.

Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.

Appointment to this position requires a minimum commitment of 2 year(s) before you will be eligible to apply for any other positions at the Agency. Exceptions to this policy may be made based on changes in the Agency's mission needs or technological developments. In such cases, the Associate Director for Human Resources may authorize reassignments otherwise restricted by this policy.

You will be required to serve a 2 year(s) trial period, during which time you serve at the discretion of the Agency. This trial period runs concurrently with your commitment to the position, if applicable. Prior to the completion of your trial period, your supervisor will be asked to evaluate your work performance, conduct, and other job-related factors. When you have completed 2 year(s) of service with the Agency and have received a satisfactory rating from your supervisor, your trial period will automatically end.

The normal workweek is 40 hours, Monday through Friday. The basic workday is 8 1/2 hours, which includes a required 30 minute lunch break. Under certain circumstances, however, it may be necessary for you to work overtime or irregular hours. Time worked beyond 40 hours is compensated in accordance with the Federal regulations concerning overtime pay. Since you will not receive a paycheck immediately, it is suggested that you have sufficient funds to meet living expenses for two to four weeks.

Please review, sign and date both copies of this letter and the attached Enhanced Annual Leave (EAL) form. Please fax or scan a signed copy of the letter, in its entirety and the EAL form to your recruiter and retain the others for your records. For your convenience we have enclosed a fax coversheet. If we do not receive the requested documents two weeks prior to your start date (EOD), we will reschedule your EOD. In addition, bring an original signed copy of each document with you on your first day.

Again, congratulations on having met NSA's high standards for employment.

Sincerely,

(b) (6)

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

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: 02/08/2013

Doc ID: 6635428

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

UNCLASSIFIED ~~FOR OFFICIAL USE ONLY~~

# Enhanced Annual Leave Eligibility Form

**Name:** [redacted]
**Work Role:**
**Date:** 04-Feb-2013
**ID:**
**Prepared By:** [redacted]
**Hiring Org:**

*Please review, sign and bring this form with you when you Enter On Duty (EOD). ONCE YOU EOD THERE IS NO PROVISION TO APPEAL.*

| Start Date | End Date | Employer | Work Role | Hrs/Wk | Months |
|---|---|---|---|---|---|
| | | [redacted] | | | |

☐ [redacted] information is truthful and complete to the best of my knowledge.

Sign: [redacted] Date: 02/08/2013

**Comments:**

(b) (6)

[redacted]

Date:

2.4.2013
Date:

**Comments:**

UNCLASSIFIED ~~FOR OFFICIAL USE ONLY~~

Release: 2018-09
NSA: 04868

Doc ID: 6635428



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

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

February 5, 2013

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

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a [redacted] GG-0000 [redacted] at [redacted] base salary, plus a locality pay of [redacted] for a total of [redacted] per annum.

You are scheduled to begin employment on Monday, [redacted] and will attend our "Enter on Duty" employee orientation the first ten days. The orientation gives us the opportunity to welcome you and familiarize you with NSA. It will also ensure all necessary paperwork is completed for payroll, benefits, human resources, etc. As your report date approaches, please be on the lookout for an email from the Orientation Manager, detailing your reporting instructions. It should arrive 7 to 10 days prior to your report date. It is important that you ensure we have current email address and contact information in case there are any changes to the location of the orientation.

We ask that you provide an official copy of your final transcript(s) as evidence of the degree(s) awarded or credits earned. If unable to acquire a final transcript(s) prior to your start date, other written confirmation by the school registrar's office of the degree(s) awarded to or credits earned by you will suffice temporarily.

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits, Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.



Release: 2018-09
NSA: 04869

Doc ID: 6635428



Appointment to this position requires a minimum commitment of 2 year(s) before you will be eligible to apply for any other positions at the Agency. Exceptions to this policy may be made based on changes in the Agency's mission needs or technological developments. In such cases, the Associate Director for Human Resources may authorize reassignments otherwise restricted by this policy.

You will be required to serve a 2 year(s) trial period, during which time you serve at the discretion of the Agency. This trial period runs concurrently with your commitment to the position, if applicable. Prior to the completion of your trial period, your supervisor will be asked to evaluate your work performance, conduct, and other job-related factors. When you have completed 2 year(s) of service with the Agency and have received a satisfactory rating from your supervisor, your trial period will automatically end.

The normal workweek is 40 hours, Monday through Friday. The basic workday is 8 1/2 hours, which includes a required 30 minute lunch break. Under certain circumstances, however, it may be necessary for you to work overtime or irregular hours. Time worked beyond 40 hours is compensated in accordance with the Federal regulations concerning overtime pay. Since you will not receive a paycheck immediately, it is suggested that you have sufficient funds to meet living expenses for two to four weeks.

Please review, sign and date both copies of this letter and the attached Enhanced Annual Leave (EAL) form. Please fax or scan a signed copy of the letter, in its entirety and the EAL form to your recruiter and retain the others for your records. For your convenience we have enclosed a fax coversheet. If we do not receive the requested documents two weeks prior to your start date (EOD), we will reschedule your EOD. In addition, bring an original signed copy of each document with you on your first day.

Again, congratulations on having met NSA's high standards for employment.

Sincerely,

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: _____



Release: 2018-09
NSA: 04870

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

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

January 22, 2013

Dear [redacted]

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

(b)(6)

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a [redacted] GG-0000 [redacted] at [redacted] base salary, plus a locality pay of [redacted] for a total of [redacted] per annum.

This appointment is a First Duty hire at Honolulu, Hawaii with a rotation date of 36 months. First Duty hires at certain locations must have a set tour with a rotation date. The tour may be extended at certain locations for up to two additional years.

In addition to your salary, you are eligible for a Cost of Living Adjustment (COLA) based on your First Duty Appointment to Hawaii and the calendar year in which you are hired. The COLA for the 2013 calendar year is 12.25%; however, this percentage is not guaranteed and is subject to change each year. The COLA will be added to your total annual salary, which is your base plus locality.

You are scheduled to begin employment on Monday, [redacted] This appointment is a 1st Duty Hire at the National Security Agency/Central Security Service, Hawaii. Please report to the Office of Human Resources at 0800, [redacted]

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits, Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.

Appointment to this position requires a minimum commitment of 2 year(s) before you will be eligible to apply for any other positions at the Agency. Exceptions to this policy may be made based on changes in the Agency's mission needs or technological developments. In such cases, the Associate Director for Human Resources may authorize reassignments otherwise restricted by this policy.

You will be required to serve a 2 year(s) trial period, during which time you serve at the discretion of the Agency. This trial period runs concurrently with your commitment to the position, if applicable. Prior to the completion of your trial period, your supervisor will be asked to evaluate your work performance, conduct, and other job-related factors. When you have completed 2 year(s) of service with the Agency and have received a satisfactory rating from your supervisor, your trial period will automatically end.

The normal workweek is 40 hours, Monday through Friday. The basic workday is 8 1/2 hours, which includes a required 30 minute lunch break. Under certain circumstances, however, it may be necessary for you to work overtime or irregular hours. Time worked beyond 40 hours is compensated in accordance with the Federal regulations concerning overtime pay. Since you will not receive a paycheck immediately, it is suggested that you have sufficient funds to meet living expenses for two to four weeks.

Please review, sign and date both copies of this letter and the attached Enhanced Annual Leave (EAL) form. Please fax or scan a signed copy of the letter, in its entirety and the EAL form to your recruiter and retain the others for your records. For your convenience we have enclosed a fax coversheet. If we do not receive the requested documents two weeks prior to your start date (EOD), we will reschedule your EOD. In addition, bring an original signed copy of each document with you on your first day.

Again, congratulations on having met NSA's high standards for employment.

(b) (6)

Sincerely,

[redacted]

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: _____

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

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

January 24, 2013

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

(b) (6)

Dear

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a GG-0000 at base salary, plus a locality pay of for a total of per annum.

This appointment is a First Duty hire at Honolulu, Hawaii with a rotation date of 36 months. First Duty hires at certain locations must have a set tour with a rotation date. The tour may be extended at certain locations for up to two additional years.

In addition to your salary, you are eligible for a Cost of Living Adjustment (COLA) based on your First Duty Appointment to Hawaii and the calendar year in which you are hired. The COLA for the 2013 calendar year is 12.25%; however, this percentage is not guaranteed and is subject to change each year. The COLA will be added to your total annual salary, which is your base plus locality.

You are scheduled to begin employment on Monday, This appointment is a 1st Duty Hire at the National Security Agency/Central Security Service, Hawaii. Please report to the Office of Human Resources at 0800

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits, Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.

Appointment to this position requires a minimum commitment of 2 year(s) before you will be eligible to apply for any other positions at the Agency. Exceptions to this policy may be made based on changes in the Agency's mission needs or technological developments. In such cases, the Associate Director for Human Resources may authorize reassignments otherwise restricted by this policy.

You will be required to serve a 2 year(s) trial period, during which time you serve at the discretion of the Agency. This trial period runs concurrently with your commitment to the position, if applicable. Prior to the completion of your trial period, your supervisor will be asked to evaluate your work performance, conduct, and other job-related factors. When you have completed 2 year(s) of service with the Agency and have received a satisfactory rating from your supervisor, your trial period will automatically end.

The normal workweek is 40 hours, Monday through Friday. The basic workday is 8 1/2 hours, which includes a required 30 minute lunch break. Under certain circumstances, however, it may be necessary for you to work overtime or irregular hours. Time worked beyond 40 hours is compensated in accordance with the Federal regulations concerning overtime pay. Since you will not receive a paycheck immediately, it is suggested that you have sufficient funds to meet living expenses for two to four weeks.

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Again, congratulations on having met NSA's high standards for employment.

[redacted]

(b) (6)

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: _____

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

UNCLASSIFIED FOR OFFICIAL USE ONLY

# Enhanced Annual Leave Eligibility Form

**Name:** [redacted]
**Work Role:**
**Date:** 24-Jan-2013
**ID:**
**Prepared By:** [redacted]
**Hiring Org:**

*Please review, sign and bring this form with you when you Enter On Duty (EOD). ONCE YOU EOD THERE IS NO PROVISION TO APPEAL*

| Start Date | End Date | Employer | Work Role | Hrs/Wk | Months |
|---|---|---|---|---|---|
| | | | | | |

Total EAL Experience
Eligible Leave Category [redacted]

☐ I certify the aforementioned information is truthful and complete to the best of my knowledge.

Signature: _____ Date: _____

**Comments:** [redacted] (b) (6)

[redacted]

1.24.13
Date:

1/24/13
Date:

**Comments:**

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Doc ID: 6635428

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

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

February 4, 2013

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

(b)(6)

Dear

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a GG-0000 at base salary, plus a locality pay of for a total of per annum.

You are scheduled to begin employment on Monday and will attend our "Enter on Duty" employee orientation the first ten days. The orientation gives us the opportunity to welcome you and familiarize you with NSA. It will also ensure all necessary paperwork is completed for payroll, benefits, human resources, etc. As your report date approaches, please be on the lookout for an email from the Orientation Manager, detailing your reporting instructions. It should arrive 7 to 10 days prior to your report date. It is important that you ensure we have current email address and contact information in case there are any changes to the location of the orientation.

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits. Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.

Appointment to this position requires a minimum commitment of 2 year(s) before you will be eligible to apply for any other positions at the Agency. Exceptions to this policy may be made based on changes in the Agency's mission needs or technological developments. In such cases, the Associate Director for Human Resources may authorize reassignments otherwise restricted by this policy.

Release: 2018-09
NSA: 04876

You will be required to serve a 2 year(s) trial period, during which time you serve at the discretion of the Agency. This trial period runs concurrently with your commitment to the position, if applicable. Prior to the completion of your trial period, your supervisor will be asked to evaluate your work performance, conduct, and other job-related factors. When you have completed 2 year(s) of service with the Agency and have received a satisfactory rating from your supervisor, your trial period will automatically end.

The normal workweek is 40 hours, Monday through Friday. The basic workday is 8 1/2 hours, which includes a required 30 minute lunch break. Under certain circumstances, however, it may be necessary for you to work overtime or irregular hours. Time worked beyond 40 hours is compensated in accordance with the Federal regulations concerning overtime pay. Since you will not receive a paycheck immediately, it is suggested that you have sufficient funds to meet living expenses for two to four weeks.

Please review, sign and date both copies of this letter and the attached Enhanced Annual Leave (EAL) form. Please fax or scan a signed copy of the letter, in its entirety and the EAL form to your recruiter and retain the others for your records. For your convenience we have enclosed a fax coversheet. If we do not receive the requested documents two weeks prior to your start date (EOD), we will reschedule your EOD. In addition, bring an original signed copy of each document with you on your first day.

Again, congratulations on having met NSA's high standards for employment.

Sincerely,

[redacted] (b) (6)

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: _____

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

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

February 6, 2013

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

(b) (6)

Dear

Congratulations! We are pleased to confirm your selection with the National Security Agency (NSA) as a GG-0000 at base salary, plus a locality pay of for a total of per annum.

You are scheduled to begin employment on Monday, and will attend our "Enter on Duty" employee orientation the first ten days. The orientation gives us the opportunity to welcome you and familiarize you with NSA. It will also ensure all necessary paperwork is completed for payroll, benefits, human resources, etc. As your report date approaches, please be on the lookout for an email from the Orientation Manager, detailing your reporting instructions. It should arrive 7 to 10 days prior to your report date. It is important that you ensure we have current email address and contact information in case there are any changes to the location of the orientation.

As discussed with you, this offer is for a civilian position in the excepted service and is indicated as Other (Except Svc Perm).

All employees are required to have a baseline Enter-On-Duty (EOD) Occupational Health Evaluation within 30 days of employment. An "evaluation" consists of physical testing, completing medical forms (including a medical history), and an interview with an occupational nurse.

As prescribed by Federal regulations, you will be entitled to annual and sick leave benefits, Federal retirement and coverage under the provisions of the Social Security Act. You may also be eligible for within-grade increases. In addition, you will have the option of enrolling in available health and life insurance programs.

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Important Relocation Benefit Information: Based on the address above, you are eligible for relocation benefits. The enclosed Relocation Information packet provides instructions and guidance on how to obtain these benefits. Please return the Relocation Information Sheet and Transportation Agreement (DD1618) within seven (7) days from receipt of this letter. Forms can be returned either by email [redacted] or fax [redacted] Failure to return these forms will affect your benefits. You must contact the Relocation Program Manager at [redacted] or 1-866-NSA-HIRE before making any moving arrangements.

Please review, sign and date both copies of this letter and the attached Enhanced Annual Leave (EAL) form. Please fax or scan a signed copy of the letter, in its entirety and the EAL form to your recruiter and retain the others for your records. For your convenience we have enclosed a fax coversheet. If we do not receive the requested documents two weeks prior to your start date (EOD), we will reschedule your EOD. In addition, bring an original signed copy of each document with you on your first day.

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

Again, congratulations on having met NSA's high standards for employment.

Sincerely,

[redacted]

(b)(6)

National Security Agency
Office of Recruitment

I have read and understand this letter and agree to the salary and conditions of employment as stated herein.

Signature: _____ Date: _____

Doc ID: 6635428

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

**From:**
**To:**
**Subject:** RE: (U) OIG Investigation - Tentative Conclusion
**Date:** Tuesday, May 20, 2014 7:06:21 PM

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

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

Thank you for the opportunity to respond. I am surprised at the tentative conclusion yet I acknowledge these are complicated issues. I hope the following provides some clarity to the issues, which I'll address separately below, based on my recollection of the events that took place 1 year and 3 months ago. In summary (Chief wanted to receive significant training before he left for Hawaii. However, his wishes were not being carried out. So my involvement as the was focused on meeting the wishes of one of Office Chiefs who believed pre-training was necessary for a new employee to succeed in a highly technical and challenging assignment. Kathy Hutson, C/HR, was concerned as well and was knowledgeable and supportive of the actions taken and decisions made.

1. "Told the mission hiring manager that he did not think could financially afford to enter on duty (EOD) at NSA Hawaii (Hawaii)". I did state in an e-mail to that I was concerned might not be able to afford to live in Hawaii. From my experience with PCSs in a previous assignment, this is something most people are concerned about when they are considering a move to Hawaii. In hindsight I regret saying that. But I knew could make ends meet. If I recall correctly I said in my interview with you that I was not concerned with ability to affordably live in Hawaii. Additionally, in an e-mail I sent to (you have a copy) I stated that had choices and explained what they were. Some of those choices would have provided no additional financial gain to I mentioned them because the issue was about training, not money.

(b)(6)

2. "Provided the hiring manager with recommendations and advice for how could EOD at NSA Washington (NSAW) with a subsequent permanent change of station (PCS) to NSAH" did not seem to be aware of desire to ensure received training before he left for Hawaii. As the one of my responsibilities is to ensure the wishes of senior leaders are carried out, including de-conflicting issues if I become aware of them. My comments to were provided as clarification and in support of leadership's wishes as stated above and as I understood them. They were not intended to steer in one direction or the other. In fact I told in the e-mail I mentioned above that he had options that he could pursue.

3. "Directed his subordinate to coordinate the hiring and PCS actions pertaining to with relevant Agency offices". It was my understanding that PCS Services and Hiring and Recruitment (MB) were all thinking different things and proceeding with different courses of action. As the I was concerned with the organizational disconnect and so asked to bring these decision-makers together, find out what they wanted to do, help implement their decisions and answer any technical questions they might have. I did not direct her to come to any particular decision. had a deep understanding and was the most knowledgeable person I knew about field matters and therefore she seemed the appropriate choice for this. Kathy Hutson supported this course of action. To eliminate any involvement I asked not to be

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

Release: 2018-09
NSA: 04880

informed of any of these discussions or decisions.

4. [redacted] does not currently, and did not at the time, report to me. I am not his rater or reviewer and he is not in my pay pool. He is the same grade as me and I don't have any influence over [redacted] bonuses, promotions or awards.

5. I was not involved in any final decisions about [redacted] training, PCS or financial issues. I believe these decisions were made at levels above me.

Please let me know if you have any questions [redacted]

[redacted]

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

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

**From:** [redacted]
**Sent:** Thursday, May 15, 2014 12:01 PM
**To:** [redacted]
**Subject:** (U) OIG Investigation - Tentative Conclusion

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

[redacted]

(U//~~FOUO~~) This is to notify you of the tentative conclusion the Office of the Inspector General (OIG) reached in our investigation regarding the allegation that you influenced how [redacted] was hired to increase [redacted] travel entitlements. Our tentative conclusion reads as follows:

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] created an appearance of impropriety in the performance of his duties, and misused his official Government position when he told the mission hiring manager that he did not think [redacted] could financially afford to enter on duty (EOD) at NSA Hawaii (NSAH), provided the hiring manager with recommendations and advice for how [redacted] could EOD at NSA Washington (NSAW) with a subsequent permanent change of station (PCS) to NSAH, and then directed his subordinate to coordinate the hiring and PCS actions pertaining to [redacted] with relevant Agency offices. His actions violated 5 C.F.R. § 2635.502, Personal and business relationships, NSA/CSS Personnel Management Manual, Chapter 366 § 1-3(G), General Principles for On-The-Job Conduct, and 5 C.F.R. § 2635.702, Use of public office for private gain. The OIG also looked into whether or not your actions violated 5 U.S.C. § 3110, "Employment of relatives; restrictions" (Nepotism), and did not substantiate that allegation.

(b) (6)

(U//~~FOUO~~) In accordance with the investigative process, you now have the opportunity to comment on the tentative conclusion and/or offer additional information before we close our investigation. You are not required to respond with regard to our tentative conclusion, and if you choose not to, please simply acknowledge receipt of this notification. However, if you choose to respond, please do so in writing by 1700 hours, 23 May 2014. Any comments and/or additional information you provide will be given full consideration in reaching our

final conclusion. If you require additional time, please let me know.

(U) If you have any questions or concerns, please contact me.

V/R,

[redacted]

(U//~~FOUO~~) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

**PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action**

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