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## DEPARTMENT OF THE ARMY

U.S. ARMY TRAINING SUPPORT CENTER

FORT EUSTIS, VIRGINIA 23604-5166

REPLY TO  
ATTENTION OF:

ATIC-DC

22 Jul 08

### MEMORANDUM FOR RECORD

Subject: Summary and Recommended Disposition of Use of Government IT Equipment and Associated Files and Documents from that Same Equipment by [REDACTED]

1. Purpose. The purpose of this Memorandum for Record is to document the use of government information technology (IT) equipment assigned to [REDACTED] organization by [REDACTED] during the period of March to May 2008 along with the associated files and documents from that same IT equipment. From this work I was asked to determine if any administrative personnel actions should occur to [REDACTED] or anyone else. The informal investigation that I conducted to derive my findings and recommendations was made from several source documents cited below and discussions with various key persons. These include: statements and emails from individuals assigned to the Automation Services Division (ASD) of the Support Directorate; emails from [REDACTED] (b)(6) that directed this review; informal discussions (no formal prepared questions) with [REDACTED] (b)(6), a contractor that is assigned to ASD; informal discussions (no formal prepared questions) with [REDACTED] (b)(6) at our serving CPAC; informal discussions (no formal prepared questions) with [REDACTED] (b)(6) of the Fort Eustis DOIM, and finally informal discussions (no formal prepared questions) with Ms Sheila Ahrens.

#### 2. Background.

a. In early Summer 2007 and because of ongoing construction within the HPIC building that [REDACTED] would normally occupy coupled with the outcome of an Investigation of Property Loss (IOPL) by [REDACTED] (b)(6) of ATSC against a member of her organization headquartered at Fort Lee, Virginia who was further assigned and rated by [REDACTED] (b)(6) (VTT team chief), she decided to move her workplace to Building 1514. This was done after approximately a year being assigned as the division chief position where under the guidance/direction from her then supervisor [REDACTED] (b)(6) [REDACTED] (b)(6) that she spend the preponderance of her time with the newly reengineered staff and faculty (HPIC) effort and not the VTT program.

b. Once she arrived and began to better determine the needed followon work at Fort Lee beyond the IOPL and associated improvements to property accountability and other changes within that same VTT organization, she learned much more about underlying and possibly systemic issues and concerns at Fort Lee and within Building 1514 workplace itself. In the Fall of 2007, she was detailed to a set of duties to allow her to

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focus on many of these areas while also determining that an independent AR 15-6 investigation from HQ, TRADOC was also required to properly investigate and direct/dispose of various property/equipment at Fort Lee and elsewhere. During this same timeframe (January 2008), (b)(6) was conducting an informal investigation which was initiated from an employee alleging misconduct among members of Bldg 1514 over a period of several years. As documented by (b)(6) through statements she gathered as a part of this investigation, Ms. Ahren's presence in the workplace (Bldg 1514) was certainly not welcomed for various reasons by a majority of the assigned workers and, moreover, they alleged that she created the hostile work environment.

c. While the detail for (b)(6) was in place, it was rarely enforced. For example, (b)(6) took various leaves during this same time period and in all cases, (b)(6) was never allowed to review or approve those requests. Yet, they were approved in some cases by (b)(6) whom (b)(6) continued to rate. On the 5th of February 2008, (b)(6) was encouraged and agreed to be reassigned to (b)(6) division without the knowledge, understanding and approval of (b)(6). Meanwhile, (b)(6) was working various VTT/SEN actions that would normally have required both (b)(6) both of whom were either on leave or retiring from civil service and (b)(6) who had already displaced. This left (b)(6) in an extremis situation and (b)(6) even though she was tasked to conduct a handoff of much of her ongoing work/key actions, it was never properly accomplished with (b)(6). Consequently, these particular VTT/SEN files eventually found on (b)(6) computer were the same ones asked for by the AR 15-6 investigating officer, (b)(6) and needed all along by (b)(6) but because of this poor transition and the files not being properly transferred, it clearly hampered his 15-6 work and others.

### 3. Chronological sequence of events-

a. On 30 April 2008 and as part of life cycle replacement/transitioning of (b)(6) computer, (b)(6) asked (b)(6) if there was anything on (b)(6) computer that she needed. (b)(6) asked him to provide backup of certain files but because of the difficulty/time required of that effort he chose to provide (b)(6) the hard drive itself.

b. On 14 May 2008 and to assist (b)(6) in finding many of the needed files he was looking for to close out the investigation, (b)(6) took the hard drive home and plugged it into (a USB connection) her government laptop which she takes home on numerous occasions to complete work, etc. During the scan of the hard drive for these VTT/SEN files by Ms. Ahrens she discovered various inappropriate emails and JPEG

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files, etc. covering some three years which she printed some off and provided to me on 19 May 2008. She never hooked the hard drive into a personal PC or any other government computer besides her own laptop.

c. On 19 May 2008, [REDACTED] provided me a detailed packet of information which she stated she pulled off of this same hard drive and subsequently printed. It was only a portion of what she discovered on the hard drive and included inappropriate emails from various sources; pornography; inappropriate jokes and other information that potentially provided information related to inappropriate behavior in the ATSC work place (Bldg 1514). She asked that it be reviewed by leadership with follow-up discussions to determine how to best proceed.

d. On 22 May 2008, [REDACTED] directed with the advice of the local SJA that [REDACTED] laptop, [REDACTED] computer (that [REDACTED] as secured separately), [REDACTED] hard drive, and the current computer assigned to her at her new workplace be confiscated by ASD personnel. [REDACTED] had secured [REDACTED] hard drive at home and they went to her home to retrieve/secure that same hard drive.

e. On 27 May 2008, [REDACTED] and [REDACTED] met with [REDACTED] for what I thought was to determine the contents and disposition of the printed documents that [REDACTED] brought forward on 19 May 2008 to me. I was not present for this. What I thought- June/July 2008- I received numerous attachments/emails from ASD as to what was found on the respective hard drives which included all that was acknowledged by [REDACTED] previously (see enclosures). No child pornography was ever found and consequently CID was never a part of this investigation.

f. On 30 June 2008, [REDACTED] laptop was returned to her. The disposition of both [REDACTED] hard drive and [REDACTED] computer/CPU is not known.

4. Summary. Given the hostile work environment within 1514 as determined by the statements [REDACTED] took during her complimentary investigation over the many months after [REDACTED] moved into that building, the reasons for [REDACTED] viewing the information she did on the [REDACTED] hard drive are clear. She needed that information that was not forthcoming from [REDACTED] and when given the opportunity to do so she did. While AR 25-2 prohibits Army personnel from browsing and accessing other user email accounts, in this case the work by [REDACTED] was fully justified. The peripheral information that she also found but wasn't initially looking for (e.g. inappropriate jokes, pornography, and emails, etc.) was what she printed and forwarded to me on 19 May 2008 and must be properly investigated as well.

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5. Recommendations. As outlined in the summary, nothing further should be done against the IT related actions that ██████████ took to derive the files needed to finish the AR 15-6 investigation. As discussed, these were never forthcoming from (b)(6) ██████████ during her transition out of that organization and ██████████ felt it was proper for her to find additional and needed information. The various inappropriate files, etc. were printed and given to me, which I have still secured. While printing of this material may not normally be appropriate, in this case and given the circumstances it was required to prepare a logical packet of chronological information that ██████████ prepared and provided to me on 19 May 08. There were no violations of AR 25-2 according to (b)(6) ██████████ the Fort Eustis DOIM. As CID stated previously, while they would not investigate this they recommended the information be destroyed but only after all administrative actions and follow-up be completed. This has not occurred and the specific hard drives mentioned above with a series of questions to be developed coupled with the incomplete investigation started but not finished by (b)(6) ██████████ should be the basis for a further investigation. The purpose should be to determine the appropriate disposition of these various inappropriate files, etc. along with other indicators or various inappropriate behavior, etc. in the VTT/SEN workplace by potentially a large number of government, military, and contract personnel.

Enclosures  
as

(b)(6)

**Systems Information/Assignment Dates**

System Name	Serial	Date Assigned	User	Comments
EUSTNB272903010	6356M81	18 July 2007	Sheila Ahrens	Used by since assignment date - 22 May 2008 -- Approximately 1525-1550 system obtained from user and secured in Bldg 2787 locked Storage area as directed.
EUSTWK272903010	CYJPM81	6 March 2006	(b)(6)	Used by since assignment date - 22 May 2008 -- Approximately 1525-1550 system obtained from user and secured in Bldg 2787 locked storage area as directed.
EUSTWK270303011	818KT51	20 June 2005	(b)(6)	Used from assignment date until 15 Feb 2008. - 12 Feb 2008 user moved to Bldg 3306 and was assigned EUSTWK273403025 - 15 Feb 2008 Network Engineer completed user move - 22 April 2008 Network Engineer preps system for turn-in due to FY08 PC distribution, replaced by GX755 for new user. During process Network Engineer was having issues backing up data so removed hard drive to backup data using alternate method. Network engineer then was short notice reassigned worked and since user was no longer in building turned over hard drive to supervisor with intent of coming back to complete, however became overcome by events and was not gotten back too. - 9 May 2008 final prep of system for Turn-in was completed. - 22 May 2008 -- Approximately 1525-1550 during attempt to secure system made aware system had actually been turned-in to log (no date known at current time). - 22 May 2008 -- approximately 1535 equipment pickup team

<p>notified the hard drive was not in office, when talking to supervisor she stated it was being kept off site to keep secure, asked where and she stated she would have to ask the person helping her and if I could hold on phone, I said yes. She then proceed to discuss with someone on another phone and I heard her ask about it and then she came back and stated it was at her house. I informed her we would need to follow her there and pickup since she was not scheduled to work the following day and it was the end of her work day. She said ok. (b)(6) (b)(6) followed her to her home and retrieved the Hard drive and returned it to storage location with the rest of systems we retrieved.</p> <p>- 23 May 2008 747am system delivered request made to log to have turned-in system delivered to ASD to position with other systems under investigation.</p> <p>- 23 May 2008 845am system delivered to ASD and secured with other systems.</p>		<p>Used by since assignment date</p> <p>- 22 May 2008 -- approximately 1500-1525 system obtained for user and system secure in Bldg 2787.</p>
		(b)(6)
		11 Feb 2008
		BC2SL81
EUSTWK273403025		

All systems currently locked in storage in Building 2787 awaiting instructions on who/when to turn over. Access has been limited and will remain so till turned over as instructed.

(b)(6)

**From:** (b)(6)  
**Sent:** Monday, June 02, 2008 3:50 PM  
**To:** (b)(6)  
**Cc:** (b)(6)  
**Subject:** PC Scans (UNCLASSIFIED)  
**Signed By:** (b)(6)

Classification: UNCLASSIFIED  
Caveats: NONE

Per (b)(6)

1. Machine number 1 - (b)(6) has found nothing - on (b)(6) machine. He did look through several emails and did not find anything questionable.
2. Machine number 2 - (b)(6) current PC that was pulled from 3306. (b)(6) did find some "questionable, inappropriate" "dirty jokes" (the kind that should not be passed around by a government employee) however, probably would not be deemed true pornography - but would be offensive to most folks (i.e. myself - I saw a couple of them from (b)(6) - and it is not acceptable material nor would I want to receive them)
3. Machine number 3 - (b)(6) is currently being scanned (b)(6) has gotten kicked off it a couple of times and restarted the scan).
4. Machine number 4 - The original machine from (b)(6) old machine is getting the hard drive reinstalled so that it can be scanned.

Will have another update tomorrow.

Thanks,

(b)(6)

Chief, Automation, Support Directorate  
Bldg 2787, Harrison Loop  
Fort Eustis, VA 23604  
(b)(6) DSN: 826-2207

Fax: (b)(6)

(b)(6)

Classification: UNCLASSIFIED  
Caveats: NONE

(b)(6)

From: (b)(6)  
Sent: Wednesday, July 02, 2008 11:38 AM  
To: (b)(6)  
Subject: RE: (b)(6) PC/hard drive scan results (UNCLASSIFIED)  
Signed By: (b)(6)  
Attachments: Ahrens (b)(6).doc



Ahrens (b)(6)  
(b)(6).doc

Classification: UNCLASSIFIED

Caveats: NONE

(b)(6)  
Regarding attached findings, I defer action to you.

Let me know what administrative actions, if any, you executed.

v/r

(b)(6)  
Executive Director, ATSC  
878.3305

-----Original Message-----

From: (b)(6)  
Sent: Wednesday, July 02, 2008 8:56 AM

(b)(6)  
Subject: FW: (b)(6) PC/hard drive scan results  
(UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: FOUO//CLOSE HOLD

(b)(6) here is the report on the 4 computers/hard drives that were scanned. Without having the hard-copy images to compare, it is impossible to determine whether or not any of them are the same as what was found on the computers. The hard drive continues to have certain elements that are mysterious...see report. I attached the "raw" [tactless IAM commentary] without modification.

Unless you want to provide the hard-copy package to (b)(6), I think we've gone about as far as we can.

(b)(6)  
Director of Support, ATSC  
(b)(6); DSN 826

-----Original Message-----

From: (b)(6)  
Sent: Wednesday, July 02, 2008 8:12 AM

(b)(6)  
Subject: FW: (b)(6) (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

e is the write up from (b)(6). Trying to spend my time on the contract to  
it it out the door so I did not re-write/format the way I know you  
want/need. Wanted to get in for your review quick as possible since it is  
behind. Once you have reviewed I can format/address changes you would  
like/need, just thought time better spent on contract at moment.

Let me know what you would like to do from here and I will address the write  
up to reflect proper formatting/submission style I know you are use too.

Thanks

(b)(6)

-----Original Message-----

From: (b)(6)  
Sent: Tuesday, July 01, 2008 12:09 PM  
To: (b)(6)  
Subject: (b)(6) (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Sir,

Write up with tactless IAM commentary for your review.

(b)(6)

S-2210 IT Specialist (INFOSEC)  
Information Assurance Manager  
Army Training Support Center, ATIC-SDA  
2787 Madison Ave, Fort Eustis, VA 23604-5166 Comm. 757-878-2207 DSN  
312-826-2207

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: FOUO//CLOSE HOLD

Classification: UNCLASSIFIED  
Caveats: NONE

Machine number 1 - [REDACTED]

I found nothing on this machine indicative of pornography or adult themed material. Going through .pst files, with particular attention to the Sent Items folder, I did not find anything questionable or to suggest that [REDACTED] asked anyone external to ATSC for help regarding

(b)(6)

Machine number 2 - [REDACTED] (b)(6) (current PC)

I and [REDACTED] (b)(6) both reviewed this machine and found some questionable, inappropriate or adult themed jokes within [REDACTED] (b)(6) .pst file. These "jokes" should not be received or passed around by a government employee on a government system, however; none of the "jokes" were sent to [REDACTED] (b)(6) was frequent recipient of these "jokes" by [REDACTED] (b)(6)

Machine number 3 - [REDACTED] (b)(6)

I reviewed this machine and found some questionable, inappropriate or adult themed jokes within [REDACTED] (b)(6) .pst file. These "jokes" should not be received or passed around by a government employee on a government system, however; none of the "jokes" were sent to [REDACTED] (b)(6) generally forwarded these "jokes" to .com addresses.

Machine number 4 - [REDACTED] (b)(6) (old PC)

I followed [REDACTED] (b)(6) to her house to pick up the hard drive for this machine. When the NE [REDACTED] (b)(6) and I were connecting the drive into the old PC, we noticed that the slide mounting brackets were facing the wrong way. This would imply that the brackets had been removed, possibly to put the hard drive into another computer, and reattached the wrong way. After reviewing this machine I found nothing inconsistent with what was found on [REDACTED] (b)(6) current machine. The data on this hard drive had been copied from it to [REDACTED] (b)(6) new machine as part of the life-cycle swap when it occurred.

Without specific guidance to search for and the manual process of searching through every file or email on gigabytes of data, there is nothing on any of the machines that I found that I would have considered pornographic. There are several instances within [REDACTED] (b)(6) and [REDACTED] (b)(6) data that is adult themed and inappropriate for the government workplace. There are even a few emails from [REDACTED] (b)(6) which imply an unfriendly or hostile work environment. However, I found nothing to substantiate [REDACTED] (b)(6) from violating AR 25-2 by removing machines from the network without prior consent or her not asking for assistance on a possible issue of pornography. I also must question why [REDACTED] (b)(6) would have a government hard drive at her home and why the mounting brackets are facing the wrong way.

AR 25-2 states:

(7) Release, disclose, transfer, possess, or alter information without the consent of the data owner, the original classification authority (OCA) as defined by AR 380-5, the individual's supervisory chain of command, Freedom of Information Act (FOIA) official, Public Affairs Office, or disclosure officer's approval.

(5) As a matter of normal auditing, SAs/NAs may review web sites logs, files downloaded, ingress and egress services and similar audited or related information exchanged over connected systems. Supervisors and managers may receive reports detailing the usage of these and other internal information systems, and are responsible for determining that such usage is both reasonable and authorized.

(7) SAs/NAs may provide assistance to Army supervisory and management personnel, under lawful authority, to examine archived electronic mail, personal computer file directories, hard disk drive files, and other information stored on ISs. This information may include personal data. Such examinations are typically performed to assure compliance with internal policies; support the performance of administrative investigations; and assist in the management and security of data and ISs.

(8) When IA personnel discover information during the course of their normal activity that indicates a violation of acceptable use or a possible criminal offense, they will immediately report the finding to their Commander. The commander will immediately report known or suspected criminal activity to LE and will consult with legal counsel concerning activities that appear merely to violate acceptable use. IA personnel will retain and provide information related to the matter to LE when required.

(9) With the exceptions of the SA/NA as identified below, Army personnel and contractors are prohibited from browsing or accessing other user's e-mail accounts.

(10) The SA/NA may only intercept, retrieve, or otherwise recover an e-mail message and any attachments thereto, only under the following circumstances:

(a) With consent (expressed or implied) of a party to the communication involved.

(b) In response to a request for technical assistance from:

1. LE/CI personnel pursuant to a properly authorized LE/CI investigation.

2. A supervisor as part of a non-investigatory management search in accordance with paragraph 4-5t, below.

3. An investigating officer pursuant to a properly authorized administrative investigation (for example, a preliminary inquiry under Rule for Courts-Martial 303, an informal investigation under AR 15-6, or a preliminary inquiry under AR 380-5).

4. Information systems security monitoring personnel pursuant to properly authorized IS security monitoring activities.

5. Inspector General personnel pursuant to an authorized inspection, investigation, or inquiry.

(11) The SA/NA may remove any e-mail, file, or attachment that is interfering with the operation of an IS without consent of the originator or recipient. The SA/NA will notify the originator and recipient of such actions.

(12) The SA/NA is not authorized to use techniques or software to penetrate or bypass user's information protections (for example, content restrictions or read-only protections

Revised ✓

used to maintain or enforce document integrity, version control, or need-to-know enforcement).

t. Management search. In the absence of the user (for example, TDY, extended hospital stay, incapacitation, emergency operational requirement), only the SA/NA is authorized limited access to the user's files to support administrative management searches to provide the requested information as required for official purposes. When such access is requested, the SA will-

- (1) Brief the supervisor as to the limits of accessing the user's data files.
- (2) Limit the scope of the authorized search to those files reasonably related to the objective of the search (that is, email access would not be reasonable when searching for a word document file).
- (3) Limit the search to the time necessary to locate the required data in the most relevant file location.
- (4) Inform the individual of requested file access as soon as possible after such requests, and document this access in a memorandum.
- (5) SAs/NAs will not grant unrestricted supervisory access to individual information, data files, or accounts.
- (6) SA/NAs will not access individual information or data files unless conducting a management search, an authorized administrative search, or supporting a LE/CI authorized investigation.
- (7) SA/NAs may conduct an authorized investigative or management search of assigned IS upon an individual's termination of employment, death, or other permanent departure from the organization to retrieve data and files associated with the organizational mission.

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DEPARTMENT OF THE ARMY  
U.S. ARMY TRAINING SUPPORT CENTER  
FORT EUSTIS, VIRGINIA 23604-5166

REPLY TO  
ATTENTION OF:

ATIC-DC

7 August 2008

MEMORANDUM FOR [REDACTED] (b)(6)

Subject: Statement provided to [REDACTED] (b)(6), an AR 15-6 Investigating Officer, on Disposition of Associated Files and Documents from IT Equipment discovered by [REDACTED]

The purpose of this statement is to document the requirement that I have been directed by [REDACTED] (b)(6) Executive Director of ATSC, to investigate use of government information technology equipment assigned to [REDACTED]'s organization and the inappropriate jokes, pornography and emails discovered by her on [REDACTED] (b)(6) [REDACTED] (b)(6) computer. The documentation was printed and forwarded to me on 19 May 2008 by [REDACTED] and has been secured by me since that time.

[REDACTED]  
(b)(6)

1

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Fort Eustis Virginia
2. DATE (YYYYMMDD): 2008/08/06
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: YA-03

8. ORGANIZATION OR ADDRESS: U.S. Army Training Support Center, Individual Training Support Directorate, Bldg 2791, Fort Eustis, VA, 23604

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 27 May 08 at 1100 hours, I attended a meeting with (b)(6) (Executive Director, ATSC), (b)(6), and (b)(6) I attended this meeting at the request of (b)(6) since I was serving as the Acting Director of ITSD at that time.

The purpose of this meeting, as I recall, was for (b)(6) to establish and document the facts associated with (b)(6) discovery of alleged pornography and other improper material on one of her employees (b)(6) PC.

During the meeting (b)(6) indicated that based on his looking at material from a packet that (b)(6) had provided (b)(6) (ATSC Deputy) he had notified his supervisor (Mr. Seger) of an email string that in his view inaccurately suggested an inappropriate relationship between (b)(6)

During this meeting (b)(6) questioned (b)(6) regarding the circumstances of her becoming aware of potential pornography and other improper material on (b)(6) PCs. She indicated that an ATSC SA initially brought it to her attention. She reviewed the files on the hard drive and printed out several examples that illustrated improper use of Government equipment, distribution of pornography, solicitation of sex, and lack of respect for chain of command on (b)(6) part. (b)(6) questioned (b)(6) on what actions she took with regard to securing (b)(6) PC and (b)(6) indicated she took the hard drive home and secured (b)(6) PC in a cabinet in her office.

(b)(6) also asked (b)(6) what her intent was with including in this packet an email string between him and (b)(6) regarding an upcoming office Christmas party and I believe a surprise birthday party for (b)(6) wanted to know whether (b)(6) would be able to attend. (b)(6) indicated that the tone of (b)(6) email showed disrespect to (b)(6) position and also indicated an improper use of the chain of command for inviting the Executive Director to an office party (b)(6) felt that including this email in this packet insinuated an improper relationship between (b)(6) (b)(6) stated that was not her intent. (b)(6) further indicated that he often received invitations to attend these type of office functions by personnel in ATSC. He also provided (b)(6) the context in which the email between he and (b)(6) occurred. He indicated that while (b)(6) was emailing him regarding the party he was in a car with (b)(6) coming back from a TDY and that (b)(6) was on the telephone with (b)(6) at the same time they were exchanging emails.

At some point during the meeting (b)(6) pulled out the Civilian Table of Punishment and Penalties. He discussed with Sheila if she was aware of the penalties for making false statements about a supervisor.

The nature of the meeting often felt more like an interrogation than a meeting to ascertain the facts surrounding this situation. It made me feel uncomfortable and unsettled.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6) TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b)(6)

TAKEN AT

Fort EUSTIS

DATED

6 AUG 08

9. STATEMENT (Continued)

[Redacted area with handwritten "NOT USED" and a large diagonal line]

(b)(6)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of August, 2008

at FT Eustis, VA

(b)(6)

(Signature of Person Administering Oath)

(b)(6)

(Typed Name of Person Administering Oath)

Colonel, US Army 15-6 IO  
(Authority To Administer Oaths)

(b)(6)

ATSC/ITSD  
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(6)

INITIALS \_\_\_\_\_ KING STATEMENT

**J**

(b)(6)

From: (b)(6)  
Sent: Thursday, August 07, 2008 7:34 PM  
To: (b)(6)  
Subject: Re: 15-6 email record (UNCLASSIFIED)

Sir,  
Looks good do you want me to copy and put on a sworn statement and get you a signature. I do have that capability and then I can scan and send to you.

(b)(6)

ATSC

-----  
Sent using BlackBerry

-----Original Message-----

(b)(6)

Sent: Thu Aug 07 09:22:46 2008  
Subject: 15-6 email record (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

(b)(6)

Please verify or correct the following (quotations are your words):

From a phone conversation I, (b)(6), had with (b)(6), on 6 August 2008, at about 1830, (b)(6) provided me the following information.

(b)(6) was present during a meeting held on or about 27 May 2008, beginning at 1100. Other attendees were (b)(6) and (b)(6) The ATSC Deputy Director, (b)(6) was not present.

(b)(6) initial understanding of the meeting's purpose was discussion of new facts discovered by (b)(6) in connection with ongoing investigations. However, (b)(6) focused the meeting on a theme that (b)(6) was "out to get him" based on (b)(6) including a copy of a single blackberry exchange between (b)(6) among many copies of (b)(6) possible misuse of government information systems. (b)(6) was lead to believe that (b)(6) thought (b)(6) was going to slander (b)(6) (b)(6) believed the direction was incorrect. Paraphrasing (b)(6) words, (b)(6) was showing a snapshot of the items found on (b)(6) computer. In (b)(6) opinion, (b)(6) acted as he was trying cover-up something.

(b)(6) believes (b)(6) environment was hostile and made the situation hostile. Later in the conversation, (b)(6) stated that if the environment wasn't hostile, it was definitely borderline hostile. In (b)(6) view, the environment was not required.

(b)(6) believed the meeting's direction was inappropriate. In (b)(6) opinion, (b)(6) had conducted a "kick-ass" job and was "busting her hump" to do the right thing. In his opinion, (b)(6) did the right thing and did not attempt to degrade (b)(6) character.

(b)(6) had never in the lifetime of his career observed a senior leader act like (b)(6). (b)(6) believes (b)(6) conducted a "piss poor" meeting. In the (b)(6) opinion, (b)(6) does not understand command responsibilities. In his opinion, the meeting did not focus on the relevant facts, which centered on (b)(6).

(b)(6) recommends that either the ATSC Director or the Deputy Director positions be a military officer, executing Title Ten responsibilities.

(b)(6)

Director, TPAAE  
TRADOC G3/5/7

(b)(6)

Classification: UNCLASSIFIED  
Caveats: NONE

**K**



DEPARTMENT OF THE ARMY  
U.S. ARMY TRAINING SUPPORT CENTER  
FORT EUSTIS, VIRGINIA 23604-6166

REPLY TO  
ATTENTION OF

ATIC-CO

AUG 05 2008

MEMORANDUM FOR (b)(6) AR-15-6 Investigating Officer, G-3/5/7, Headquarters,  
TRADOC, Fort Monroe, VA 23651

SUBJECT: Statement Pursuant to 4 August 2008 Office Call

1. (b)(6) moved into building 1514 on or about July 2007. The reason given for the move was because her office in building 2789 was under renovation. My understanding is that the environment in building 1514 became caustic when (b)(6) moved into the building. (b)(6) and her supervisor visited me on or about 26 October 2007. They stated they had concerns about (b)(6). I stated they should proceed with their own interventions and that I would keep an arms length in case I had to be a deciding or adjudicating official in an administrative action. Ultimately, (b)(6) supervisor forwarded an administrative action regarding (b)(6) to the Civilian Personnel Advisory Center for staffing. Both persons retired from civil service before the administrative action was completed.

2. I have knowledge of two potential Information Technology (IT) violations. The Deputy Commander, Army Training Support Center (ATSC) gave me a folder of printed materials on or about 20 May. The folder contained some questionable material. The folder was assembled by (b)(6) from material she acquired from (b)(6) hard drive.

a. I stated the hard drive needed to be scanned for pornography. If the hard drive contained child pornography, we would notify the Criminal Investigation Division (CID), otherwise, we would take administrative action.

b. I stated (b)(6) printing of the material was irregular. The proper procedure for potential IT violations was to notify the Director, Support Directorate, ATSC when the questionable material was discovered, and that we would have to consider administrative action.

3. On or about 22 May, the Support Directorate secured the hard drive and three other computers to scan for pornography. The (b)(6) ATSC contacted CID during the same time frame, with three outcomes. In paraphrase:

a. CID stated (b)(6) actions were improper when printing the questionable material, possibly warranting a hand slap.

b. CID would get involved only if child pornography was found on the hard drive or computers. No child pornography was found.

c. There was a possibility that government employees may have arranged a tryst at government expense. If the Temporary Duty (TDY) was for valid mission, CID would not get involved.

ATIC-CO

SUBJECT: Statement Pursuant to 4 August 2008 Office Call

4. I briefed my chain of command on or about 23 May and received two taskers on 3 June:

a. "Admin action appropriate for ATSC employee(s) wrt pornography on a govt computer."

I gave this action to the Deputy Commander, ATSC after the Support Directorate provided the scan results on 3 July. The Deputy Commander determined a hand slap for [REDACTED] was not needed. Other administrative action appropriate for an ATSC employee with pornography on a government computer, [REDACTED] (b)(6) is under consideration by the Deputy Commander.

b. "Recommend you discuss with dLD Acting Director to determine G3/5/7 DLD employee was on a legitimate TDY mission to determine where we go from here on that allegation. Let me know results of legitimacy of TDY question."

I provided the following results, with concurrence from the dLD Acting Director on 30 June:

I reviewed the Government TDY records for the ATSC employee from December 2002 through February 2007. I provided the TDY dates to the dLD Acting Director. The dLD Director reviewed the TDY records for the dLD employee from 2003 through 2007. We compared the travel records for each employee and found no TDY correlation. There was no instance of the two employees on TDY for the same dates. Since there was no instance of the two employees on TDY for the same dates, I conclude the two employees did not use government funds for personal reasons.

[REDACTED]  
(b)(6)

Executive Director

L

### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Fort Eustis, VA Bldg 2787	2. DATE (YYYYMMDD) 20080806	3. TIME 1145	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS GS-12 CIV	
8. ORGANIZATION OR ADDRESS Army Training Support Center, Bldg 2787 Fort Eustis VA 23604			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
On or about beginning of May 2008 I was instructed by (b)(6) to review (b)(6) Government PC for inappropriate material. I informed the IAO (b)(6) and we reviewed her system in Bldg 1514 system SN: 818KTS1. In review of her system we found no inappropriate material in the hard drive other than some inappropriate emails received + forwarded all work of the type of Jokes + humor. Later on 22 May 2008 (b)(6) instructed me to have 4 systems pick up and held, system were (b)(6) and old + new systems for (b)(6). I was asked to have the IAO (b)(6) review each machine and determine if any inappropriate material were on the systems. In the course of obtaining the system it was found that the hard drive for SN: 818KTS1 system was being kept at (b)(6) home. The IAO (b)(6) followed her home and retrieved the drive. Upon review of the system we found nothing more than the original review of (b)(6) system. The only thing (b)(6) that was noticed was the hard drive rails for making on the system were backward as it put in another system which would not have been done by ATSC Automation since in our systems they only fit the other way and allow power to be connected to (b)(6).

10. EXHIBIT	11. (b)(6) IS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6) TAKEN AT Fort Eustis DATED 6 Aug 2008

9. STATEMENT (Continued)

*not used*

(b)(6)

**AFFIDAVIT**

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

(b)(6)  
(Signature of Person Making Statement)

**WITNESSES:**

(b)(6)

ATSC  
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(6)

INITIALS OF PERSON MAKING STATEMENT

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of August, 2008 at Bldg 2787, Ft Eustis, VA

(b)(6)  
(Signature of Person Administering Oath)

(b)(6)  
(Typed Name of Person Administering Oath)

Colonel, US Army, 15-6 IO  
(Authority To Administer Oaths)

PAGE OF PAGES

**M**

### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

#### PRIVACY ACT STATEMENT

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**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Fort Monroe, VA	2. DATE (YYYYMMDD) 2008/08/06	3. TIME 0950	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS YA-03	
8. ORGANIZATION OR ADDRESS HQ TRADOC, Fort Monroe, VA 23651			

9. (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 28 May 2008 (b)(6), from the Joint and Combined Arms Training Directorate came into my office to discuss a personal issue. (b)(6) proceeded to discuss an issue that pertained to (b)(6)s, and her chain of command at the Army Training Support Center (ATSC), Fort Eustis. He discussed issues regarding subordinate employees to (b)(6) and pornography found by Sheila on a computer she was provided to use. (b)(6) provided no physical evidence nor did I see any physical evidence that corroborated his story. After (b)(6) left my office, I immediately called (b)(6) Staff Judge Advocate, to discuss my responsibilities and what I should do next. He said I should let Mr. Robert Seger know of the situation but not give him all the details due to Mr. Seger being in a possible decision position with this case. I also called (b)(6) Executive Director, ATSC, and told him of (b)(6) visit. I discussed the issue with Mr. Seger in very broad generalities and he indicated (b)(6) should not be discussing the issue with anyone since it is not in his chain of command. On or about 30 May 2008, (b)(6) again came into my office requesting to see Mr. Seger. I discussed three issues with (b)(6). First, I clearly said this is an ATSC issue between (b)(6) and her chain of command and that he (b)(6) should not be discussing with anyone due to possible liabilities. I asked (b)(6) if he had discussed the issue with anyone else and he indicated he had discussed the issue with his chain of command, (b)(6). Second, I indicated CID and JAG from ATSC are both aware of the issue and will handle it with ATSC's chain of command. Third, I then told (b)(6) he should not speak to Mr. Seger because you will remove him from the decision making process. (b)(6) was insistent to see Mr. Seger and I reiterated no less than four times, "(b)(6) I cannot prevent you from seeing Mr. Seger, however, I highly recommend you do not speak to him because you want him in the decision making process!" (b)(6) left my office at approximately 1720 and did not speak to Mr. Seger (all had left for the weekend).

10. EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF (b)(6) PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6) TAKEN AT FT. MONROE DATED 2008/08/06

9. STATEMENT (Continued)

*Did Not Use.*

**AFFIDAVIT**

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

(b)(6)  
*(Signature of Person Making Statement)*

(b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7<sup>th</sup> day of August, 2008 at FT MONROE, VA

IRADOC 0-3/5/7  
ORGANIZATION OR ADDRESS

(b)(6)  
*(Signature of Person Administering Oath)*

ORGANIZATION OR ADDRESS

(b)(6)  
*(Typed Name of Person Administering Oath)*  
Colonel, US Army, 15-6 IO  
*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

**N**

### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Bldg 161, Ft. Monroe, VA	2. DATE (YYYYMMDD) 2008/08/07	3. TIME 0835	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS YA-3/DAC	
8. ORGANIZATION OR ADDRESS JCATD, TRADOC DCS G-3/5/7, 5 Fenwick Road, Ft. Monroe, VA 23651			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On/about 14 May 2008, (b)(6) an employee of ATSC, brought home from work a computer hard drive once belonging to a former subordinate employee, (b)(6). (b)(6) informed me that she needed to look on the hard drive for files pertaining to the Satellite Education Network (SEN) since these files had not been provided to her by (b)(6) prior to (b)(6) departure from the organization and (b)(6) really didn't have time to do this at work during the day. I provided technical assistance to (b)(6) installing the hard drive in an external enclosure, connecting the enclosure to her government laptop and showing her how to access files on the hard drive. During the evening hours of 14-18 May 2008 at our house, while (b)(6) was searching for SEN files on (b)(6) hard drive, she stumbled across numerous files and email messages containing inappropriate, offensive, and often pornographic material. I observed some of this material in an effort to advise her on what she should do with it since as an active duty Army colonel, I had been an Inspector General for three years and was familiar with various thresholds governing inappropriate material. On 19 May 2008, Sheila printed a representative sample of this material using her government computer and printer in her office and provided a packet to (b)(6), the ATSC Deputy Director. My understanding is that the packet was subsequently provided to (b)(6), Executive Director, ATSC, either later that same day or the following day. One would have assumed that (b)(6) would next consult with legal and subsequently appoint an investigating officer to look into the inappropriate material on the hard drive. On 22 May 2008, the day prior to an extended holiday weekend, (b)(6) government laptop was seized--with no prior notice or explanation by anyone--by ATSC Information Technology staff in full view of several of her subordinates, at the direction of (b)(6). This was not only humiliating for Sheila, but very disconcerting to both her and me that she, and not those involved with the inappropriate material, was now apparently, the object of some type of investigation by the ATSC leadership. Probably not very different than what most (b)(6) would do if they felt their (b)(6) were being unjustly attacked, I felt compelled to send an email expressing my concern directly to (b)(6) and I did so that same day at 2255. A copy of the email is attached to this statement. On 27 May 2008, (b)(6) attended a meeting with (b)(6) of ATSC and (b)(6) Acting Director of Individual Training Support Directorate. The meeting had been billed as a leadership discussion to determine the way ahead concerning what to do about the packet of inappropriate material that (b)(6) had provided to the ATSC leadership. (b)(6) called me following the meeting saying that it turned out to be an inquisition directed against her for taking the hard drive home and for including information in the packet supposedly designed to assassinate the character of (b)(6). Because of (b)(6) hostile and bizarre reaction towards (b)(6) she decided to request an appointment with Mr. Seger to discuss her situation using the open door policy. (b)(6) requested that I go see (b)(6) Mr. Seger's XO to get an appointment with Mr. Seger because of my physical proximity to Mr. Seger's office and the fact that she no longer had a computer to check calendars and send email. I shared enough information with (b)(6) so that he would understand the nature of the appointment and why it needed to be marked either private or generically on Mr. Seger's calendar. I also gave him (b)(6) cell phone number so he could discuss this matter directly with her should he have questions. On the morning of 28 May 2008, I noticed that I, not (b)(6) had an appointment with Mr. Seger for late that afternoon. I went to see (b)(6) to inquire about it. He informed me that it was not a good idea for either me or Sheila to

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

talk to Mr. Seger about the issue at ATSC since Mr. Seger might at some future point have to make a decision connected with this matter and he didn't want to have to recuse himself. I acknowledged what (b)(6) said but told him that I predicted that this issue would be swept under the rug by the ATSC leadership, that there would be no legitimate investigation and that the G-3/5/7 leadership would never really know the truth. Later that morning, when Mr. Seger came down to the community coffee pot near my office area, I asked if he still wanted to see me in order to confirm what (b)(6) had told me. Mr. Seger asked me what (b)(6) had told me. I restated what (b)(6) had told me and Mr. Seger said, "If (b)(6) said that I don't need to see you, then I don't need to see you." He paused, then said in a stern voice, "It's none of your business." I have had no further involvement in this matter since then.-----END OF STATEMENT-----

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 32. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)  
TRADOC G-3/5/7  
ORGANIZATION OR ADDRESS  
ORGANIZATION OR ADDRESS

(b)(6)  
(Signature of Person Making Statement)  
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of August, 2008 at Fort Monroe Virginia  
(b)(6)  
(Signature of Person Administering Oath)  
(b)(6)  
(Typed Name of Person Administering Oath)  
Colonel, US Army (5-6 ED)  
(Authority To Administer Oaths)

Statement of [REDACTED] Taken at OIA 161  
Ft Monro, VA dated 2008/08/07

----- Original Message -----

From: [REDACTED] (b)(6)  
Date: Thursday, May 22, 2008 22:25  
Subject: Doing the right thing  
To: [REDACTED] (b)(6)

[REDACTED] (b)(6)

I was really hoping you would do the right thing regarding Sheila's discovery of inappropriate information on [REDACTED] (b)(6) hard drive, but today's events lead me to believe that you are going down a different path. It's difficult to ascertain a wholesome intent behind humiliating Sheila in front of her subordinates by seizing her computer. And to think she was going to bring the computer home to work through the holiday weekend for your organization. Is she now a suspect and if so, for what reason? For bringing a disgusting situation to the leadership's attention? This really smacks of retribution. I trust that I'm wrong, but again, I'm having trouble believing that I am. If you feel that I'm out of line, feel free to bring this to Mr. Seger's attention.

[REDACTED] (b)(6)

Page 3 of 3

[REDACTED] (b)(6)

O

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Bldg 667 Fort Eustis DODM
2. DATE (YYYYMMDD): 2008 08 09
3. TIME: 1505
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: GS-12 DAC
8. ORGANIZATION OR ADDRESS: Fort Eustis DODM, 667 Munroe Ave, Fort Eustis, VA 22604

I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
In cases where inappropriate material or behavior is found or suspected to be on the Fort Eustis Network or a computer system the Fort Eustis DODM sends all information to the organization O-6 level commander. This procedure is DODM and outlined in AR 25-2, para 4-5, (b)(6) 5. (8). The DODM is not authorized to investigate unless requested by or in support of a Law Enforcement/Counter Intelligence investigation. To my knowledge I have never been involved in providing that information on (b)(6). Our current records show (b)(6) signed her Acceptable Use Policy (AUP) or completed Information Assurance Training on 3 Jan 2008. Attached is a copy of that record.

10. EXHIBIT
11. INIT (b)(6) ON MAKING STATEMENT
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

(b)(6)

TAKEN AT

Fort Eustis

DATED

6 Day 08

9. STATEMENT (Continued)

Not Used

(b)(6)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

(Signature of Person making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of August, 2008 at FT Eustis, VA

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Colonel, US Army 15-6 ID  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON

(b)(6)

STATEMENT

PAGE 2 OF 2 PAGES

**P**

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is PMG.

**PRIVACY ACT STATEMENT**

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**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Bldg 667, Ft Eustis	2. DATE (YYYYMMDD) 20080806	3. TIME 1530	4. FILE NUMBER
5. LAST NAME FIRST NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS GS12	
8. ORGANIZATION OR ADDRESS 66 Directorate of Information Management			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

During the time frame of 2005/2006, the DOIM was running SMS to perform tasks such as software distribution and some software scanning. Although SMS was capable of scanning system for particular files or file types, to my recollection, it was not used for that during the time frame indicated.

Additionally, if a law enforcement agency requested we had the capability to scan email for specific subjects or attachments,

to my knowledge, no information was requested in regards to (b)(6).

10. EXHIBIT	11. INITIALS PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6) TAKEN AT 1530 DATED 6 Aug

9. STATEMENT (Continued)

DID NOT USE

**AFFIDAVIT**

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of August, 2008 at FT Rucker, VA

(b)(6)  
(Signature of Person Administering Oath)

(b)(6)  
(Typed Name of Person Administering Oath)

Colonel, US Army, E-6 IO  
(Authority To Administer Oaths)

W (b)(6)  
For further details  
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 2 PAGES

Q

**SWORN STATEMENT**

For use of this form, see AR 190-45; the proponent agency is PMG.

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION BLDG 1B14	2. DATE (YYYYMMDD) 20080806	3. TIME 16:04	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS Contractor	
8. ORGANIZATION OR ADDRESS ATSC-URU			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
  
THAT I HAVE NOT RECEIVED ANY PORNOGRAPHIC EMAIL FROM (b)(6) WHEN I DID RECEIVE AN INAPPROPRIATE JOKE, THIS EMAIL WAS DELETED. IMMEDIATE SUPERV WAS PRESENT AND (b)(6), SPRINT PM

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6) TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6) TAKEN AT B1514 DATED 2007 08 06

9. STATEMENT (Continued)

*DID NOT USE*

**AFFIDAVIT**

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6) (Signature of Person Making Statement)

WITNESSES:  
(b)(6)

Subscribed and sworn to before me, a (b)(6) authorized by law to administer oaths, this 6th day of August, 2007 at FT RUSTEN, VA

SPIANT  
ORGANIZATION OR ADDRESS

(b)(6) (Signature of Person Administering Oath)

(b)(6)

(b)(6) (Typed Name of Person Administering Oath)

RTCONFERENCE  
ORGANIZATION OR ADDRESS

Colonel, US Army 15-6 IO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(6)

PAGE 2 OF 2 PAGES

**R**

**SWORN STATEMENT**

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**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION <i>RM 111, Bld 161, Ft. Monroe, VA.</i>	2. DATE (YYYYMMDD) <i>2009/07/05</i>	3. TIME <i>11:15</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(6)</i>	6. SSN <i>(b)(6)</i>	7. GRADE/STATUS <i>GS 13</i>	

8. ORGANIZATION OR ADDRESS  
*ILD, G-3/5/7, Ft. Monroe, VA.*

9. I, *(b)(6)*, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

*I have, in the past, received emails from (b)(6) with humorous content containing adult explicit material which I then deleted. I cannot be exact about the last time I received anything of this nature from her but I believe it to be well over a year. I seldom get any email traffic from her at all these days and nothing at all with adult content in it.*

*(b)(6)*

10. EXHIBIT	11. INITIAL <i>(b)(6)</i> MAKING STATEMENT	PAGE 1 OF <i>2</i> PAGES
-------------	--	--------------------------

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF *(b)(6)* WRITTEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(6) TAKEN AT FT. Monroec DATED 7/5/08

9. STATEMENT (Continued)

(b)(6)

Not used

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

(b)(6)

(b)(6) (Agent)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7 day of August, 2008 at Fort Monroec, VA

LEADUC 0-8/3/11  
ORGANIZATION OR ADDRESS

(b)(6)  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6)  
(Typed Name of Person Administering Oath)  
Colonel, US Army, 15-6 IO  
(Authority To Administer Oaths)

INITIALS (b)(6) MAKING STATEMENT

PAGE 2 OF 2 PAGES

S

Notes from meeting between [REDACTED] (b)(6)

One 7 August 2008, [REDACTED] (b)(6) met with me in my office at Fort Monroe, Virginia. [REDACTED] (b)(6) declined to make an official sworn statement and further declined to sign an information release. What [REDACTED] (b)(6) did wish for me to enter into this record was the following (quotations are his words):

- 1) [REDACTED] (b)(6) is a loyal government employee and has been for the past 13 to 15 years.
- 2) [REDACTED] (b)(6) did "not want any part in this investigation."
- 3) [REDACTED] (b)(6) stated that this has been an "ongoing witch-hunt for a year."
- 4) [REDACTED] (b)(6) found the allegations against [REDACTED] (b)(6) "hard to comprehend" for she is "church-going" woman and "loving grandmother."

**T**

Notes from meeting between (b)(6)

On 11 August 2008 at approximately 8:20AM, (b)(6) called me, (b)(6) the Investigating Officer, on my office phone number. (b)(6) responded to an email (b)(6) sent him on AKO. (b)(6) is a retired Sergeant Major in the National Guard and currently works as a government contractor for Coalescent Technology. Coalescent Technology maintains a government contract with the Army National Guard Bureau. (b)(6) works in Pennsylvania and is not available to travel to Fort Monroe, Virginia.

(b)(6) declined to write a sworn statement and made the following statements over the phone:

- 1) (b)(6) had emailed (b)(6) on the availability of training material last week.
- 2) (b)(6) continues to correspond with (b)(6) using private communication devices.
- 3) (b)(6) had corresponded with (b)(6) concerning (b)(6) retirement ceremony.
- 4) (b)(6) never sent anything he categorizes as pornographic, but did send (b)(6) images (b)(6) distinguishes as "adult-content."
- 5) (b)(6) last "adult-content" email to (b)(6) occurred last month on private lines.
- 6) To the best of (b)(6) memory, he never sent (b)(6) "adult-content" images on AKO or government systems.
- 7) (b)(6) lastly stated that (b)(6) was always helpful and personable.

(b)(6)

**From:** (b)(6)  
**Sent:** Thursday, August 07, 2008 11:47 AM  
**To:** (b)(6)  
**Subject:** 15-6 Investigating Officer (UNCLASSIFIED)

**Classification:** UNCLASSIFIED  
**Caveats:** NONE

(b)(6)

I am a 15-6 investigating officer conducting an informal investigation into two non-criminal allegations concerning us of government information systems.

Please contact me at the phone number listed in this email. I need to know if you are still a government contractor, retired, etc. I do understand that you are no longer employed by Alion Science and Technology and are still in the Army National Guard.

(b)(6)

Director, TPAE  
TRADOC G3/5/7  
757.788.5720

(b)(6)

**Classification:** UNCLASSIFIED  
**Caveats:** NONE

(b)(6)

**From:** (b)(6)  
**Sent:** Thursday, August 07, 2008 10:45 AM  
**To:**  
**Cc:** (b)(6)  
**Subject:**

(b)(6),

(b)(6) terminated employment with Alion Science and Technology April 14, 2007. While employed with Alion his supervisor was (b)(6) and (b)(6) current contact info is (b)(6).

(b)(6),

(b)(6) would like to talk to you concerning (b)(6), his contact information is (b)(6).

(b)(6)

Alion Science and Technology  
11815 Fountain Way, Suite 500  
Newport News, VA 23606-4442  
(757) 240-5361 Voice  
(757) 596-4014 Fax

U



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
HEADQUARTERS UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND  
102 MCNAIR DRIVE  
FORT MONROE VIRGINIA 23651-1047

ATTG-ZC

MEMORANDUM FOR RECORD

SUBJECT: Employment of [REDACTED] (b)(6)

[REDACTED] (b)(6) is not and has never been employed by HQ, TRADOC, G3/5/7 as a service member, department of the army civilian, or contractor.

[REDACTED] (b)(6)

Deputy to the Assistant Deputy  
Chief of Staff, TRADOC G-3/5/7

V

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
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ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Fort Eustis
2. DATE (YYYYMMDD): 20080812
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS: GS-09
8. ORGANIZATION OR ADDRESS: ATSC, ITSD, TSSD

I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Use of cac cards: I, in fact, at times may have used (b)(6) cards while they were present. While working on special projects we would keep most records on one computer so, since I typed faster I usually would type while they brain-stormed (having more knowledge than I did). We worked many projects together for the sake of the office; ie new contract, etc. forwarding emails: I sometimes do forward emails that I know I should not have in the past. I am truly sorry for this. I will not in the future.

10. EXHIBIT
11. INITIALS OF PERSON MAKING STATEMENT: (b)(6)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(6) TAKEN AT FEVA DATED 12 Aug 08"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Statement of [REDACTED] (b)(6) taken at Fort Eustis  
dated: 12 Aug 08.

I don't believe that I ever downloaded on the  
computer, I may have been using some program  
a time that could have done this; since I am not  
computer savvy; this I would not have known  
my knowledge to have been done.

As for [REDACTED] (b)(6) card; my email contained his  
mail; so, unless I needed to attach a document  
it was started on his machine; I could have  
sent it from my own machine. In that case, I may have  
taken his card from him to be able to send out  
document while he was out with cancer land for his  
heart bypass. This by no means meant to hurt the  
government; it was to help the office move items out  
that needed to be completed.

Photos. I did have personal photos; ie grandsons births  
daughters weddings and so forth. I, have been instructe  
[REDACTED] (b)(6) and [REDACTED] (b)(6) that this cannot  
happen in the future.

STATEMENT OF (b)(6) TAKEN AT FORT EUSTIS DATED 12 Aug 08

9. STATEMENT (Continued)

If I have done anything wrong; I am sorry; but, I do believe ignorance on my part played a big part. I just did not fully understand, I believe. Thank you for your time in this matter.

- did not use -

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)  
(Signature of Person Making Statement)

WITNESSES:

(b)(6)  
UNION PRESIDENT LOCAL 1643  
ORGANIZATION OR ADDRESS

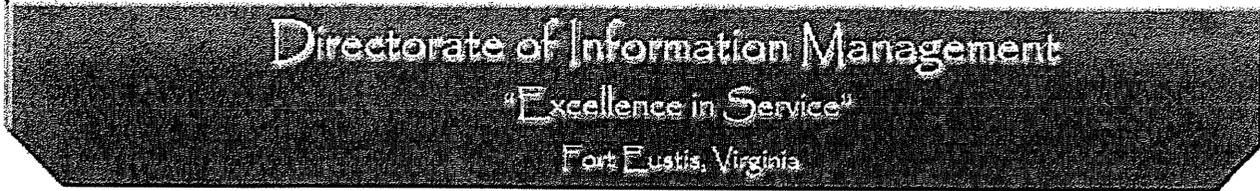
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12<sup>th</sup> day of August, 2008 at FT EUSTIS VA

(b)(6)  
(Signature of Person Administering Oath)

(b)(6)  
(Typed Name of Person Administering Oath)  
Colonel, U.S. Army IO  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
(b)(6)

**W**



# Search Examinees

Last Name  or Department

(b)(6)

Page 1 of 1

LastName	FirstName	RankGrade	Department	accept	tpercent	akoemail	examdate
(b)(6)	(b)(6)	GS09	ATSC	1	92%	(b)(6)	1/3/2008 9:15:59 AM

[Main Menu](#)

**Z**



DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining appropriate action concerning allegations of misuse of government information and communication systems.

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding allegations of misconduct as noted above. It will be used to determine any necessary further action. It may be used to determine whether disciplinary and/or other appropriate administrative actions should be taken. Any information you provide may be disclosed to members of the Department of Defense who have a need for it in the performance of their official duties.

DISCLOSURE MANDATORY OR VOLUNTARY AND THE EFFECT OF NOT PROVIDING INFORMATION:

The private information you furnish is voluntary. There will be no adverse effect on you for not furnishing private information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The other information you furnish is mandatory. Failure to provide requested information could lead to disciplinary or other adverse action against you.

I, [REDACTED], having been advised of the above provisions of the Privacy Act agree to provide information concerning the above-cited matter.

[REDACTED]  
Date: 4 AUG 08

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(b)(6)

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(b)(6)

5 Aug 01  
Date:

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(b)(6)

Date: 5 Aug 08

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6 A-9 08  
Date:

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(b)(6)

Date: 12 Aug 08

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(b)(6)

Date: 8/5/08

*I waived union representation.*

(b)(6)

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(b)(6)

4/14/80  
Date:

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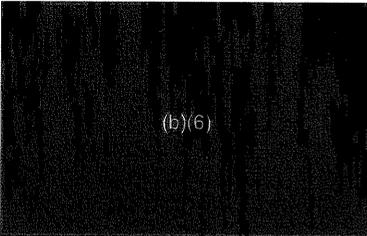
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 (b)(6)

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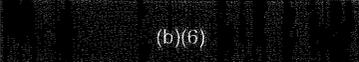
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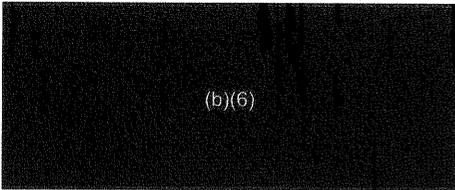
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 (b)(6)

Date:

6 Aug 88

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: The solicitation of personal information in conjunction with this investigation is authorized under Title 10 USC 3012.

PURPOSE: The purpose for collecting this information is to obtain facts and make recommendations to assist the Commander in determining appropriate action concerning allegations of misuse of government information and communication systems.

ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding allegations of misconduct as noted above. It will be used to determine any necessary further action. It may be used to determine whether disciplinary and/or other appropriate administrative actions should be taken. Any information you provide may be disclosed to members of the Department of Defense who have a need for it in the performance of their official duties.

DISCLOSURE MANDATORY OR VOLUNTARY AND THE EFFECT OF NOT PROVIDING INFORMATION:

The private information you furnish is voluntary. There will be no adverse effect on you for not furnishing private information other than that certain facts or information might not be otherwise available to the Commander for his decision in this matter.

The other information you furnish is mandatory. Failure to provide requested information could lead to disciplinary or other adverse action against you.

I, (b)(6), having been advised of the above provisions of the Privacy Act agree to provide information concerning the above-cited matter.

(b)(6)

Date: 6 Aug 2008

DATA REQUIRED BY THE PRIVACY ACT OF 1974

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ROUTINE USES: Information obtained during the conduct of this investigation will be used to document relevant facts regarding allegations of misconduct as noted above. It will be used to determine any necessary further action. It may be used to determine whether disciplinary and/or other appropriate administrative actions should be taken. Any information you provide may be disclosed to members of the Department of Defense who have a need for it in the performance of their official duties.

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The other information you furnish is mandatory. Failure to provide requested information could lead to disciplinary or other adverse action against you.

I, (b)(6), having been advised of the above provisions of the Privacy Act agree to provide information concerning the above-cited matter.

(b)(6)

Date: /

8-6-08

*I've been given permission by my supervisors to talk with (b)(6)*

DATA REQUIRED BY THE PRIVACY ACT OF 1974

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I, (b)(6)

6 AUG 08

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The other information you furnish is mandatory. Failure to provide requested information could lead to disciplinary or other adverse action against you.

I, (b)(6), having been advised of the above provisions of the Privacy Act agree to provide information concerning the above-cited matter.

2008/08/06

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Date:



DEPARTMENT OF THE ARMY  
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND  
102 MCNAIR DRIVE  
FORT MONROE, VIRGINIA 23651-1047

REPLY TO  
ATTENTION OF

ATJA

19 August 2008

MEMORANDUM FOR MG Abraham J. Turner, Deputy Chief of Staff, G-3/5/7, TRADOC,  
Fort Monroe, VA 23651

SUBJECT: Legal Review of Informal Investigation IAW Army Regulation (AR) 15-6 (Misuse  
of Government Equipment and/or Resources in Violation of AR 25-1 and AR 25-2)

1. The subject investigation is legally sufficient. I conducted my legal review in accordance with AR 15-6, paragraph 2-3b. I have determined that:
  - a. The proceedings complied with the legal requirements.
  - b. There were no appointing or substantial errors.
  - c. There is sufficient evidence to support the findings of the investigating officer.
  - d. The recommendations are consistent with the findings.
2. As appointing authority, you are not bound or limited by the findings or recommendations of the investigating officer. See AR 15-6, paragraph 2-3a.
3. I am the point of contact for this review at (757) 788-2060 / DSN 680-2060.



MAJ, JA  
Chief, Military Law Division

21 August 2008

MEMORANDUM FOR MG Abraham J. Turner, Deputy Chief of Staff, G-3/5/7, US Army Training and Doctrine Command, Fort Monroe, VA 23651

SUBJECT: AR 15-6 Investigation – Misuse of Government Equipment and/or Resources in Violation of AR 25-1 and AR 25-2

1. Pursuant to your 4 August 2008 appointment, [REDACTED] completed an AR 15-6 investigation into allegations that federal and contractor employees at HQ TRADOC, G-3/5/7, and U.S. Army Training Support Center, Fort Eustis, used government equipment and/or resources to transmit inappropriate email messages and photos to other employees, and as to some employees, improperly shared passwords and accessed other users' email accounts, all in violation of AR 25-1 and AR 25-2. You are the approval authority for this investigation.

2. The investigation is legally sufficient. I recommend that you approve the investigating officer's findings and take action upon his recommendations by signing Section VIII of the enclosed DA Form 1574.

3. Background of Investigation. This investigation was directed by the U.S. Office of Special Counsel (OSC), pursuant to a whistleblower complaint.

a. In May 2008, while in the process of searching and downloading relevant Video Tele-Training and Satellite Education Network files, [REDACTED] (a supervisor at the Army Training Support Center) discovered pornographic and other inappropriate images and PowerPoint presentations within email folders on the hard drive from [REDACTED] (federal employee) former computer. [REDACTED] had emailed some of these images and presentations to Soldiers, federal employees, and federal contractors. [REDACTED] consolidated her findings and provided them to [REDACTED] (Deputy Director of Army Training Support Center), who delivered them to the Acting Executive Director, [REDACTED].

b. On 27 May 2008, [REDACTED] hosted a meeting with [REDACTED], [REDACTED], and [REDACTED]. Rather than address the discovered images and the organization's appropriate response, [REDACTED] focused the discussion on other items. [REDACTED] focused on a single email thread between [REDACTED], [REDACTED], and himself. [REDACTED] additionally focused on [REDACTED] method of discovery. Lastly, [REDACTED] read [REDACTED] the civilian table of punishment and penalties, directing the statements at [REDACTED]. The meeting never discussed [REDACTED]'s images and email files. Unknown to [REDACTED] at this time, [REDACTED] directed [REDACTED] continue the investigation of [REDACTED] AR 25-1 and 25-2 violations.

c. [REDACTED] then had her husband, [REDACTED] (also a federal employee) use [REDACTED] door policy seeking to bring this matter to the attention of [REDACTED]. [REDACTED] represented his wife's complaint to [REDACTED] ([REDACTED]'s Assistant Deputy). [REDACTED] Brashear obtained legal counsel from [REDACTED] of this office. On that counsel, [REDACTED]

ATJA

SUBJECT: AR 15-6 Investigation – Misuse of Government Equipment and/or Resources in Violation of AR 25-1 and AR 25-2

informed [REDACTED] of the situation and preserved [REDACTED]'s potential decision authority over this allegation by only discussing generalities. [REDACTED] called [REDACTED] and offered her an office call to obtain physical evidence and firsthand knowledge which she declined. [REDACTED] under [REDACTED]'s guidance, informed [REDACTED] not to discuss the allegations since the issue was not within his chain of command. [REDACTED] also stated that [REDACTED] could use [REDACTED] open door policy, but advised against it repeating that [REDACTED] would potentially require [REDACTED] as a decision authority concerning the allegations.

4. Investigating Officer's Recommendations.

a. [REDACTED] supervisors take appropriate remedial and disciplinary action against her for violations of AR 25-1 and AR 25-2.

b. [REDACTED] supervisors take appropriate remedial and disciplinary action to address his failure to exercise appropriate leadership and use sound judgment in his attempt to resolve the issues identified in this investigation when they were made known to him.

c. ATSC leaders receive appropriate professional training designed to enhance their ability to effectively lead their organization and to appropriately respond to Equal Employment Opportunity issues.

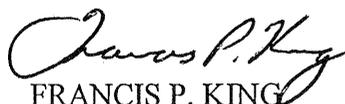
d. Headquarters, TRADOC, Deputy Chief of Staff, G-3/5/7 leaders review the ATSC supervisory structure and rating schemes to ensure all employees and managers are supervised and rated appropriately and fairly.

5. I recommend that you approve the investigating officer's findings and take action upon his recommendations by signing Section VIII of the enclosed DA Form 1574.

6. Point of contact for this matter is the undersigned at 788-3238.

3 Encls

1. AR 15-6 Investigation
2. Legal Review
3. DA Form 2627



FRANCIS P. KING  
LTC, JA  
Acting Staff Judge Advocate

**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

**SECTION I - APPOINTMENT**

Appointed by Deputy Chief of Staff, G-3/5/7, HQ, U.S. Army Training and Doctrine Command, Ft. Monroe, VA 23651  
 (Appointing authority)

on 4 August 2008 (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)  
 (Date)

**SECTION II - SESSIONS**

The (investigation) (board) commenced at Fort Monroe, Virginia at 0800  
 (Place) (Time)  
 on 4 August 2008 (If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and  
 ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were  
 present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

The (investigating officer) (board) finished gathering/hearing evidence at 1700 on 13 August 2008  
 (Time) (Date)  
 and completed findings and recommendations at 1530 on 14 August 2008  
 (Time) (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

A. COMPLETE IN ALL CASES		YES	NO <sup>1/</sup>	NA <sup>2/</sup>
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Copy of notice to respondent, if any?(See item 9, below)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c. Other correspondence with respondent or counsel, if any?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d. All other written communications to or from the appointing authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e. Privacy Act Statements (Certificate, if statement provided orally)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. Explanation by the Investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	g. Information as to sessions of a formal board not included on page 1 of this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FOOTNOTES: <sup>1/</sup> Explain all negative answers on an attached sheet.  
<sup>2/</sup> Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

		YES	NO <sup>1/</sup>	NA <sup>2/</sup>
2	Exhibits (para 3-16, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>				
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	
5	Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	
6	Was each absence of any member properly excused (para 5-2a, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>				
9	Notice to respondents (para 5-5, AR 15-6):			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?	<input type="checkbox"/>	<input type="checkbox"/>	
	b. Was the date of delivery at least five working days prior to the first session of the board?	<input type="checkbox"/>	<input type="checkbox"/>	
	c. Does each letter of notification indicate –	<input type="checkbox"/>	<input type="checkbox"/>	
	(1) the date, hour, and place of the first session of the board concerning that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	
	(2) the matter to be investigated, including specific allegations against the respondent, if any?	<input type="checkbox"/>	<input type="checkbox"/>	
	(3) the respondent's rights with regard to counsel?	<input type="checkbox"/>	<input type="checkbox"/>	
	(4) the name and address of each witness expected to be called by the recorder?	<input type="checkbox"/>	<input type="checkbox"/>	
	(5) the respondent's rights to be present, present evidence, and call witnesses?	<input type="checkbox"/>	<input type="checkbox"/>	
	d. Was the respondent provided a copy of all unclassified documents in the case file?	<input type="checkbox"/>	<input type="checkbox"/>	
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
	a. Was he properly notified (para 5-5, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4c, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Counsel (para 5-6, AR 15-6):			
	a. Was each respondent represented by counsel?	<input type="checkbox"/>	<input type="checkbox"/>	
	Name and business address of counsel:			
	(If counsel is a lawyer, check here <input type="checkbox"/> )			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
	a. Was the challenge properly denied and by the appropriate officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Did each member successfully challenged cease to participate in the proceedings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	
	b. Examine and object to the introduction of real and documentary evidence, including written statements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d. Call witnesses and otherwise introduce evidence?	<input type="checkbox"/>	<input type="checkbox"/>	
	e. Testify as a witness?	<input type="checkbox"/>	<input type="checkbox"/>	
	f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.

**SECTION IV - FINDINGS** (para 3-10, AR 15-6)

The (investigating officer) (board) , having carefully considered the evidence, finds:

findings of the Investigating Officer are contained in the enclosed memorandum, SUBJECT: Findings and Recommendations of Investigating Officer, dated 14 August 2008.

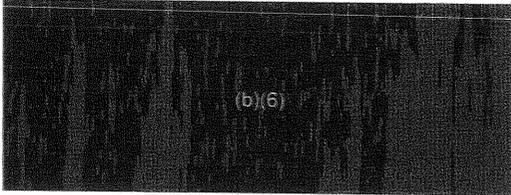
**SECTION V - RECOMMENDATIONS** (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

The recommendations of the Investigating Officer are contained in the enclosed memorandum, SUBJECT: Findings and Recommendations of Investigating Officer, dated 14 August 2008.

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)



\_\_\_\_\_  
(Recorder)

\_\_\_\_\_  
(Investigating Officer) (President)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure \_\_\_\_\_, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

\_\_\_\_\_  
(Member)

\_\_\_\_\_  
(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

The findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)

*[Handwritten Signature]*  
26 Aug '08