



U.S. Department of Justice

Criminal Division

Office of Assistant Attorney General

Washington, D.C. 20530

September 26, 2016

Carolyn N. Lerner  
Special Counsel  
Office of Special Counsel  
1730 M Street, Suite 300  
Washington, DC 20036-4505

Re: OSC File No. DI-16-3627

Dear Ms. Lerner:

The enclosed report is in response to a disclosure to the Office of Special Counsel (OSC) that the Department of Justice Criminal Division's Security Program Manager and Director of Security and Operations Support Staff, \_\_\_\_\_ lacked the appropriate security clearance for \_\_\_\_\_ position for at least the last three years, and that agency officials failed to ensure that maintained the appropriate clearance.

On June 13, 2016, OSC referred these allegations and a request for an investigation to the Attorney General. On August 16, 2016, OSC granted the Department an extension of time to respond until September 29, 2016. I am the designated official responsible for providing your office with the Department's report pursuant to 5 U.S.C. § 1213.

The Criminal Division has investigated this matter, and the evidence does not support the allegation that \_\_\_\_\_ lacked the appropriate security clearance for \_\_\_\_\_ position at any time. Therefore, no further action will be taken.

The Criminal Division's findings are included in the enclosed report. If you require further assistance regarding this matter, please contact Jill Weissman in the General Counsel's Office at (202) 598-2536.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Caldwell".

Leslie R. Caldwell  
Assistant Attorney General  
Criminal Division

cc: Carlos Uriarte, Office of the Deputy Attorney General

**REPORT CONCERNING ALLEGATIONS REGARDING THE SECURITY  
CLEARANCE OF THE CRIMINAL DIVISION'S SECURITY PROGRAM MANAGER  
AND DIRECTOR OF SECURITY AND OPERATIONS SUPPORT STAFF**

**I. SUMMARY OF THE ALLEGATIONS**

Former Criminal Division employee Seong Lee alleged that the Criminal Division's Security Program Manager and Director of Security and Operations Support Staff, \_\_\_\_\_, lacked the appropriate security clearance for \_\_\_\_\_ position for at least the last three years, and that agency officials failed to ensure that \_\_\_\_\_ maintained the appropriate clearance. Mr. Lee, who formerly worked as an Emergency Management Specialist, claimed that he became aware in the performance of his duties that \_\_\_\_\_ lacked a security clearance.

**II. RESULTS OF THE INVESTIGATION**

After consultation with the Office of Special Counsel (OSC), the Criminal Division did not interview Mr. Lee regarding his allegations, as the allegations presented purely a question of fact. Shortly after receiving the allegations from OSC, the Criminal Division contacted the Department of Justice's Justice Management Division, Security and Emergency Planning Staff (SEPS) to confirm that \_\_\_\_\_ did, in fact, have a security clearance. They confirmed on July 13, 2016, that \_\_\_\_\_ did, and that there was no record of any action being taken to suspend or revoke \_\_\_\_\_ clearance. On August 17, 2016, SEPS provided a written certification regarding the status of \_\_\_\_\_ security clearance. See Exhibit 1. That certification indicates that \_\_\_\_\_ holds a Top Secret clearance, which was granted on July 10, 2003, that \_\_\_\_\_ security clearance is in good standing, and that it has never been suspended, denied or revoked.

**III. CONCLUSION**

The Agency's investigation revealed that Mr. Lee's claim that \_\_\_\_\_ lacked a valid security clearance at any time during \_\_\_\_\_ tenure as the Security Program Manager and Director of Security and Operations Support Staff is inaccurate. Accordingly, the Criminal Division has determined that no further action regarding this matter is warranted.