

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

The Black Vault
John Greenewald
27305 W. Live Oak Rd.
Suite #1203
Castaic, CA 91384-4520

August 6, 2019

E-Mail: john@greenewald.com

Reference: ODNI Case DF-2019-00088

Dear Mr. Greenewald:

This letter responds to your 14 December 2018 Freedom of Information Act (FOIA) request received on 17 December 2018 by the Information Management Division (IMD) of the Office of the Director of National Intelligence (ODNI), in which you seek a copy of records, electronic or otherwise, of the following: the final report of the Director of National Intelligence Office of the Inspector General case number INV-2014-0011 (Enclosure 1).

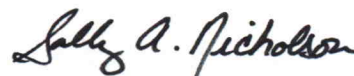
Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. A thorough search of our records and databases located one document responsive to your request (Enclosure 2). Some information warrants continued protection pursuant to (b)(3), which applies to information exempt by statutes; specifically, 50 U.S.C. § 3024(m)(1), which protects, among other things, the names and identifying information of ODNI personnel.

If you wish to appeal our determination on this request, please explain the basis of your appeal and forward to: Office of the Director of National Intelligence, Information Management Division, Washington, DC 20511, within 90 days of the date of this letter.

However, you may find it helpful to contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions, feel free to email our Requester Service Center at DNI-FOIA@dni.gov or call us at (301) 243-1499. You can also contact ODNI's FOIA Liaison by email at DNI-FOIA-Liaison@dni.gov.

Sincerely,




Sally Nicholson
Chief, FOIA Branch
Information Management Division

Enclosures

ENCLOSURE 1

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)
document clearinghouse in the world. The research efforts here are
responsible for the declassification of hundreds of thousands of pages
released by the U.S. Government & Military.

Discover the Truth at: <http://www.theblackvault.com>

DF-2019-00088

From: John Greenewald <john@greenewald.com>
Sent: Friday, December 14, 2018 1:31 PM
To: DNI-FOIA
Subject: FOIA REQUEST

DEC 17 2018

To whom it may concern,

This is a non-commercial request made under the provisions of the Freedom of Information Act 5 U.S.C. S 552. My FOIA requester status as a "representative of the news media." I am a freelance television producer often working on documentaries related to my FOIA requests, my work is commonly featured throughout major news organizations, and I freelance writer for news sites as well. Examples can be given, if needed.

I prefer electronic delivery of the requested material either via email to john@greenewald.com, FAX 1-818-659-7688 or via CD-ROM or DVD via postal mail. Please contact me should this FOIA request should incur a charge.

I respectfully request a copy of records, electronic or otherwise, of the following: the final report of the Director of National Intelligence Office of the Inspector General case number INV-2014-0011. This was in the list of closed investigations for 2014-2015.

Thank you so much for your time, and I am very much looking forward to your response.

Sincerely,

John Greenewald, Jr.
27305 W. Live Oak Rd.
Suite #1203
Castaic, Ca. 91384
FAX 1-818-659-7688

Sincerely,

John Greenewald, Jr.

Owner/Founder

The Black Vault

<http://www.theblackvault.com>

Toll Free: (800) 456-2228

International: 1 (818) 655-0474

Fax: (818) 659-7688

Mailing Address:

The Black Vault

27305 W. Live Oak Rd., Suite 1203

Castaic, CA 91384-4520

ENCLOSURE 2



OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
 INVESTIGATIONS DIVISION
 WASHINGTON, DC 20511

REPORT OF INVESTIGATION

CASE NUMBER: 2014-0011

SUBJECTS: (U//~~FOUO~~) (b)(3)
 (b)(3) (b)(3)

ALLEGATION: (U//~~FOUO~~) Nepotism

I. (U//~~FOUO~~) SUMMARY

(U//~~FOUO~~) The Office of the Inspector General of the Intelligence Community (IC IG) initiated this investigation in response to a referral from IC IG Inspections. The referral alleged that (b)(3) a former ODNI employee and mother of (b)(3) took actions regarding the hiring of (b)(3) in May of 2008 which constituted violations of either 5 USC §§ 2302(b)(6)-(7) or 5 USC § 3110. A careful review of available records regarding the process and procedures surrounding (b)(3) selection and hiring failed to reveal any evidence to substantiate this allegation.

II. (U//~~FOUO~~) BACKGROUND

(U//~~FOUO~~) During an inspection of the Office of the National Counterintelligence Executive (ONCIX) in the summer of 2014, the IC IG Inspections Division (INS) received a complaint regarding potential nepotism

This document is intended only for authorized recipients. Recipients may not further disseminate this information without the express permission of the signatory or other Office of Inspector General of the Intelligence Community personnel. This document may contain Inspector General sensitive information that is confidential, sensitive, work product or attorney-client privileged, or protected by Federal law, including protection from public disclosure under the Freedom of Information Act (FOIA), 5 USC § 552. Accordingly, the use, dissemination, distribution or reproduction of this information to or by unauthorized or unintended recipients may be unlawful.

ROI - INV 2014-0011

that occurred in the spring of 2008. It was alleged (b)(3) used her position and influence to have her son, (b)(3) hired into her division as an Executive Assistant.

(U//~~FOUO~~) A similar allegation was lodged regarding nepotism in December 2008 and (b)(3) Senior Associate General Counsel, conducted a review of the matter. (b)(3) interviewed (b)(3) (b)(3) (b)(3) supervisor and (b)(3) hiring manager, (b)(3) (b)(3) a Human Resources Officer, and (b)(3) (ONCIX Chief of Staff). (b)(3) concluded in a memo dated 22 January 2009:

While there is some confusion over the specific facts in this case, it does not appear that there has been a violation of law. (b)(3) the hiring official, indicated that (b)(3) did not lobby or encourage him in any way to either interview (b)(3) for the Executive Assistant position or to ultimately select him. (b)(3) indicates that he acted independently throughout the process.

III. (U) SCOPE AND AUTHORITY

(U//~~FOUO~~) IC IG INV conducted this investigation pursuant to 50 USC § 3033, *Inspector General of the Intelligence Community*, effective 7 October 2010; ODNI Instruction 10.34, *Office of the Inspector General of the Intelligence Community*, dated 22 Sept 2013; and, *Quality Standards for Investigations*, dated 15 November 2011, set forth by the Council of the Inspectors General on Integrity and Efficiency.

IV. (U//~~FOUO~~) POTENTIAL VIOLATIONS

a. 5 USC § 2302 – Prohibited Personnel Practices. Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority grant any preference or advantage not authorized by law, rule, or regulation to any employee or applicant for employment (including defining the scope or manner of competition or the requirements for any position) for the purpose of improving or injuring the prospects of any particular person for employment. An employee may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in or to a civilian position any individual who is a relative (as defined by 5 USC § 3110) of such

ROI - INV 2014-0011

employee if such position is in the agency in which such employee is serving as a public official over which the employee exercises jurisdiction or control as such an official.

b. 5 USC § 3110 – Employment of Relatives; Restrictions. A public official is defined as an employee or any other individual authorized by law, rule or regulations, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in an agency. A public official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, in or to a civilian position in the agency in which he is serving or over which he exercises jurisdiction or control of any individual who is a relative of the public official. Any individual appointed, employed, promoted, or advanced in violation of this section is not entitled to pay, and money may not be paid from the Treasury as pay.

V. (U//~~FOUO~~) CHRONOLOGY

(U//~~FOUO~~) (b)(3) responded to a 16 January 2008 vacancy announcement for Executive Assistant position 17066JX (GS-13). He was selected by hiring manager (b)(3) on 13 March 2008, and entered on duty (EOD) on 27 May 2008. Within three months of EOD, he was sent on an 18-month non-reimbursable detail to the office of the Undersecretary of Defense for Intelligence (USDI). Upon his return, he worked for six weeks and was sent on a second non-reimbursable detail to the Drug Enforcement Agency (DEA) for 26 months. When he returned from DEA, his title was changed from “Executive Assistant” to “IC Requirements Management Officer” and later, “Threat Management Analyst.”

VI. (U//~~FOUO~~) FINDINGS AND ANALYSIS

(U//~~FOUO~~) A review of available records indicates (b)(3) advocated for her son by communicating with HR to track the vacancy announcement; sought and acquired the interview questions for Executive Assistants (presumably prior to (b)(3) interview); completed the Request to Hire form by entering (b)(3) information and providing it to (b)(3) and pressing (b)(3) to expedite the process.

ROI - INV 2014-0011

(U//~~FOUO~~) Further analysis or findings are hampered due to the fact records no longer exist regarding the selection panel participants, other candidates for the position, interview dates, or what process was followed to select

(b)(3)

(U//~~FOUO~~) In addition, (b)(3) retired 10 October 2009, and is no longer subject to our jurisdiction.

VII. (U//~~FOUO~~) CONCLUSION / RECOMMENDATION

(U//~~FOUO~~) A thorough review of available records regarding (b)(3) selection and hiring failed to substantiate the allegation of nepotism on the part of his mother, (b)(3). Although (b)(3) tracked both the vacancy and selection of (b)(3) administratively, she did not have agency-designated authority to make recommendations on his selection or the final decision to employ him.

(U//~~FOUO~~) Recommendation: Close the investigation as unsubstantiated.

PREPARED BY:

(b)(3)

Deputy Assistant Inspector General
for Investigations

DATE:

August 7/2015

(b)(3)

Assistant Inspector General
for Investigations

DATE:

07 AUG 15