
14

DIH. 06-1206
06-8198

DEPARTMENT OF DEFENSE HOTLINE
ACTION CASE REFERRAL

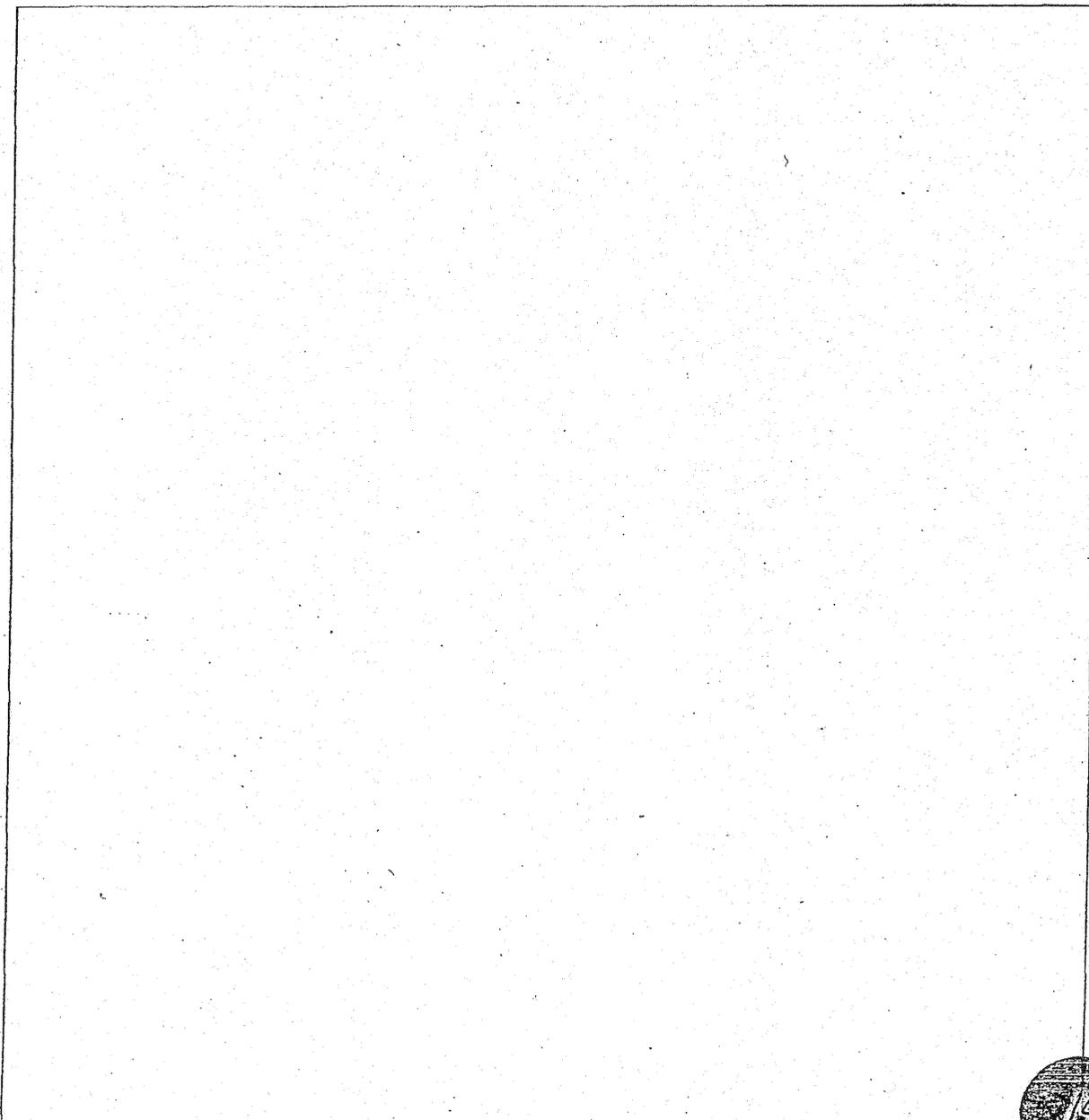
Tracking and response to the Defense Hotline is required in accordance with DoD Directive 7050.1,
January 4, 1999, Subject: Defense Hotline.

REFERRED FOR ACTION TO: ARMY INSPECTOR GENERAL

HOTLINE CASE NUMBER: 100621

REFERRED DATE: JUN 29 2006

SUSPENSE DATE: SEP 29 2006



The image shows the top navigation bar of the website. On the left is the official seal of the Inspector General, Department of Defense. To its right is the text 'United States Department of Defense'. Below this is a horizontal menu with icons and labels: Home, Pressroom, Publications & Documents, Call us, Hotline, and Search.

Office of the Deputy Inspector General for Inspections and Policy

FRAUD, WASTE & ABUSE COMPLAINTS ON-LINE COMPLAINT FORM

What should be reported

Glossary

Helpful Links

Military IGs

Hotline Posters

Reprisal Complaints

Questions & Answers

Submit a Complaint

| | |
|------------|---|
| Authority: | (a) Inspector General Act of 1978, as amended |
| | (b) Department of Defense Directive 5106.1, "Inspector General of the Department of Defense," January 4, 2001, Sections 5.1.15 through 5.1.19 |
| | (c) Department of Defense Directive 7050.1, "Defense Hotline Program," January 4, 1999 |
| | (d) Department of Defense Instruction 7050.Z, "Defense Hotline Procedures," December 14, 1998 |
| | (e) Department of Defense Directive 7050.6, "Military Whistleblower Protection," June 23, 2000 |
| | (f) Department of Defense Directive 1401.3, "Reprisal Protection for Nonappropriated Fund Instrumentality Employees/Applicants," October 16, 2001 |
| | (g) Office of the Inspector General of the Department of Defense, Directorate of Reprisal Investigations, Guidance Memorandum CRI-1, October 18, 2004, as amended |

Prior to submitting your complaint to the Defense Hotline, we recommend you review the information located on the Defense Hotline Web pages at: www.dodig.mil/hotline (click-on) ABOUT THE HOTLINE and QUESTIONS AND ANSWERS. By using the enclosed on-line complaint form, you acknowledge that your privacy is not guaranteed because your complaint has not been encrypted. If you are not comfortable submitting your complaint via e-mail, you may mail your complaint to us at Defense Hotline, Pentagon, Washington, DC 20301-1900, or fax it to us at (703) 604-8567 (DSN: 664-8567). DoD civilian appropriated fund employees may also report their concerns to The Office of Special Counsel at <http://www.osc.gov> (click-on) FILE COMPLAINTS ONLINE. This on-line form is provided in accordance with the authority listed above.

Before forwarding your complaint, please read and acknowledge the certification below:

I certify that all of the statements made in this complaint (including continuation pages and addendums) are

<http://www.dodig.mil/hotline/fwacompl.htm>

true, complete, and correct, to the best of my knowledge. I understand that a false statement or concealment of a material fact is a criminal offense (18 U.S.C. Section 1001).

NOTICE: The identity of the source was not deleted from the document in order to facilitate resolution of the matter. However, discretion must be exercised in the use or release of the source's identity to minimize the possibility of retaliatory action against the individual in keeping with DoD Directive 7050.1, Defense Hotline, and Public Law 95-452, as amended by Public Law 97-252.

| Part I | |
|---|--|
| Anonymity: <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| Confidentiality: <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| Interviewed: <input checked="" type="radio"/> Yes <input type="radio"/> No | |
| 1. Complainant's Name: | |
| Last Name: | |
| First Name: | |
| Middle Initial: | |
| 2. Status | |
| <input checked="" type="radio"/> Current DoD Civilian Position title and grade <input type="radio"/> Former DoD Civilian Position title and grade | |
| <input type="radio"/> Contractor Employee <input type="radio"/> Military <input type="radio"/> Active Duty <input type="radio"/> National Guard <input type="radio"/> Reserves <input type="radio"/> Other (Please specify below): | |
| 3. Contact Information: | |
| Home or Mailing Address: | |
| Street 1: | |
| Street 2: | |
| City: | |
| State: | |
| Zip Code: | |
| Home Telephone: (Area Code & number) | |
| Office Telephone: (Area Code & number) | |
| Mobile Telephone: (Area Code & number) | |
| E-Mail Address: | |

| | | | |
|-------------------------------------|---|-----------|----------------------|
| 4. Agency, Command or Company Name: | Agency, Command or Company Name: HQ, XVIII AIRBORNE CORPS AND FORT | | |
| 5. Agency, Command or Address: | Address 1: | | |
| | Address 2: | | |
| | City: FORT BRAGG | State: NC | Zip Code: 28310-5000 |
| | Country: UNITED STATES | | |

PART 2: DETAILS OF YOUR ALLEGATION

1. Potential Witnesses (Names of individuals that could provide additional supporting information):

| Name | Organization |
|------------|--------------|
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |

2. Please identify the organizational unit of the agency or command involved (Include address if known):

XVIII ABN CORPS AND FORT BRAGG, FORT BRAGG, NC 28310-5000

3. Are you alleging reprisal?
 Yes (If yes, please go to Part 3.)
 No

4. Please describe the alleged wrongdoing. Be as specific as possible about dates, locations and the identities and positions of all persons named. Also, please attach any documents that support your complaint.

PLEASE SEE ATTACHED ALLEGATIONS OF WRONGDOING, CONSISTING OF TYPED PAGES.

PART 3: Reprisal

A. What type of position did you hold when the alleged reprisal occurred?

1. Military Rank Army Navy Air Force Marine Corps

[NOTE for Military Service Members: Generally, no person may take (or threaten to take) an unfavorable personnel action, or withhold (or threaten to withhold) a favorable personnel communication to a Member of Congress; an Inspector General; a member of a Department of Defense audit, inspection, investigation, or law enforcement organization; or any other person or organization (including any person or organization in the chain of command) designated pursuant to regulations or other established administrative procedures for such communications.]

2. Contractor Employee

[NOTE for Contractor Employees: An employee of a contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a Member of Congress or an authorized official of an agency or the Department of Justice information relating to a substantial violation of law related to a contract (including the competition for or negotiation of a contract).]

3. Civilian Employee:

Appropriated Fund

[NOTE for Civilian Appropriated Fund Employees: Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to the Special Counsel or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures of information which the employee, former employee, or applicant reasonably believes evidences - a violation of any law, rule, or regulation; or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.]

Non-Appropriated Fund (NAF)

[NOTE for Non-Appropriated Fund Civilian Employees: Any civilian employee or member of the armed forces who has authority to take, direct others to take, recommend, or approve any personnel action shall not, with respect to such authority, take or fail to take a personnel

GROSS FRAUD, WASTE AND ABUSE:

(b)(7)(C) BECAME THE XVIII AIRBORNE CORPS AND FORT BRAGG INSPECTOR GENERAL IN LATE 2001 TO EARLY 2002. FROM THEN UNTIL HIS RETURN FROM IRAQ IN JANUARY/FEBRUARY 2006, (b)(7)(C) GRANTED ALL CIVILIAN (GS) EMPLOYEES ASSIGNED TO THE XVIII AIRBORNE AND FORT BRAGG INSPECTOR GENERAL OFFICE, TRAINING HOLIDAYS AS FREE LEAVE. AT LEAST ONE DAY PER MONTH, EACH EMPLOYEE WAS GRANTED WITHOUT AUTHORITY AND AS A GROSS WASTE OF GOVERNMENT FUNDS. IN ADDITION, (b)(7)(C) AUTHORIZED CIVILIAN EMPLOYEES TO OBSERVE FAMILY TIME (USUALLY ONE HALF OF ONE DUTY DAY) PER WEEK WITHOUT USE OF LEAVE OR ANY OTHER AUTHORIZED ABSENCE. DURING HIS DEPLOYMENT TO IRAQ (FROM JAN 05 TO JAN 06), (b)(7)(C) DIRECTED THE TASK FORCE INSPECTOR GENERAL (b)(7)(C) EMAIL (b)(7)(C) TO CONTINUE THE UNAUTHORIZED PRACTICE OF GRANTING TRAINING HOLIDAYS WITHOUT CHARGING EMPLOYEES FOR LEAVE OR AN AUTHORIZED ABSENCE. ADDITIONALLY, DURING THE ANNUAL CHRISTMAS HOLIDAYS (b)(7)(C) DIRECTED THAT CIVILIAN PERSONNEL OBSERVE THE XVIII ABN CORPS AND FORT BRAGG HOLIDAY WORK HOURS (DUTY FROM 0800 TO 1200) AND GRANTED UNAUTHORIZED ABSENCES WITHOUT A CHARGE OF LEAVE FROM 1300 TO 1700, DAILY. AS THE ASSISTANCE SECTION TEAM LEADER I QUERIED MY SUPERVISOR (b)(7)(C) DEPUTY INSPECTOR GENERAL, EMAIL (b)(7)(C) ABOUT THE UNAUTHORIZED PRACTICE AND HE IN TURN ADDRESSED THE ISSUE TO (b)(7)(C) AND WAS TOLD THE "COMPENSATORY TIME" WAS FOR THE TIMES WHEN EMPLOYEES WORKED EARLY OR LATE OR THROUGH LUNCH. (b)(7)(C) WAS MADE AWARE OF THE REQUIREMENT TO DOCUMENT COMPENSATORY TIME BUT AS THE INSPECTOR GENERAL HE OPTED TO UTILIZE HIS OWN METHOD. MY QUERY WAS AS A NONSUPERVISORY LEADER AND I DID NOT HAVE REPSONSIBILITY FOR TIME CARDS BUT DID HAVE RESPONSIBILITY FOR A CIVILIAN EMPLOYEE. AS A RESULT OF THE ORDERS OF (b)(7)(C) MYSELF AND (b)(7)(C) OBSERVED THE TRAINING HOLIDAYS AS WELL AS ALL OF THE OTHER CIVLIAN EMPLOYEES ASSIGNED TO THE IG OFFICE (b)(7)(C) (FORMER EMPLOYEE FOR ONE YEAR), (b)(7)(C) AND (b)(7)(C) (APPROXIMATELY 15 DAYS PER YEAR) AS WELL AS THE HALF DAY SCHEDULES DURING THE CHRISTMAS HOLIDAY PERIODS (APPROXIMATELY FORTY HOURS EACH YEAR PER EMPLOYEE). (b)(7)(C) ABUSE OF AUTHORITY AND WASTE OF FUNDS COST THE GOVERNMENT APPROXIMATELY \$30,000.00 DOLLARS OVER THE TIMEFRAME IT WAS ALLOWED TO OCCUR. (b)(7)(C) COMMITTED THIS OFFENSE KNOWING IT WAS AGAINST ESTABLISHED RULES AND REGULATIONS AND U.S. CODE.

2. ABUSE OF AUTHORITY:

(b)(7)(C) AS THE XVIII AIRBORNE CORPS AND FORT BRAGG INSPECTOR GENERAL ABUSED HIS AUTHORITY AND VIOLATED AR 20-1, PARAGRAPH 2-2e(1) AND PARAGRAPH 2-2e(2) AND PARAGRAPH 2-2e(5) AND PARAGRAPH 2-3a AND PARAGRAPH 2-3b. THE AFOREMENTIONED PARAGRAPH (2-2c(1)) REQUIRES THAT "SOLDIERS ASSIGNED AS TEMPORARY ASSISTANT IGs WHO PERFORM IG DUTIES FOR MORE THAN 180 DAYS MUST BE APPROVED BY TIG." (b)(7)(C) UTILIZED TWO NONCOMMISSIONED OFFICERS AS INSPECTORS GENERAL FOR MORE THAN A YEAR AND IN FACT MORE THAN TWO YEARS WITHOUT EITHER BEING APPROVED BY THE INSPECTOR GENERAL. (b)(7)(C) AND (b)(7)(C) WERE BOTH UTILIZED AS ASSISTANT INSPECTORS GENERAL AT FORT BRAGG AND IN IRAQ, ALTHOUGH NEITHER WAS APPROVED BY THE TIG. (b)(7)(C) WAS NOMINATED FOR IG DUTY AND HIS NOMINATION WAS DECLINED BUT HE WAS RETAINED IN THE IG OFFICE, PERFORMING DUTIES AS AN ASSISTANT INSPECTOR GENERAL, TO

INCLUDE LEADING SPECIAL INSPECTIONS. MANY MONTHS AFTER HIS NOMINATION WAS DECLINED (b)(7)(C) KNOWINGLY AND AGAINST THE ADVICE OF HIS DEPUTY INSPECTOR GENERAL (b)(7)(C) EMAIL (b)(7)(C) DEPLOYED (b)(7)(C) TO IRAQ AS AN ASSISTANT INSPECTOR GENERAL, EVEN THOUGH OTHER PERSONNEL IN THE IG OFFICE WERE TIG APPROVED AND IG SCHOOL TRAINED IN THE SAME CAREER FIELD (b)(7)(C) AND ANOTHER SERGEANT FIRST CLASS IN THE INSPECTION SECTION.) ALTHOUGH I AM NOT ONE-HUNDRED PERCENT SURE, I DO NOT BELIEVE THAT (b)(7)(C) OBTAINED THE APPROVAL OF THE MACOM COMMANDER FOR UTILIZATION OF (b)(7)(C) OR (b)(7)(C) AS TEMPORARY INSPECTORS GENERAL "FOR MORE THAN 90 DAYS BUT FEWER THAN 180 DAYS..." IN ADDITION, (b)(7)(C) UTILIZED (b)(7)(C) AND (b)(7)(C) IN VIOLATION OF PARAGRAPH 2-2e(5) BY ALLOWING BOTH TO PROCESS IGARS WHILE DEPLOYED. A CHECK OF THE IGAR SYSTEM FOR THE DEPLOYED IG OFFICE OF XVIII ABN CORPS SHOULD ESTABLISH ACTION IGs ON CASES. ALSO (b)(7)(C) XVIII ABN CORPS IGO, CAN BE INTERVIEWED TO DETERMINE THE SCOPE OF DUTIES FOR BOTH NONCOMMISSIONED OFFICERS PERFORMED WHILE DEPLOYED. AGAIN (b)(7)(C) KNOWINGLY VIOLATED AN ARMY REGULATION WITH TOTAL DISREGARD.

ABUSE OF AUTHORITY:

(b)(7)(C) INSPECTOR GENERAL, XVIII ABN CORPS AND FORT BRAGG, ABUSED HIS AUTHORITY BY OVERRIDING REQUIREMENTS ESTABLISHED BY PARAGRAPH 1-4b(5)(b). WHEN AN ALLEGATION OF WRONGDOING WAS MADE AGAINST A SENIOR OFFICER AT FORT BRAGG, (b)(7)(C) WOULD NOT ALLOW REPORTING THE ALLEGATION TO TIG (ATTN: SAIG-AC) WITHIN THE TWO WORKING DAYS ESTABLISHED. SPECIFIC CASES WERE ALLEGATIONS AGAINST (b)(7)(C) (LATE 2004 TO EARLY 2005) THAT (b)(7)(C) COVERED UP WRONGDOING BY A BATTALION COMMANDER (b)(7)(C) WITHIN THE BRIGADE THAT (b)(7)(C) (8) ? COMMANDED (35TH SIGNAL BRIGADE). (b)(7)(C) REPORTED TO THE XVIII ABN CORPS AND FORT BRAGG INSPECTOR GENERAL, MISCONDUCT AGAINST HER BATTALION COMMANDER, (b)(7)(C) SHE ALLEGED (b)(7)(C) HAD MAINTAINED A SEXUAL RELATIONSHIP WITH A FEMALE STAFF SERGEANT ASSIGNED TO THE BATTALION COMMANDED BY (b)(7)(C) AT THE SAME TIME (b)(7)(C) ALLEGED SHE HAD REPORTED TO (b)(7)(C) THAT (b)(7)(C) HAD PHYSICALLY ASSAULTED HER (b)(7)(C) BUT THAT (b)(7)(C) HAD COVERED UP THE MISCONDUCT BY (b)(7)(C) AND REPLIED THERE WAS ONLY A VERBAL ALTERCATION. PRELIMINARY ANALYSIS INDICATED A PHYSICAL ASSAULT HAD OCCURED BY (b)(7)(C) AGAINST (b)(7)(C) THE PA ALSO ESTABLISHED A STRONG PROBABILITY (ENOUGH FOR FURTHER INVESTIGATION) THAT (b)(7)(C) WAS AWARE OF THE ALLEGATION OF ASSAULT ON (b)(7)(C) AND ANOTHER SOLDIER IN THE BATTALION AS WELL AS THE ALLEGATIONS OF SEXUAL MISCONDUCT BY (b)(7)(C) RECORDS OF INTERVIEWS OF THE BATTALION CSM AND OFFICERS ASSIGNED TO THE BATTALION DURING THE TIMEFRAME SUPPORT THE ALLEGATIONS BY (b)(7)(C) ALTHOUGH (b)(7)(C) MADE AN ALLEGATION AGAINST (b)(7)(C) NOT ONLY WAS HIS INFORMATION NOT REPORTED AS REQUIRED BY AR 20-1 BUT THE ALLEGATION AGAINST (b)(7)(C) WAS NOT ADDRESSED IN THE SUBSEQUENT INQUIRY AGAINST (b)(7)(C) IN FACT, (b)(7)(C) WAS ALLOWED TO APPOINT AN INVESTIGATING OFFICER FOR THE INQUIRY YET THE IGAR CONTAINED AN ALLEGATION OF COVER UP AGAINST (b)(7)(C) THIS COURSE OF ACTION WAS DIRECTED BY (b)(7)(C) (b)(7)(C) FORMER ASSISTANT IG AND CURRENTLY A GS EMPLOYEE AT FORT BRAGG CAN SUPPORT THIS POINT AND PROVIDE FURTHER DETAILS). THE CASE FILE WILL SHOW THAT ALTHOUGH (b)(7)(C) STATED HE CONDUCTED AN INVESTIGATION/INQUIRY WHEN MISCONDUCT WAS REPORTED TO (b)(7)(C) BY (b)(7)(C), THE FILE DOES NOT CONTAIN ANY RECORD TO SUPPORT HE ACTUALLY CONDUCTED AN INQUIRY OR INVESTIGATION (AS REQUIRED BY AR 600-20 AND AR 20-1). FURTHERMORE, THE TIMELINE BETWEEN (b)(7)(C)

(b)(7)(C) IGAR AND THE REPORT TO TIG WILL SUBSTANTIATE THAT THE TIMELINE OF TWO WORKING DAYS WAS NOT ADHERED TO AND AN INTERVIEW OF (b)(7)(C) FORMER ASSISTANT INSPECTOR GENERAL, (b)(7)(C) THE ACTION OFFICER ON THE (b)(7)(C) CASE WILL SUPPORT THAT (b)(7)(C) MISUSED HIS AUTHORITY TO PROTECT SENIOR OFFICERS AT FORT BRAGG. IN ADDITION TO (b)(7)(C) AND (b)(7)(C) (9) ? under ? ALSO PROTECTED (b)(7)(C) BY DELAYING AN INQUIRY AGAINST HIM AND BY DELAYING THE REPORTING OF HIS PERSONAL INFORMATION TO TIG. (b)(7)(C) WAS ALSO ASSIGNED TO THE 35TH SIGNAL BRIGADE. (b)(7)(C) ATTEMPTS TO ENSURE COMPLIANCE WITH AR 20-1, REPORTING AND ADEQUATE INQUIRY/INVESTIGATION OF ALLEGATIONS OF WRONGDOING WAS A MAJOR FACTOR IN (b)(7)(C) TERMINATING HIS EMPLOYMENT AS A ONE YEAR TEMPORARY HIRE IN THE OFFICE OF THE INSPECTOR GENERAL.

ANOTHER CASE INVOLVED (b)(7)(C) DELAYING A CASE BY ALLOWING THE 18TH SOLDIER SUPPORT GROUP COMMANDER (b)(7)(C) TO DELAY (10) ? FINALIZING A COMMANDER'S INQUIRY AGAINST A 1LT (b)(7)(C) (b)(7)(C) CAN PROVIDE THE EXACT CASE NAME TO INCLUDE THE COMPLAINANT). ALLEGATIONS OF SEXUAL MISCONDUCT BY (b)(7)(C) WITH A NONCOMMISSIONED OFFICER, WERE MADE BY HER EX-HUSBAND, AN ACTIVE DUTY NONCOMMISSIONED OFFICER. THIS WAS HIS SECOND ALLEGATION AGAINST HER FOR INVOLVEMENT WITH THE SAME NONCOMMISSIONED OFFICER. WHILE THE LIEUTENANT AND THE NONCOMMISSIONED OFFICER WERE ASSIGNED TO THE 82D ABN DIV BOTH WERE INVESTIGATED AND RECEIVED REPRIMANDS FROM THE DIVISION COMMANDER FOR AN INAPPROPRIATE RELATIONSHIP. THE LIEUTENANT WAS REASSIGNED TO THE 18TH SOLDIER SUPPORT GROUP. HER EX-HUSBAND ALLEGED SHE WAS CONTINUING A SEXUAL RELATIONSHIP AND PROVIDED AUDIO TAPES TO SUPPORT HIS ALLEGATIONS. THE COMMANDER OF THE SOLDIER SUPPORT GROUP CONTINUED TO DELAY RESPONDING TO THE REQUEST FOR A COMMANDER'S INQUIRY UNTIL HIS UNIT WAS SET TO DEPLOY. THE COMMANDING GENERAL XVIII AIRBORNE CORPS AND FORT BRAGG HAS IN PLACE AND HAD IN PLACE AT THE TIME, A POLICY THAT REQUIRED MISCONDUCT BY OFFICERS TO BE REPORTED TO HIM FOR APPROPRIATE CORRECTIVE ACTION. ALTHOUGH THE COMMANDER'S INQUIRY WAS COMPLETED PRIOR TO DEPLOYMENT, (b)(7)(C) DID NOT TAKE ACTION TO ENSURE COMPLIANCE BY (b)(7)(C) WITH THE CORPS COMMANDER'S POLICY. THE ALLEGATIONS WERE SUBSTANTIATED AGAINST THE LIEUTENANT BUT CORRECTION ACTION WAS NOT TAKEN. (b)(7)(C) DID NOT PROVIDE ANY RECORD OF CORRECTIVE ACTION BUT DID RESPOND AFTER DEPLOYMENT THAT HIS UNIT WAS NO LONGER UNDER THE COMMAND AND CONTROL OF THE XVIII ABN CORPS AND FORT BRAGG AND THEREFORE HE WAS NO LONGER REQUIRED TO COMPLY WITH THE CORPS COMMANDER'S POLICY. SOON AFTER DEPLOYMENT THE LIEUTENANT WAS PROMOTED TO CAPTAIN.

A REVIEW OF THE FILES MAINTAINED IN THE XVIII ABN CORPS INSPECTOR GENERAL OFFICE WILL IDENTIFY OTHER CASES WHERE (b)(7)(C) MISUSED HIS AUTHORITY TO PRECLUDE PROPER HANDLING OF CASES, TO INCLUDE ADDRESSING ALLEGATIONS AGAINST SENIOR OFFICIALS, NOT REPORTING THE STANDARD NAME LINE OF SENIOR PERSONS ACCUSED OF WRONGDOING, AND WORKING THE SYSTEM TO FIND WAYS TO NOT SUBSTANTIATE ALLEGATIONS (LTC TEWKSBURY (FORMER 82D IG) CASE WHERE HE WAS ACCUSED OF ASSAULT). (11) ?

ABUSE OF AUTHORITY AND COVER-UP:

(b)(7)(C) INSPECTOR GENERAL, XVIII AIRBORNE CORPS AND FORT BRAGG, ABUSED HIS AUTHORITY AND USED HIS POSITION TO COVER UP ALLEGED WRONGDOING BY (b)(7)(C) COMMANDER, DRAGON BRIGADE. AN ALLEGATION WAS MADE AGAINST (b)(7)(C) BY (b)(7)(C) (12) ALLEGING WHISTLEBLOWER REPRISAL. THE INITIAL ALLEGATION WAS ADDRESSED

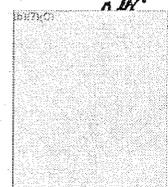
WITH A RECOMMENDATION FOR DECLINATION. SUBSEQUENT TO THE INITIAL ALLEGATION, [REDACTED] AGAIN ALLEGED WHISTLEBLOWER REPRISAL BY [REDACTED] (ON OR ABOUT 2 FEB 06). A PRELIMINARY ANALYSIS REVEALED THE SECOND ALLEGATION DID NOT FALL WITHIN THE PARAMETERS OF WHISTLEBLOWER REPRISAL BUT THE PRELIMINARY ANALYSIS DID ESTABLISH THAT THE INITIAL ALLEGATION OF REPRISAL WARRANTED AN AMENDMENT OF THE INITIAL DECLINATION TO INDICATE AN ADVERSE PERSONNEL ACTION HAD BEEN TAKEN AGAINST [REDACTED] BY [REDACTED] AND THAT THE REASON FOR THE INITIAL DECLINATION NO LONGER APPEARED VALID. [REDACTED] ORDERED [REDACTED] DEPUTY INSPECTOR GENERAL, TO ORDER ME TO CLOSE THE ALLEGATION AGAINST [REDACTED] AS AN ASSISTANCE CASE AND THAT NO ADVISORY WOULD BE FORWARDED AS REQUIRED BY AR 20-1 AND THE MILITARY WHISTLEBLOWER PROTECTION ACT. AS ORDERED I CLOSED THE CASE AS ASSISTANCE, ALTHOUGH THE CASE WARRANTED AN INVESTIGATION. I STATED TO [REDACTED] THAT SUCH ACTION WAS INAPPROPRIATE AND THAT I WOULD FORMULATE A REPORT OF INAPPROPRIATENESS AND ABUSE OF AUTHORITY AND COVER-UP BY [REDACTED] [REDACTED] CONCURRED WITH THE INAPPROPRIATENESS AND ABUSE OF AUTHORITY AND COVER-UP. (13)

ABUSE OF AUTHORITY AND POSITION:

IN 2005 I WAS DIRECTED TO CONDUCT AN INVESTIGATION INTO ALLEGATIONS OF WHISTLEBLOWER REPRISAL. [REDACTED] FORMERLY OF 20TH ENGINEER BRIGADE, ALLEGED REPRISAL AGAINST MEMBERS OF HIS CHAIN OF COMMAND FOR HAVING MADE AN EQUAL OPPORTUNITY COMPLAINT AND AN INSPECTOR GENERAL INQUIRY. THE DIRECTIVE FOR INVESTIGATION WAS SIGNED BY THE TASK FORCE BRAGG COMMANDING GENERAL. UPON LEARNING OF THE DIRECTIVE TO INVESTIGATE THE ALLEGATIONS, [REDACTED] EMAILED FROM IRAQ TO FORT BRAGG THAT HE DID NOT WANT "ONE PENNY" SPENT ON THE INVESTIGATION AND THAT THE RESULTS WERE ALREADY KNOWN AND THAT IT WAS ONLY GOING TO RESULT IN UPGRADING THE GENERAL DISCHARGE ON [REDACTED] EVEN THOUGH THE EMAIL FROM [REDACTED] WAS INTIMIDATING I CONDUCTED THE INVESTIGATION. DURING THE COURSE OF THE INVESTIGATION I ASKED THAT THE MEMBERS OF THE CORPS IGO DEPLOYED TO IRAQ ASSIST BY CONDUCTING THE INTERVIEWS OF THE SUBJECTS AND WITNESSES ALSO IN IRAQ. THIS RESULTED IN [REDACTED] THE DEPLOYED DEPUTY IG, TO TELEPHONE ME ABOUT "MY FAVORITE CASE" ASKING THAT I SEND THE CASE TO IRAQ FOR INVESTIGATION THERE. I EXPLAINED THAT IF THAT IS WHAT [REDACTED] DIRECTED I WOULD BUT IT DID NOT SEEM LOGICAL SINCE MANY OF THE WITNESSES AND SUBJECTS WERE ON FORT BRAGG OR OTHER CONUS LOCATIONS. IT WAS THEN DECIDED THAT THE FORWARD DEPLOYED IG OFFICE WOULD ASSIST BY MAKING NOTIFICATIONS AND SCHEDULING TELEPHONIC INTERVIEWS. I TOOK THE TELEPHONE CALL AS INTIMIDATING ALSO SINCE IT REFERRED TO THE CASE AS "MY FAVORITY CASE" AND I HAD HEARD [REDACTED] USE THAT TERM ON SEVERAL OCCASIONS WHEN REFERRING TO CASES BEING HANDLED BY [REDACTED] AN EMPLOYEE HE SUBSEQUENTLY TERMINATED FOR BEING CONFRONTATIONAL WITH MEMBERS OF THE CHAINS OF COMMAND. I DOCUMENTED MY CONCERNS WITH A MEMO TO [REDACTED] THE FORT BRAGG DEPUTY IG. DURING THE INTERVIEWS OF SEVERAL WITNESSES AND SUSPECTS IT SEEMED SOME WERE BEING "LESS THAN STRAIGHT FORWARD." WHILE INTERVIEWING [REDACTED] THE COMPANY COMMANDER OF [REDACTED] WAS NOT PROVIDING ANSWERS AND SEEMED TO BE EVASIVE. WHEN I BECAME MORE DIRECT IN THE QUESTIONING [REDACTED] BECAME DEFENSIVE AND SUBSEQUENTLY REPORTED TO [REDACTED] THAT I HAD NOT TREATED HIM PROPERLY DURING THE INTERVIEW. THIS RESULTED IN [REDACTED] CONTACTING [REDACTED] (TASK FORCE BRAGG INSPECTOR GENERAL) AND OBTAINING A COPY OF THE RECORD OF INTERVIEW. [REDACTED] TOLD ME THAT IT WAS FELT THE INTERVIEW WAS TOO AGGRESSIVE AND THAT IN THE FUTURE I SHOULD BE LESS CONFRONTATIONAL. I EXPLAINED TO [REDACTED] THAT [REDACTED] (14)

HAD PROBABLY UNKNOWINGLY REPRISED AGAINST [REDACTED] BY RECOMMENDING HIM FOR A GENERAL DISCHARGE AFTER [REDACTED] HAD REQUESTED A HARDSHIP DISCHARGE. THE RECORDS AND OTHER TESTIMONY INDICATED [REDACTED] HAD ASSUMED COMMAND AFTER THE INITIAL ALLEGATION OF WHISTLEBLOWER REPRISAL AND WAS ADDED AS A RESPONSIBLE MANAGEMENT OFFICIAL. I EXPLAINED TO [REDACTED] THAT UNLESS [REDACTED] WAS RESPONSIVE AND HONEST IN HIS ANSWERS (SINCE INDICATIONS WERE THAT HE WAS BEING LOYAL TO THE CHAIN OF COMMAND AT RISK TO HIS OWN CAREER) THEN HE WOULD PROBABLY HAVE AN ALLEGATION SUBSTANTIATED AGAINST HIM. I DID AGREE THAT I WOULD BE LESS CONFRONTATIONAL IN THE NEXT INTERVIEW WITH CPT [REDACTED] DURING THIS INTERVIEW [REDACTED] OFFERED DOCUMENTED EVIDENCE OF COUNSELING OF [REDACTED] AND THESE COUNSELINGS SERVED AS THE BASIS FOR [REDACTED] RECOMMENDING A GENERAL DISCHARGE FOR A SELF- INITIATED HARDSHIP SEPARATION. ONE OF THE ITEMS [REDACTED] OFFERED TO SUPPORT HIS TESTIMONY WAS A COUNSELING STATEMENT BY A NONCOMMISSIONED OFFICER WHILE AT FORT BRAGG, IN OCTOBER. THE SIGNIFICANCE OF THIS COUNSELING STATEMENT WAS THAT THE DISCHARGE ON [REDACTED] WAS APPROVED ON 18 OCTOBER 2004 BUT THE DATE THE COUNSELING ALLEGEDLY TOOK WAS IN OCTOBER 2005. WHEN QUESTIONED, [REDACTED] COULD NOT EXPLAIN HOW A COUNSELING STATEMENT THAT WAS NOT PART OF THE CHAPTER SEPARATION ACTION NOW EXISTED WITH A DATE ONE YEAR AFTER THE SEPARATION ACTION. THE PREPONDERANCE WAS THAT SOMEONE IN THE UNIT HAD TAKEN ACTION TO CREATE DOCUMENTS TO SUPPORT THE ACTIONS OF THE CHAIN OF COMMAND, HOWEVER, DUE TO THE PREVIOUS CHASTISING FOR BEING "TOO AGGRESSIVE" WITH [REDACTED] I DID NOT PURSUE. WRONGLY I CLOSED THE WHISTLEBLOWER CASE WITHOUT SUBSTANTIATING THE ALLEGATION OF REPRISAL AGAINST [REDACTED] AND I DID NOT RECOMMEND FOLLOW UP ON THE APPEARANCE OF FALSIFICATION OF DOCUMENTS TO FACILITATE A COVER UP. I FAILED TO TAKE THESE ACTIONS BASED ON THE ACTIONS TAKEN AGAINST [REDACTED] AND KNOWING THAT [REDACTED] HAD ALREADY DECIDED WHAT THE RESULTS WOULD BE AND OUT OF FEAR OF REPRISAL. MY FAILURE TO SUBSTANTIATE HE ALLEGATION AND TO RECOMMEND FOLLOW UP ON WHAT APPEARED TO BE FALSIFICATION OF OFFICIAL DOCUMENTS AND AN ATTEMPT BY UNIDENTIFIED MEMBERS OF THE 30TH ENGINEER BATTALION TO COVER-UP A REPRISAL WAS A VIOLATION ON MY PART, REGARDLESS OF THE PRESSURE AND IMPLIED PRESSURE.

(15)
false statements?
uh?



ETHICAL VIOLATION:

[REDACTED] INSPECTOR GENERAL, XVIII AIRBORNE CORPS AND FORT BRAGG VIOLATED THE JOINT ETHICS REGULATION BY ACCEPTING A GIFT FROM A SUBORDINATE THAT WAS VALUED AT MORE THAN \$300 DOLLARS. [REDACTED] ASSISTANT INSPECTOR GENERAL/SECRETARY TO [REDACTED] GAVE [REDACTED] AND THE FAMILY OF [REDACTED] THE USE OF, HER TOWNHOUSE AT MRYTLE BEACH, SOUTH CAROLINA. I, [REDACTED] OWN AN IDENTICAL TOWNHOUSE THREE DOORS DOWN FROM THE ONE OWNED BY [REDACTED] AND WHEN I RENT MY TOWNHOUSE I RENT IT FOR \$300 PER WEEKEND (TWO NITES). THIS VIOLATION OCCURED AFTER [REDACTED] RETURN FROM DEPLOYMENT TO AFGHANISTAN IN 2003 BUT I AM UNSURE OF THE EXACT DATE. I AM PERSONALLY AWARE OF THE FACT THAT [REDACTED] USED HER TOWNHOUSE BECAUSE I WAS AT MYRTLE BEACH AT MY HOUSE AT THE TIME AND SPOKE TO [REDACTED] IN THE PARKING LOT. FUTHER, [REDACTED] OPENLY DISCUSSED HER TOWNHOUSE WITH OTHER MEMBERS OF THE CORPS IG OFFICE AFTER HIS RETURN. MONTHS LATER AS [REDACTED] AND I WERE TALKING ABOUT OUR TOWNHOUSES AND THE NUMBER OF PEOPLE ASKING TO USE IT, SHE MADE THE COMMENT SHE DID NOT WANT TO LET [REDACTED] USE HER TOWNHOUSE BUT SHE DID NOT KNOW HOW TO SAY NO WITHOUT UPSETTING HIM. AS HER DIRECT SUPERVISOR, [REDACTED] ACCEPTANCE OF SUCH A GIFT WAS INAPPROPRIATE. ALTHOUGH [REDACTED] HAS

(16)

ALLOWED OTHER PERSONS ASSIGNED TO THE IG OFFICE TO USE HER TOWNHOUSE, SHE WAS NOT UNDER THE SUPERVISION OF THOSE PERSONNEL AND SUCH ACTION ON HER BEHALF WOULD NOT EXCUSE [REDACTED] ETHICAL MISCONDUCT AND APPEARANCE OF WRONGDOING. I AM NOT POSITIVE BUT I THINK [REDACTED] USED THE TOWNHOUSE (OR HIS FAMILY MEMBERS) ON MORE THAN ONE OCCASION.

action with respect to any nonappropriated fund instrumentally employee (or any applicant for a position as such an employee) as a reprisal for - a disclosure of information by such an employee or applicant which the employee or applicant reasonably believes evidences - a violation of any law, rule, or regulation; or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.]

B. Did you make or prepare to make a complaint that disclosed information regarding a violation of law or regulation, including sexual harassment or unlawful discrimination, mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety?

No

Yes (If yes, please answer question B.1.)

B.1. To whom did you make the disclosure(s) and when?

Date: [MM/DD/YYYY] Name: []

Title: [] Rank or Grade: []

Address: []

Date: [MM/DD/YYYY] Name: []

Title: [] Rank or Grade: []

Address: []

Date: [MM/DD/YYYY] Name: []

Title: [] Rank or Grade: []

Address: []

C. What information did you disclose to that official? (Be as specific as possible.)

D. Was an unfavorable personnel action taken or threatened, or was a favorable action withheld or threatened to be withheld following your disclosure?

- No
- Yes

[NOTE - A personnel action is considered any action taken that affects or has the potential to affect your current position or career; e.g., a promotion; a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations; and any other significant change in duties or responsibilities inconsistent with your rank.]

D.1 Describe the unfavorable personnel action.

D.2. When was/were the action(s) taken and who was/were the management official(s) responsible for taking the action?

Date: [MM/DD/YYYY] Name: []

Title: []

Rank or Grade: []

Address: []

Date: [MM/DD/YYYY] Name: []

Title: []

Rank or Grade: []

Address: []

| | | | |
|------------------|--|----------------|--|
| Date: MM/DD/YYYY | | Name: | |
| Title: | | Rank or Grade: | |
| Address: | | | |

PART 4: OTHER ACTIONS YOU ARE TAKING ON YOUR DISCLOSURE

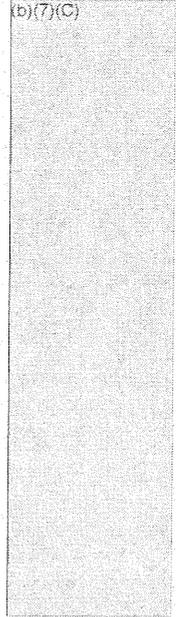
Did you disclose the information reported to the DoD Hotline through any other channel?

- Yes
- No

If yes, please identify the agency or command and provide the current status of the matter?

If you desire a copy of your complaint, Select *File*, *Print* from your browser menu after you submit this form.

Click on the button below to return to the **Hotline Homepage**. Thank you.



21 May 06