

(b)(6)

U.S. Department of Homeland Security
Hartsfield-Jackson Atlanta International Airport
4245 International Parkway
Suite 100
Hapeville, GA 30354



Transportation
Security
Administration

Date: October 9, 2014

To: (b)(6)
SPOT Transportation Security Manager
Hartsfield-Jackson Atlanta International Airport

From: Tony Barnett
Deputy Assistant Federal Security Director
Hartsfield-Jackson Atlanta International Airport

Subject: Letter of Counseling – Failure to Follow Procedures

Ref: Case (b)(6)

The purpose of this Letter of Counseling (LOC) is to officially counsel you for violating procedural guidance set forth in a memorandum to all Behavior Detection Officers (BDOs), dated April 26, 2013 from Assistant Federal Security Director (Screening) (AFSD-S) Marshon Anderson, subject: "Process for BDO Notebook Accountability" and distributed to all Transportation Security Administration Atlanta (TSA ATL) BDOs.

This memorandum "Process for BDO Notebook Accountability" details specific procedures regarding the issuance, inventory, and accountability of BDO notebooks. It specifically states: "The BDO manager will conduct an inventory of all the notebooks in the lockbox at the start of each shift and at the end of each shift. The BDO manager is to sign-out and distribute the appropriate notebooks to all the BDOs on duty, sign-in the notebooks at the end of each shift and lock the notebooks in the lock box. The BDO manager will note that each notebook is accounted for by annotating their initials in the in/out column. Any missing notebooks are to be annotated on the inventory sheet and reported immediately."

On October 3, 2014, TSA ATL's leadership and Sensitive Security Information (SSI) Coordinator were advised of a missing BDO notebook. While investigating the missing notebook incident, it was revealed that the issuance, inventory, and accountability of TSA ATL's BDO notebooks were not in compliance with, and in fact were in violation of the "Process for BDO Notebook Accountability" memorandum dated April 26, 2013.

File: 1100.7.3

Specifically, the investigation revealed that under your authority (and by your direction), your direct report SPOT Transportation Security Managers allowed F band and G band BDOs to issue, inventory, and be accountable for BDO notebooks. This was in violation of AFSD-S Anderson's April 26, 2013 memorandum, "Process for BDO Notebook Accountability."

On October 4, 2014, I met with you to conduct a pre-decisional discussion. During this meeting, you were provided an opportunity to respond orally or in writing. You elected to respond in writing. In your written statement (dated October 4, 2014), you stated: "I STSM (b)(6) was under the belief that management had the authority to allow BDO's F or G band to assist in passing out the BDO Notebooks. This understanding comes from a meeting that I recall that was held a while ago where the current BDO Notebook protocol was lifted to give the BDO's more responsibilities. I think this change took place sometime after our HQ visit where Tayla, Nathan, or Mike made mentioned about our BDO Notebook protocol. To the fact that other airports give this responsibility to their BDO's."

AFSD-S Marshon Anderson's memorandum dated April 26, 2013, subject: **Process for BDO Notebook Accountability** was distributed to all TSA ATL BDOs and provides procedural guidance for the issuance, inventory, and accountability of TSA ATL's BDO notebooks. No written procedural guidance that either cancels or supersedes this memorandum has been disseminated subsequent to April 26, 2013.

TSA MD 1100.73-5 (Employee Responsibilities and Code of Conduct), dated September 30, 2013, provides in pertinent part, that TSA employees are responsible for behaving in a way that does not bring discredit upon the Federal government or TSA, and for observing the following basic on-the-job rules:

Section 5.A (2): Responding promptly to and fully complying with directions and instructions received from their supervisor or other management officials.

Section 5.A (7): "Observing and abiding by all laws, rules, regulations and other authoritative policies and guidance."

TSA MD 1100.73-5 (Employee Responsibilities and Code of Conduct), dated September 30, 2013, Section 6.A provides in pertinent part, that TSA employees must comply with all standards, responsibilities, and code of conduct established by this directive. It further states that failure to comply with the directive may result in appropriate corrective, disciplinary, or adverse action, up to and including removal.

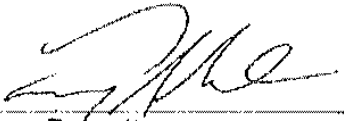
My expectation is that you will fully comply with TSA MD 1100.73-5 (Employee Responsibilities and Code of Conduct) by fully and promptly complying with procedural guidance and instructions that are given to you.

This Letter of Counseling is not disciplinary action and is not grievable through the agency grievance procedures. It will not be placed in your electronic Official Personnel File (eOPF); however, I will retain a copy of this letter in my local files

for up to five (5) years to document that you have been placed on notice for your unacceptable conduct of failure to follow procedures.

Please be advised that if you do not correct the misconduct, more severe adverse or disciplinary action, up to and including removal, may be initiated.

Please sign the acknowledgement of receipt below. Your signature does not indicate agreement with this action; it only represents that you received this notice on the date signed.


1225
Tony Barnett
Deputy Assistant Federal Security Director
Hartsfield-Jackson Atlanta International Airport

Oct. 9-2014
Date

Attachment: AFSD-S Marshon Anderson's memorandum dated April 26, 2013, subject: **Process for BDO Notebook Accountability**

Acknowledgement of Receipt: Letter of Counseling (Failure to Follow Procedures)

I have received a copy of this Letter of Counseling on the date indicated below.

(b)(6)

10/9/14
Date

SPOT Transportation Security Manager
Hartsfield-Jackson Atlanta International Airport

OR

(b)(6) received this **Letter of Counseling (Failure to Follow Procedures)** on the date and time indicated below, but elected **NOT** to acknowledge receipt.

Tony Barnett
Deputy Assistant Federal Security Director
Hartsfield-Jackson Atlanta International Airport

Delivery Date/Time

Rec'd
60614

Summary of Pre-Decisional Discussion with Employee

On October 4, 2014 I met with STSM (b)(6) to have a Pre- Decisional Discussion.

I advised the employee of the following allegations and the possible consequences of the following allegation(s): Range of Penalty LOC-Removal

Allegation #1: **Failure to Follow Procedures:** STSM (b)(6) on April 26, 2013 the BDO unit was given specific procedures on the issuance of BDO notebooks. The guidance specifically states that a BDO manager will conduct an inventory of all note books in the box at the start of each shift and at the end of each shift. The BDO manager is also responsible for signing out and signing in all notebooks in the lock box. On October 3, 2014 TSA/ATL Leadership and SSI Coordinator was advised of a missing notebook revealing an improper inventory and distribution of a BDO notebooks.

Under your authority your TSM circumvented that guidance by allowing lesser ranking officers permission to conducted issuance and inventory of noted books. Failed procedures falls under TSA MD 1100.73-5, section 5.A (7).

___ I provided the employee an opportunity to respond orally and/or in writing.

The employee responded as follows:

☒ orally on 10-4-2014 and stated as follows: _____
(insert date)

Provided statement

(If more space is needed, attach additional pages.)

☒ In writing on 10-4-2014 I have attached a copy of the written response.
(insert date)

Signed: Tony B. Barnett
Name & Title of Manager or Supervisor

Date 10-4-2014

Signed: (b)(6)
Name & Title of the Employee

Date 10/4/14

Signed: _____
Name & Title of the Witness

Date _____

10/4/2014

I STSM (b)(6) was under the belief that management had the authority to allow BDO's F or G band to assist in passing out the BDO Notebooks. This understanding comes from a meeting that I recall that was held a while ago where the current BDO Notebook protocol was lifted to give the BDO's more responsibilities. I think this change took place sometime after our HQ visit where (b)(6) made mentioned about our BDO Notebook protocol. To the fact that other airports give this responsibility to their BDO's. -----END OF STATEMENT-----

(b)(6)

SPOT-Transportation Security Manager

Hartsfield-Jackson Atlanta International Airport

6000 North Terminal Parkway

Atlanta, GA 30320

Cell # (b)(6)



Transportation
Security
Administration

SENSITIVE SECURITY INFORMATION

TSA Employee Statement

In addition to this Statement, a separate Statement is required from each TSA Employee who witnessed or participated in the incident. Reporting Officer must review all statements.

(b)(6)	Title: STSM	Duty Location & Shift: BDO/0500 - 1330
Location of Incident (Checkpoint, Lane, etc): BDO OFFICE	Date & Time of Incident: 10/3/2014 1000	Your physical position at time of incident: BDO Office
Who else witnessed or participated in the incident?		

Describe what happened. Write in chronological order. Provide facts, not opinions and conclusions. Did the individual say anything during the incident? If yes, quote their actual words to the best of your ability. Include only what you know/witnessed firsthand. Write clearly and legibly or type. If additional room is required, attach additional sheets.

On 10/3/14, around 1000 hours, I received a call for EBDO (b)(6) stating that she does not have her BDO Notebook. I informed her that I will get her notebook and bring it to her. As I opened the secured box in which we keep the notebooks for the A.M. shift, I noticed that her notebook was missing. Then, I opened the P.M. shift box, and her notebook was not in the P.M. shift locked box. I called my co-manager STSM Jackson, and he stated that he does not know the whereabouts of her notebook. Also, he stated that he passed the notebook out on 10/2/14. The notebook log does not indicate that EBDO (b)(6) notebook was signed out to her on 10/2/14 or 10/3/14, but she stated that she had it yesterday (10/2/14). Also, I asked EBDO (b)(6) who did she give her not book too on 10/2/14? EBDO (b)(6) stated that she gave it me or (b)(6) but she was not sure. The notebooks were passed out by MBDO (b)(6) (b)(6) today (10/3/14). *End of Statement. E.*

(b)(6) 10/3/2014

WARNING: This document may contain Privacy Act protected or other sensitive information and should be protected from unauthorized disclosure. TSA Employees and contractors may share this information within DHS on a need-to-know basis. Disclosure outside of DHS must be approved by the Office of Chief Counsel and TSA Privacy Office.

SENSITIVE SECURITY INFORMATION

WARNING: THIS RECORD CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 C.F.R. PARTS 15 AND 1520. NO PART OF THIS RECORD MAY BE DISCLOSED TO PERSONS WITHOUT A "NEED TO KNOW," AS DEFINED IN 49 C.F.R. PARTS 15 AND 1520, EXCEPT WITH THE WRITTEN PERMISSION OF THE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION OR THE SECRETARY OF TRANSPORTATION. UNAUTHORIZED RELEASE MAY RESULT IN CIVIL PENALTIES OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE GOVERNED BY 5 U.S.C. 552 AND 49 C.F.R. PARTS 15 AND 1520.

TSA-ATL Local Form of TSA Form 414, 11/10 (File: 400.9)

Hartsfield-Jackson Atlanta International Airport
Ben-Epps Athens Airport

CASE NUMBER (ATL/AHN): _____

CASE NUMBER (HQ): _____



Transportation
Security
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STATEMENT FORM

NAME: (b)(6) ADDRESS: TSA-ATL
TELEPHONE NUMBER: 404-895-(b)(6)

STATEMENT:

On Thursday October 2, 2014 at approximately 0510 TSM Eddie Jackson gave me my notebook. I was assigned to MCP for the entire day and was utilizing my notebook for the entire duration of my work assignment. Please view cameras for verification specifically TDC area 0600-1000. At 1315 I returned my notebook to TSM Lewis Copeland.

Today October 3, 2014 at approximately 0630 I informed TSM (b)(6) of the whereabouts of my notebook. MBDQ (b)(6) passed out the notebooks for the entire shift but I never received my notebook. (b)(6) stated (b)(6) had collected notebooks the day prior and that no one signed my book IN or OUT.

Tanzy Lawler

NAME (Print) _____

SIGNATURE _____ DATE 10/03/2014

WITNESS (Print Name) _____

WITNESS (Signature) DATE _____

Page ____ of ____

Michael Johnson

PERSON TAKING STATEMENT (Print Name) _____

SIGNATURE _____ DATE 10/3/14

FORM ATL TSA 400.18-1 Rev. (9/04)

Hartsfield-Jackson Atlanta International Airport
Ben-Epps Athens Airport

CASE NUMBER (ATL/AHN): _____

CASE NUMBER (HQ): _____



Transportation
Security
Administration

STATEMENT FORM

NAME: (b)(6) ADDRESS: TSA-ATL
TELEPHONE NUMBER: 404-324- (b)(6)

STATEMENT:

On Friday October 3, 2014 at approximately 0505 hours STSM Lewis Copeland asked could I, (b)(6), hand out the BDO notebooks while he conducted the morning shift brief. As I concluded handing out the notebooks I noticed that MBDO (b)(6) (b)(6) did not have her notebook in the box. I then looked at the checklist and in the column with (b)(6) name the check in and out areas for yesterday October 2, 2014 for her had no initials.

End of statement

(b)(6)
NAME (Print)
(b)(6) 10/03/2014
SIGNATURE DATE

WITNESS (Print Name)

WITNESS (Signature) DATE

Page 1 of 1

(b)(6)
PERSON TAKING STATEMENT (Print Name)
(b)(6) 10/3/14
SIGNATURE DATE

FORM ATL TSA 400,18-1 Rev. (9/04)



Transportation
Security
Administration

TO: All Behavior Detection Officers
Hartsfield-Jackson Atlanta International Airport

FROM: Marshon Anderson, AFSD-S
Hartsfield-Jackson Atlanta International Airport

DATE: April 26, 2013

SUBJECT: Process for BDO Notebook Accountability

The BDO managers are to be in sole possession of the lockbox keys.

All of the notebooks will be assigned an alpha letter and number designating the shift and the BDO assigned to the notebook, i.e., A1 (A= AM shift, 1= roster number of the BDO) , P2 (P= PM shift, 2= roster number of the BDO). This information will be placed on the notebook for identification purposes.

A BDO notebook sign-in/out inventory sheet has been created. The BDO manager will conduct an inventory of all the notebooks in the lock box at the start of each shift and at the end of each shift. The BDO manager is to sign-out and distribute the appropriate notebooks to all the BDOs on duty, sign-in the notebooks at the end of each shift and lock the notebooks in the lock box. The BDO manager will note that each notebook is accounted for by annotating their initials in the in/out column. Any missing notebooks are to be annotated on the inventory sheet and reported immediately.

BDOs on the late shift (1230 – 2300), when there is no BDO manager present, will report to the Coordination Center to have the Coordination Center verify that they have their notebook in their possession. The Coordination Center will place the verification sheet in the BDO manager's box in the Coordination Center. The BDOs will then return to the BDO office and place their notebooks in the PM shift lockbox. Each BDO will sign the inventory sheet verifying that they have placed their notebook in the lockbox. The inventory sheet will be placed under the door of the BDO manager office after all of the books have been placed in the lockbox.

All inventory sheets will be retained for both shifts for a period of one year.

A copy of these procedures will be posted by the lockboxes.

BDO NOTEBOOK IN/OUT AUDIT															
Name	28-Sep		29-Sep		30-Sep		1-Oct		2-Oct		3-Oct		4-Oct		
1	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
3 (b)(6)	OUT	IN	(b)(6)								OUT	IN	OUT	IN	
4	OUT	IN	OUT	IN	(b)(6)							IN	OUT	IN	
5	(b)(6)				OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
6	(b)(6)								OUT	IN	OUT	IN	OUT	IN	
7	OUT	IN	OUT	IN	OUT	IN	OUT	IN	(b)(6)			IN	OUT	IN	
8	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
9	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
10	OUT	IN	OUT	IN	(b)(6)							IN	OUT	IN	
11	OUT	IN	OUT	IN	(b)(6)							IN	OUT	IN	
13	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
14	(b)(6)				OUT	IN	(b)(6)	IN	OUT	IN	OUT	IN	OUT	IN	
15	OUT	IN	(b)(6)								IN	OUT	IN	IN	
16	(b)(6)							OUT	IN	OUT	IN	(b)(6)	IN	OUT	IN
17	OUT	IN	OUT	IN	(b)(6)							IN	OUT	IN	
18	(b)(6)										OUT	IN	OUT	IN	
19	(b)(6)										OUT	IN	OUT	IN	
20	OUT	IN	(b)(6)								IN	OUT	IN	IN	
22	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
23	OUT	IN	(b)(6)					IN	(b)(6)			IN	OUT	IN	
24	OUT	IN	(b)(6)								IN	OUT	IN	IN	
25	(b)(6)										OUT	IN	OUT	IN	
26	OUT	IN	OUT	IN	(b)(6)								OUT	IN	
27	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
28	OUT	IN	(b)(6)					OUT	IN	OUT	IN	(b)	IN	OUT	IN
29	(b)(6)								OUT	IN	OUT	IN	IN	OUT	IN
30	(b)(6)	OUT	IN	OUT	IN	(b)(6)						IN	OUT	IN	
31	(b)(6)				(b)(6)		OUT	IN	OUT	IN	OUT	IN	OUT	IN	
32					OUT	IN	OUT	IN	(b)(6)			OUT	IN	OUT	IN
35	(b)(6)							OUT	IN	OUT	IN	OUT	IN	OUT	IN
36	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
40	(b)(6)				OUT	IN	OUT	IN	OUT	IN	(b)	IN	OUT	IN	
41	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
42	(b)(6)				OUT	IN	OUT	IN	(b)(6)			IN	OUT	IN	
44	(b)(6)								OUT	IN	OUT	IN	OUT	IN	
45	(b)(6)	OUT	IN	OUT	IN	(b)(6)					OUT	IN	OUT	IN	
46	(b)(6)										OUT	IN	OUT	IN	
47	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	
48	OUT	IN	OUT	IN	(b)(6)							IN	OUT	IN	
49	(b)(6)								OUT	IN	OUT	IN	OUT	IN	
(b)(6)	OUT	IN	OUT	IN	OUT	IN	OUT	IN	(b)(6)			OUT	IN	OUT	IN
50	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	OUT	IN	

(b)(6)