

SWORN STATEMENT



Transportation
Security
Administration

I, [REDACTED], having been duly sworn, hereby make the following statement to SA Michael P. Moser, SA Keith Edwards, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 6 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

[REDACTED]
[REDACTED]
Signature

Signed and sworn to before me, this 25th day of January, 2012.

Keith A. Edwards
Witness
SA Keith Edwards

Michael P. Moser
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

01/23/2012

Statement

I am [REDACTED] I am currently a SPOT Transportation Security Manager at HNL. I am writing this statement concerning my positive drug test for cocaine on May 18, 2011. I went on approved leave on May 20 and did not find out about the positive results until I returned June 6th. I was advised to call the MRO who confirmed that I had tested positive for cocaine and if I wanted to have my specimen sent out for a second opinion to which I agreed. I told the SPOT Coordinator [REDACTED] that I had a positive drug test and was advised to get Doctors notes from all my treating physicians and all the medications I was taking. [REDACTED]

I was reassigned to DAFSD Cy Okinaka who advised me that I should bring all my medications and letters from my treating Physicians plus a list of all supplements I was taking at the time. I had two independent urinalysis tests and a blood test on my own which came back negative for cocaine. I was told by DAFSD Okinaka that my medications did not have cocaine properties and they would be serving me a Proposal Letter for removal and I would have seven days to respond. I did not use the drug cocaine prior to my test and did not know how it got in my system. [REDACTED]

I was having a discussion with my wife how this could be happening because I did not use cocaine. I was telling her that maybe it was in something I touched, ate or drank when she asked if I had drank some tea that my sister had sent some months earlier. We were going on vacation and had run out of coffee the week prior and I started drinking tea for breakfast. When I read the box of tea it was made from Coca Leaves. I researched the tea on Wikipedia and found out that the tea had cocaine properties. I sought legal advice from Attorney [REDACTED] and told him about my incident. I told him that I do not use cocaine and this had to be the reason I had cocaine properties in my system. I had brought the box of tea with two bags missing and said I drank one prior to my drug test. He sent two bags to a local lab for analysis and it came back positive for the chemical benzoylmethecogine the property in cocaine because the tea is made from coca leaves. The test did come back with positive results for Benzoylmethecogine. In Wikipedia one Coca tea bag when prepared with one cup of water contains about 4.21 mg of cocaine (cocaine benzoylmethecogine). My test results from MRO [REDACTED] stated that I had trace amounts of 430 nani grams in my urine. It takes 250 grams of chemically treated coca leaves to make one gram of the drug cocaine. I was relieved that I found out what caused my positive blood test and not the drug cocaine but was advised by my attorney that there is a zero tolerance policy at TSA. He showed me a case study about a Deputy Sheriff who had a similar situation when she adopted her baby in Peru. Attorney [REDACTED] accepted my case and I explained the entire incident. He asked me why I did not disclose the issue of the tea during the beginning of the inquiry and I said I had only discovered that I had drank the tea prior to my [REDACTED]

[REDACTED]

trip. Only yesterday had I found out information concerning this product. Until then I thought that my prescription medications or the lanicaine I was given during earlier Dental procedures was why I had tested positive for cocaine. Attorney Ike advised me he would try and show that I had tested positive because of the chemical properties in the Coca tea and not that I had taken the illicit drug cocaine.

I explained while my sister was traveling in Peru with a National Geographic tour in November 2010 she bought my family several souvenirs which included a box of herbal tea that was made with Coca leaves. She bought the tea which was available at the airport, passed through Customs with all of her souvenirs and entered the United States without any problems. My sister and her husband were on another vacation in Africa and I e-mailed her asking for a statement for my attorney explaining why and when she had sent my family the gifts.

All information about my case was forwarded to Acting AFSD Dick Wiles for review as requested. I was reassigned to HR until a decision was made. I think this was in the middle of July. I continued to report for work not knowing anything about my situation and worried each day that I would be terminated.

On October 10th 2011 I received an e-mail from TSA Legal Bernie Whittaker saying I had to call back MRO (b)(6). When I called him he was confused why TSA had wanted me to call him back and that he had explained to me that I had tested positive for cocaine and it was up to the company to make a decision because he was a neutral party. He confirmed that Coca tea has the chemical (cocaine benzoylecgonine) because it was made from coca leaves and that I had tested for 4.21 nanograms of this chemical in my urine. He also advised me that no matter how minute the quantity TSA still has zero tolerance. I explained that the tea was a legal product to be brought into the U.S. but he said the issue was I had tested positive for this chemical and it would be up to the deciding official how it would be handled.

I continued to report for work and completed several large tasks for TSA HNL HR. Acting DFSD Dick Wiles was replaced by DFSD Frank Abreu and I was advised that he would be my deciding official. At about that time a TV story broke that involved the Behavior Detection Officers at HNL to include my issue of a STSM having tested positive for cocaine. I had only spoke to management and all need to know individuals and now this had become a national issue. This issue had turned my life into chaos knowing I had been telling the truth but this grey area has made me a cocaine user.

In December I was attending a TSA Leadership class in Waikiki when I received a phone call from my Attorney that I was being offered a "Last Chance Agreement" with TSA. I was advised by phone call from DFSD Abreu that I should accept this which would give me a chance to prove myself. I did not agree with the verbiage because it still inferred that I had taken the drug cocaine. My attorney advised that as long as I did my job and not have a positive drug test I would be alright and this would be behind me.

(b)
(6)

On 01/23/2012 I was called for an OI interview and was offered a chance to have a polygraph test about this incident. From the time of me testing positive for drugs I had stated that I would like to submit to a polygraph test to show I had not done cocaine. I reconfirmed this with my attorney when he asked would I be willing to take a polygraph test. When I was offered this test yesterday I was happy that I would be able to finally I clear myself. However after I receive the test results and that I had an issue with one of the questions on several occasions I am perplexed why I am reacting this way. I am telling the truth about not using the drug cocaine prior to my drug test. I know that I did drink a cup of tea that would cause me to have a positive drug test and that I did this before my urinalysis test. That is my only reason for why I reacted to that question. (b)
(6)

(b)
(6)

I am willing to submit to another test and routine urinalysis test to show that I do not use cocaine.

After reacting to this last Polygraph the way I did I still am confused why my body is reacting this way.

I did not use the drug cocaine prior to my drug test and did not use it prior to my drug test purposely or accidentally and the only reason I could have had cocaine properties in my system was because of the Coca tea that I drank. (b)
(6)

Thank you for your consideration,

(b)(6)

Nothing More On This Page

(b)(6)

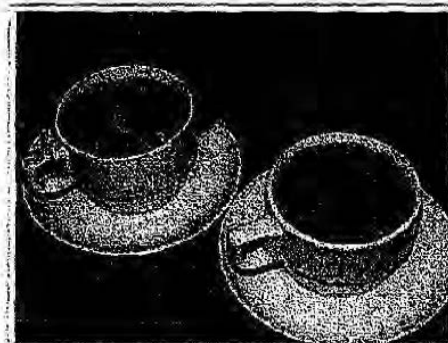


Coca tea

From Wikipedia, the free encyclopedia

Coca tea, also called *mate de coca*, is a tisane (herbal tea) made using the leaves of the coca plant, typically the raw leaves of the plant. It is made either by submerging the coca leaf or dipping a tea bag in hot water. The tea originates from the Andes mountain range, particularly Bolivia, Ecuador and Peru.

The leaves of the coca plant contain several alkaloids including cocaine;^[1] in fact, they comprise the sources for cocaine's chemical production, though the amount of cocaine in the leaves is so small, around 0.4%,^{[1][2]} that in order to make a gram of cocaine, 250 grams of coca leaves would be needed.^{[3][4]} A cup of coca tea prepared from one gram of coca leaves contains approximately 4.21 mg of cocaine (cocaine benzoylecgonine, a crystalline tropane alkaloid).^[5]



Two cups of coca tea

Owing to the presence of the stimulant alkaloids, the coca tea provides a stimulant similar to coffee. The tea is often sold commercially in filtering bags, each of which usually contains approximately one gram of the leaf. As coffee can be decaffeinated, the coca tea can also be decocainized. Just like "decaf" coffee does retain a minute quantity of caffeine, "de-cocainated" coca tea will still contain a minute quantity of the drug. When the cocaine is removed, the amount of cocaine is small enough for the product to legally sell in the USA according to the Single Convention on Narcotic Drugs. In the 1980s the tea was used to wean cocaine addicts off the drug.^[2]

The coca plant comprises four main species and varieties of *Erythroxylum coca* (often spelled *koka* in Quechua and Aymara), a plant in the family Erythroxylaceae, native to northwestern South America.

Though also known as *mate*, *mate de coca* has very little in common with the *mate* of yerba mate drink in Uruguay and Argentina. *Mate de coca* is always drunk as a tea, rather than through a straw.

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- 2 Characteristics
- 3 In South American Culture
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Classification and nomenclature

http://en.wikipedia.org/wiki/Coca_tea

8/4/2011



Coca tea comes from the coca plant, which has the biological name *Erythroxylum coca* and is from the family Erythroxylaceae. It is often called "la Hoja de Coca" (the leaf of coca).

Characteristics

Coca Tea is a natural product. The tea preserves all of the physical-chemical properties of the coca leaf. The product fulfills the Technical Bolivian and Peruvian Standards and can be sold nationally, although such use is being discouraged in part by the Single Convention on Narcotic Drugs.



A cup served in Villazón, Bolivia.

The tea is greenish yellow in color and has a mild bitter flavor similar to green tea with a more organic sweetness.

In South American Culture

Medicinal Use

Coca tea consumption is common in many South American countries. Many indigenous people of the Andes mountain range also use the tea for medicinal and religious purposes.⁽³⁾⁽⁶⁾

Tourism

On the "Inca Trail" to Machu Picchu, guides usually serve coca tea with every meal because it is widely believed to alleviate the symptoms of altitude sickness.⁽⁷⁾⁽⁸⁾

Traditionally, official governmental persons traveling to La Paz in Bolivia, located at almost 4,000 meters above mean sea level, are greeted with a *mate de coca*. News reports noted that Princess Anne and the late Pope John Paul II were served the beverage during their visits to the country.^[citation needed]

See further

- Coca eradication
- Coca-Cola, an international soft drink which now contains no cocaine
- Coca Colla, a similar Bolivian drink but which still contains Coca
- Huallaga Valley
- Mate (beverage)

References

- ¹ [^] [^] [^] Coca leaves not hallucinogenic (<http://www.comunidadboliviana.com.ar/ebop/imprimi-noticia.asp?notid=782>) - Comunidad Boliviana in Argentina (Spanish)
- ² [^] [^] [^] Erythroxylum Cataractarum (<http://www.cocaine.org/cocatea.htm>) - cocaine.org.
- ³ [^] [^] [^] Cocaina (<http://www.mind-surf.net/drogas/cocaina.htm>) (Spanish).

http://en.wikipedia.org/wiki/Coca_tea

8/4/2011



Transportation
Security
Administration

MIRANDA WARNINGS

You are being asked to make a voluntary statement to agents of the Office of Inspection, Transportation Security Administration.

You have the right to remain silent and refuse to answer questions at any time.

Anything you say can be used against you in a court of law or other criminal or administrative proceedings.

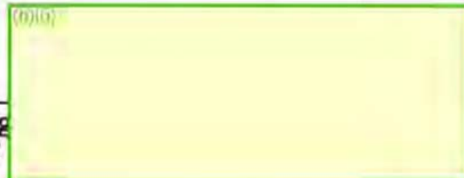
You have the right to talk to an attorney for advice before answering any questions and to have an attorney with you during questioning.

If you cannot afford an attorney, one will be provided at no cost to you before questioning.

If you decide to answer questions now without an attorney present, you have the right to stop answering questions at any time.

I have read this statement of my rights. I understand the rights that I have. I am willing to make a statement now without an attorney present. I understand and know what I am doing. I have not been made any promises, have not been threatened or coerced, and have not been forced to make this voluntary statement.

Sig



Date: 1/24/2012

Time: 12:48 P.m

Location: Office of the FSD, NNL

Witness(es): Michael P. H. [Signature]
Keith A. Edwards
Keith Edwards

Polygraph Examination Statement of Consent	Transportation Security Administration
Location of Exam: <i>Office of the FSD, HNL</i>	Date of Exam: <i>1/24/2012</i>
I, [REDACTED] of my own free will, voluntary, and without duress, threats or promises, hereby consent to be interviewed and submit to a Polygraph Examination in connection with an investigation concerning: <i>Use of the Controlled Substance Cocaine</i>	
I have been advised: • I have the right to consult with a lawyer prior to making any decision concerning the examination. • I do not have to take a polygraph examination, and that even after consenting to do so, I can stop the interview and the test at any time. • The questions to be asked on the test will be reviewed with me before the examination. • The room in which the examination is to be conducted does/does not contain a two-way mirror, does/does not contain a camera device, does/does not contain an audio device, the polygraph examination will/will not be recorded and the polygraph examination will/will not be monitored. [REDACTED]	
Medical Certification to undergo a Polygraph Exam: I represent that I am in good mental and physical condition, and know of no mental or physical problem which could impair my ability to undergo a polygraph examination. I am not currently under the influence of any substance that alters my ability to understand and accurately respond to the consent and test questions. [REDACTED]	
[REDACTED]	Examiner: <i>[Signature]</i> <i>Michael P. [REDACTED]</i>
Witness: <i>Keith A. Edwards</i> [REDACTED]	Date/Time: <i>1/24/2012 12:52 PM</i>



Transportation Security Administration
Office of Inspection

POLYGRAPH EXAMINATION
REPORT

File Number: M-12-0755	Examiner: Special Agent (SA) (b)(6) P. Moser	Date Conducted: January 24, 2012
Examinee Data		
Name: (b)(6)	SSN: (b)(6)	DOB: POB: SEX:
Examination Data		
Exam Location: Office of the Federal Security Director, Honolulu International Airport (HNL), Honolulu, HI	Time In: 1245 Hours	Time Out: 1835 Hours Total Exam Time: 5 hours, 50 minutes
Authorization: Assistant Director Sophia Jones For the Director, Inspections and Investigations Division	Date of Authorization: January 22, 2012	Type of Case: 13 – Drug Abuse/Use of Controlled Substance
Type of Exam: BiZone	Overall Result: DI	Number of Charts: 4 charts plus 1 ACQT
Number of Series: 1	Lawyer Present: No Exculpatory: No	Instrument Type and Serial Number: Lafayette, LX-4000, 373761
Attachments: ☒ Polygraph Consent ☒ Rights Waiver ☒ Miscellaneous Agent Notes		
Summary of Examination		
Examiner Comments: On January 24, 2012, after the advisement of rights and signing a statement of consent to polygraph, Transportation Security Manager (TSM)-Behavior Detection Officer (BDO) (b)(6) was administered a polygraph examination. During the pre-test interview, (b)(6) related the same information as in his previous interview with individuals from the Inspections & Investigations Division (IID). TSM-BDO (b)(6) denied that he knowingly used the controlled substance cocaine within the 30 day period prior to his random drug screen urinalysis on May 18, 2011. TSM-BDO (b)(6) denied ever using cocaine in his lifetime. After an analysis of the physiological data collected during series I, the examiner determined (b)(6) physiological responses to the relevant questions indicated <i>deception</i> . During the post-test interview, (b)(6) remained consistent with his assertion that he did not knowingly use the controlled substance cocaine. He admitted that on one occasion when he was 21 years old that he smoked marijuana, but did not like the smoke and never did it again. (b)(6) stated that he never used cocaine in his entire life. SA Keith Edwards, IID, Washington Field Office, Baltimore, MD, witnessed (b)(6) acknowledge his rights and consent to the polygraph examination.		

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PUBLIC DISCLOSURE TO BE DETERMINED UNDER 5 U.S.C. 552

Continuation of Polygraph Examination Report

Examinee: (b)(6) (b)(6)

Case file: (b)(6)

Page 2

Polygraph Charts are archived and maintained at the Office of Inspection, TSA, HQ. File name: (b)(6)

Reviewer Comments:

Signatures:

Polygraph Examiner

Date

Reviewer, Quality Control PDD Examiner

Date

Concur / NonConcur

Director, Inspections and Investigations Division

Date

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PUBLIC DISCLOSURE TO BE DETERMINED UNDER 5 U.S.C. 552

ATTACHMENT

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~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- ☒ Personal Interview
☐ Telephone Interview
☐ Records Review
☐ Other

Date and Time:

January 24, 2012

Activity or Interview of:

(b)(6)

Lead Transportation Security Officer (LTSO)
Honolulu International Airport (HNL)

Ph: (b)(6)

Conducted by:

Special Agents Mark Fedorko and
Edward Archuleta

Location of Interview/Activity:

Transportation Security Administration (TSA)
300 Rogers Blvd., Suite 45
Honolulu, HI 96819

Subject Matter/Remarks

On January 24, 2012, LTSO (b)(6) was interviewed and prior to the initiation of the interview, LTSO (b)(6) was provided with a Title 18 U.S. Code, Section 1001, advisement which he acknowledged and signed.

LTSO (b)(6) stated that he was hired by TSA on July 24, 2004, at HNL and has been assigned at HNL since that time. (b)(6) additionally stated that was assigned as a Behavior Detection Officer (BDO) from January, 2008 to June, 2010.

(b)(6) said that he first heard about racial profiling at HNL sometime during early 2008 when he was assigned to BDO on-the-job training. He was approached by Supervisory Transportation Security Officer (b)(6) who told him that BDO (b)(6) was claiming to have observed behaviors on the part of a Mexican passenger and that Warner had not observed.

(b)(6) also stated that sometime during 2008 or 2009 he heard rumors of a BDO who had a lot of referrals of Mexicans and that the term "Mexicutioner" was used to describe this BDO.

Case Number:

M-12-0755

Case Title:

BDO Practices at HNL

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~~WARNING: THIS RECORD CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 CFR PART 1520. NO PART OF THIS RECORD MAY BE DISCLOSED TO PERSONS WITHOUT A "NEED TO KNOW", AS DEFINED IN 49 CFR 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 PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE IS GOVERNED BY 5 U.S.C. 552 AND 49 CFR PARTS 15 AND 1520.~~

(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Other than these two incidents, (b)(6) claimed that he had no knowledge of actual or alleged racial profiling at HNL.

(b)(6) stated that he recalled learning in BDO training that racial profiling was not an effective way to screen passengers and that profiling was illegal and unconstitutional.

(b)(6) stated that he has never engaged in or observed any racial profiling by BDOs at HNL.

(b)(6) stated that he had never observed anyone sleeping while on duty at HNL. He did recall a team building meeting in 2009 in which STSM (b)(6) (b)(6) told the BDOs that they were not allowed to have sleeping materials at work and that sleeping at work would not be tolerated. (b)(6) stated that this meeting was in reference to a cot that was found in the BDO office. (b)(6) later found out that the cot was there because one BDO was loaning it to another BDO to be utilized on a camping trip. Other than this incident, (b)(6) stated that he had no knowledge concerning BDOs sleeping on duty.

(b)(6) stated that he had no first-hand knowledge of any BDO getting tips from law enforcement officers and that if a law enforcement officer ever approached him, he would refer him to his manager. (b)(6) did recall an incident in 2009 in which BDOs (b)(6) and (b)(6) received information from an ICE agent and as a result, a passenger's bag was pulled. (b)(6) was unaware of the results of this incident, however recalled that the BDOs were advised to make sure that all law enforcement inquiries were routed to the AFSD-LE. (b)(6) also recalled that while on OJT in 2008, he heard that BDO (b)(6) had a higher than normal number of referrals and that it was rumored that this was due to his friendship with a DEA agent. (b)(6) further stated that at one point BDO (b)(6) told him that he did have a friend who was a DEA agent.

(b)(6) stated that he had never heard of or observed any TSA employee using drugs with the exception of the information in the news story. (b)(6) further stated that after this story was aired on television, his co-workers assumed that the person that they referred was (b)(6).

(b)(6) stated that he first heard of the recent news story about TSA in early December, 2011. He claimed to have watched the on-line news story at home a few days after the story aired, (b)(6) stated that he could not identify the interviewees because their faces and voices were disguised. He further stated that he had heard a lot of rumor and speculation regarding the identities of the interviewees. Specifically named were (b)(6) and himself.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

(b)(6) stated that this newscast was embarrassing for the TSA and the BDO program and that he did not believe that the allegations were true. When asked specifically whether he participated in the media interview, he stated that he did not. (b)(6) continually denied his involvement in the media interview and initially stated that he would consider taking a polygraph examination. When asked again about taking a polygraph examination, he stated that he wanted to consult with his attorney, (b)(6). (b)(6) was then asked to complete a signed statement at which time he again stated that he wanted to consult with his attorney prior to issuing a signed statement. (b)(6) stated that he would contact his attorney for advice before deciding to participate in a polygraph examination or a written statement. (b)(6) departed the office at that time.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

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(Revised 12-15-08)

TITLE 18 USC 1001

Department of Homeland Security
Transportation Security Administration

Whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branches of the Government of the United States of America, knowingly and willfully:

- 1) Falsifies, conceals, or cover up by any trick, scheme, or device a material fact;
- 2) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

Shall be fined under this title or imprisoned not more than five (5) years, or both.

I have been advised that Title 18 United States Code (USC), Section 1001, is a federal law. I have read the above information and understand the provisions of Title 18 USC 1001, and the possible penalties for violation of this law. I also understand that violation of this law is a felony offense.

(b)(6)

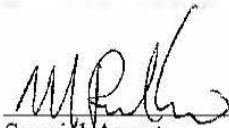
Interviewee signature

This advisement was made prior to the interview of

(b)(6)

(Interviewee's name)

On JANUARY 24, 2012 (month, day, year) at 1347 (time, am/pm).



Special Agent
Office of Inspections & Investigations


Witness



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

(b)(6)

1-24-2012

WITNESSED BY:

M. Fedorko
OI Official

[Signature]

1-24-12

E. ANCHUTTA
OI Official

[Signature]

1-24-12

ATTACHMENT

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~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 25, 2012 15:50 Hours
Activity or Interview of: (b)(6) Lead Transportation Security Officer (LTSO), Honolulu International Airport (HNL)	Conducted by: Special Agent (SA) Michael P. Moser Office of Inspection (OOI) Credibility Assessment Unit (CAU) Houston Resident Office, TX Location of Interview/Activity: Transportation Security Administration (TSA) Office 300 Rogers Blvd., Suite 45 Honolulu, HI

Subject Matter/Remarks

On January 25, 2012, (b)(6) was offered a polygraph examination subsequent to his agreement to take the exam when interviewed by other individuals from the Inspections & Investigations Division (IID). SA Moser greeted (b)(6) and informed him (b)(6) that he (SA Moser) would be the examiner conducting the polygraph in regard to providing information to the media, or the knowledge of who may have provided information to the media. (b)(6) immediately told SA Moser that he did not wish to take the polygraph. SA Moser told (b)(6) that his decision not to take the polygraph was acceptable and that the polygraph examination was voluntary. (b)(6) informed SA Moser that his attorney advised not to take the test. SA Moser asked (b)(6) to sign a declination form. (b)(6) signed the form indicating his declination to be interviewed by using a polygraph. SA Keith Edwards, Inspections and Investigations Division (IID), Special Investigations Unit (SIU), Office of Inspection, Arlington, VA, witnessed (b)(6) decline to be interviewed by use of polygraph. SA Edwards was present for the entire interview.

LTSO (b)(6) signed a polygraph declination form indicating his decision not to undergo polygraph examination. SA Moser told (b)(6) that there were no criminal charges being investigated and that he was free to leave at any time if he chose to do so. SA Moser asked (b)(6) if he would consider staying in the room to talk about who may have provided information to the media. SA Moser explained that providing information to the media was a violation of Transportation Security

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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Revised February 28, 2006

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

Administration policy. (b)(6) affirmed that he would be willing to speak with SA Moser. SA Moser told (b)(6) that he could leave the room any time he wished, that he was not under arrest, or even suspected of doing anything criminal. SA Moser told (b)(6) that other TSA employees told individuals from IID that he (b)(6) participated in a recent interview with the local media. (b)(6) denied being involved, and further denied any knowledge of who may have been involved in the interview. SA Moser made it clear that giving information to the media was not a criminal offense, but rather a violation of policy.

SA Moser continued to speak with (b)(6) about working conditions that he experienced at HNL. (b)(6) expressed that he was quite discontent with the work environment, and the people he was associated with. SA Moser reminded (b)(6) that as a LTSO it was his (b)(6) responsibility to be a leader. SA Moser spoke with (b)(6) about positive and negative leadership and the effects of both types. (b)(6) demeanor began to change, along with his posture. Tears began forming in his eyes. SA Moser asked (b)(6) if the media presentation helped or hurt the mission at HNL. (b)(6) was silent. SA Moser also asked if the media release was the product of positive or negative leadership. Once again (b)(6) was silent. SA Moser then asked (b)(6) why he did it, and what he expected to gain as a result of his participation in the media release. LTSO (b)(6) looked away from the reporting agent, tears in his eyes, and remained silent. SA Moser told (b)(6) that the most significant part of national security was based on public trust. SA Moser continued by telling (b)(6) that when the media released the defamatory, negative, false information that he (b)(6) provided, that national security with regard to HNL was negatively affected because a piece of public trust was violated. (b)(6) leaned forward and placed his head on the desk.

After a short time of silence, (b)(6) lifted his head and told SA Moser that he was not happy with his job. He also told SA Moser that he did not like TSA. SA Moser told (b)(6) that life was too short not to be happy. He also informed (b)(6) that he (b)(6) needed to make a decision to turn his TSA career around by telling the truth, leading from the front, and becoming the dependable leader that all TSA personnel could trust. LTSO (b)(6) told SA Moser that he wanted to resign. SA Moser responded by telling (b)(6) that if he could not bring himself to turn his career around; if he was not happy, and did not like the TSA, that he (b)(6) could resign. SA Moser continued by stating that he (SA Moser) could assist in facilitating his (b)(6) resignation, but that resignation was not the only option. SA Moser told (b)(6) that he could turn his career around and become the leader that he desired to be. LTSO (b)(6) told SA Moser that he (b)(6) thought resignation was a good idea and that he wanted to resign immediately. SA Moser told (b)(6) to think about it. SA Moser further stated that there were two options (b)(6) could consider, and resignation was only one of them. SA Moser affirmed that turning his (b)(6) career around was the more difficult option, but that with intestinal fortitude, he (b)(6) could make a positive change. LTSO (b)(6) told SA Moser that he did not believe that he could do that.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

SA Edwards left the room for a short while and returned with a statement of voluntary resignation. SA Moser continued to speak with (b)(6). SA Moser told (b)(6) to reconsider his decision. SA Moser continued by telling (b)(6) that happiness was a state of mind, not a situation, person, place or thing. SA Moser expressed his belief in (b)(6) ability to turn his career around, but reminded (b)(6) that in order to accomplish the task it would be necessary to tell the truth about the media situation, establish trustworthiness with management and subordinates alike, then go forward as a positive leader and influence others to do the same. After brief consideration, (b)(6) decided to voluntarily resign his position with the federal government. The attached document indicated that (b)(6) voluntarily resigned from the TSA on January 25, 2012. LTSO (b)(6) requested permission to include a statement on the attached Standard Form 50. LTSO (b)(6) expressed in the statement that his resignation was intended for the betterment of his physical and mental health. He continued by stating that he could no longer find it in his best interest to endure the unresolved discrimination that he faced at TSA/HNL. He further stated that he was forced to work under conditions that he described as less than optimal for providing effective security and that he did not want to be unjustly disciplined. His final statement indicated that he resigned to pursue other employment.

Subsequent to his resignation, SA Moser told (b)(6) that change happens within a person and not from a change in the environment. SA Moser asked (b)(6) to think about whether or not he really wanted to resign from his position. SA Moser expressed his belief that if he (b)(6) changed within, that he (b)(6) would realize that everything around him changed. With tears in his eyes, Waro told SA Moser that his resignation was the only way to find happiness.

SA Moser wished (b)(6) the best, shook his hand and asked him to meet briefly with the Federal Security Director. (b)(6) departed the room. The interview ended at approximately 1700 hours.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
Revised February 28, 2006	

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Transportation
Security
Administration

U.S. Department of Homeland Security
Honolulu International Airport
300 Rodgers Boulevard, #45
Honolulu, HI 96819

DATE: January 25, 2012
TIME: 1651 hours
TO: Cy Okinaka, AFSD - Screening
Honolulu International Airport
FROM: (b)(6) LTSO
SUBJECT: Voluntary Resignation

This letter serves as notice that I voluntarily resign from my position with the Federal Government (Transportation Security Administration) effectively immediately (Time: 1651 hours, Date: January 25, 2012).

(b)(6)

Lead Transportation Security Officer
TSA - HNL

REQUEST FOR PERSONNEL ACTION

PART A - Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36, and 39.)

1. Actions Requested Resignation		2. Request Number HNL-12-447435
3. For Additional Information Call (Name and Telephone Number) Allison Vasper		4. Proposed Effective Date 01/25/2012
5. Action Requested by (Typed Name, Title, Signature, and Request Date) Allison Vasper 01/26/2012		6. Action Authorized by (Typed Name, Title, Signature, and Concurrence Date)

PART B - For Preparation of SF-50 (Use only codes in FPM Supplement 292-1. Show all dates in month-day-year order.)

1. Name (Last, First, Middle) [Redacted]		2. Social Security Number [Redacted]	3. Date of Birth [Redacted]	4. Effective Date
FIRST ACTION		SECOND ACTION		
5-A. Code 317 Resignation		6-A. Code [Redacted]		
5-B. Nature of Action		6-B. Nature of Action		
5-C. Code 5-D. Legal Authority		6-C. Code 6-D. Legal Authority		
5-E. Code 5-F. Legal Authority		6-E. Code 6-F. Legal Authority		
7. FROM: Position Title and Number LEAD TRANSPORTATION SECURITY OFFICER 032842 90339428		15. TO: Position Title and Number		
8. Pay Plan SV	9. Occ. Code 1802	10. Grade or Level F	11. Step or Rate 0	12. Total Salary \$41,804.00
13. Pay Basis	16. Pay Plan	17. Occ. Code	18. Grade or Level	19. Step or Rate
20. Total Salary/Award \$35,880.00	21. Pay Basis	22. Locality Adj. \$5,924.00	23. Adj. Basic Pay \$41,804.00	24. Other Pay
14. Name and Location of Position's Organization SECURITY OPERATIONS WESTERN AREA HNL - HONOLULU INTERNATIONAL 5904101313000000		22. Name and Location of Position's Organization		

EMPLOYEE DATA		24. Tenure		25. Agency Use		26. Veterans Prof for RIF	
23. Veterans Preference 1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point/Compensable 5 - 10-Point/Other 6 - 10-Point/Compensable/30%		1 - None 2 - Conditional 3 - Indefinite		YES ☐ NO ☐		YES ☐ NO ☐	
27. FEGLI		28. Annuitant Indicator		29. Pay Rate Determinant		30. Part-Time Hours Per Biweekly Pay Period	
30. Retirement Plan		31. Service Comp. Date (Leave)		32. Work Schedule P		33. Part-Time Hours Per Biweekly Pay Period	
POSITION DATA		34. Position Occupied		35. FLSA Category		36. Appropriation Code	
1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career		E - Exempt N - Nonexempt		PACSCR		37. Bargaining Unit Status	
38. Duty Station Code 152400003		39. Duty Station (City - County - State or Overseas Location) HONOLULU - HONOLULU - HI		40. Agency Data		41. 42. 43. 44.	
45. Educational Level		46. Year Degree Attained		47. Academic Discipline		48. Functional Class	
49. Citizenship 1 - USA 8 - Other		50. Veterans Status		51. Supervisory Status			

PART C - Reviews and Approvals (Not to be used by requesting office.)

1. Office/Function	Initials/Signature	Date	Office/Function	Initials/Signature	Date
A.			D.		
B.			E.		
C.			F.		

2. Approval: I certify that the information entered on this form is accurate and that the proposed action is in compliance with statutory and regulatory requirements.

CONTINUED ON REVERSE SIDE
52-118

OVER

Editions Prior to 7/91 Are Not Usable After 6/30/93
NSN 754-01-333-6739

PART D: Remarks by Requesting Office

(Note to Supervisors: Do you know of additional or conflicting reasons for the employee's resignation/retirement?
If "YES", please state these facts on a separate sheet and attach to SF 52.)

☐ YES ☐ NO

PART E: Employee Resignation/Retirement**Privacy Act Statement**

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

This information is requested under authority of sections 301, 3301, and 8506 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM

and agencies to issue regulations with regard to employment of individuals in the Federal service and their records, while section 8506 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of these documents you should have; (2) pay or other compensation due you; and (3) any unemployment compensation benefits to which you may be entitled.

1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

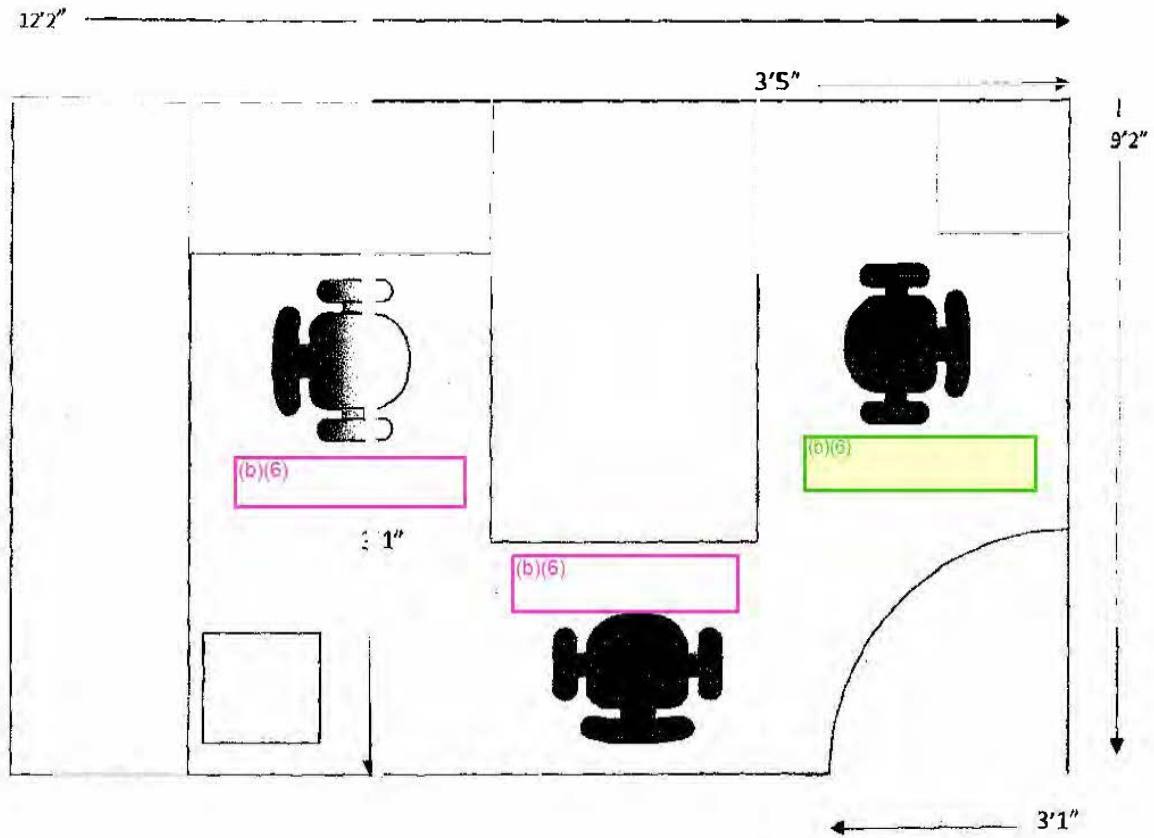
I am resigning today for the betterment of my physical and mental health. I can no longer find it in my best interests to endure the discrimination that I have faced ^{here} at TSA/HNL and it is difficult for me to work with ^{here} this discrimination still unresolved. I have worked under conditions that have forced me to work in less than optimal conditions necessary to provide effective security. I don't want this to cause me to be disciplined unjustly. I also am resigning to pursue other employment.

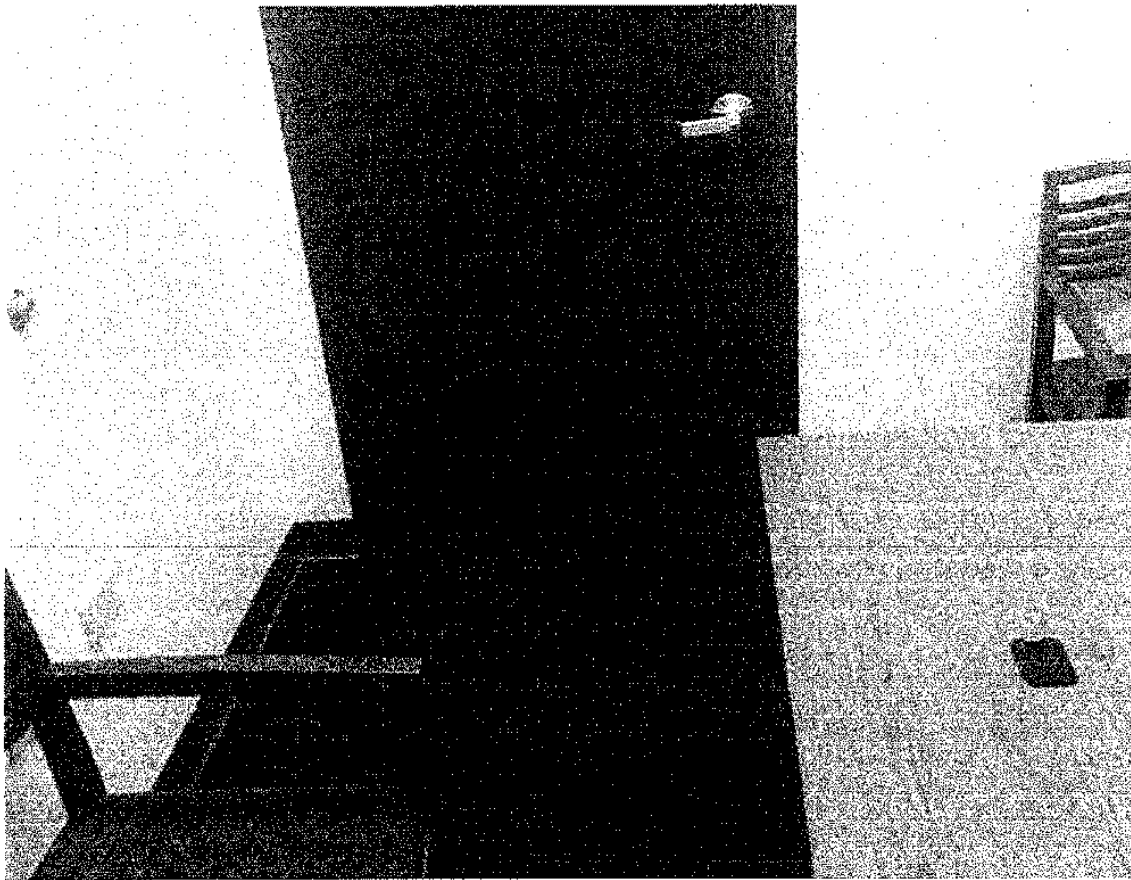
2. Effective Date	3. Your Signature	4. Date Signed	5. Forwarding Address (Number, Street, City, State, ZIP Code)
JAN 25, 2012	X	1/25/2012	1550 WILDER AVE HONOLULU HI 96822

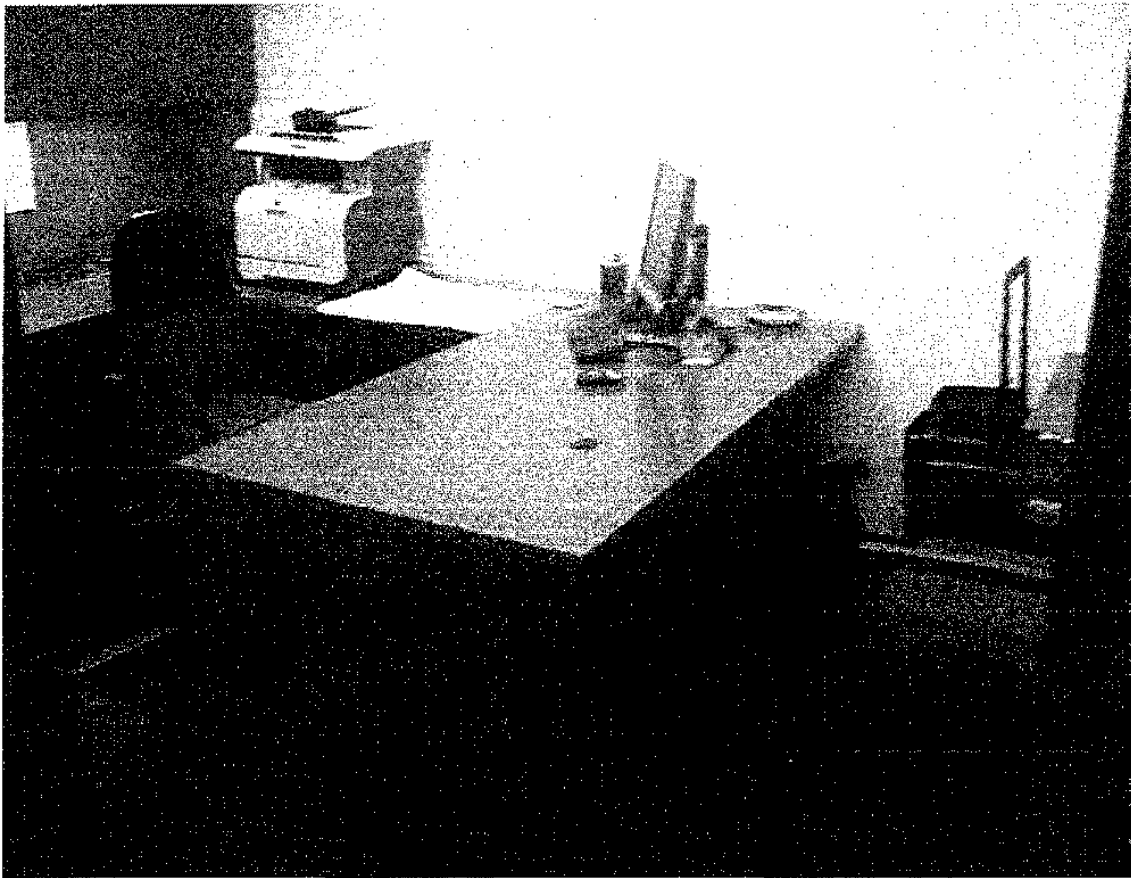
PART F: Remarks for SF 50

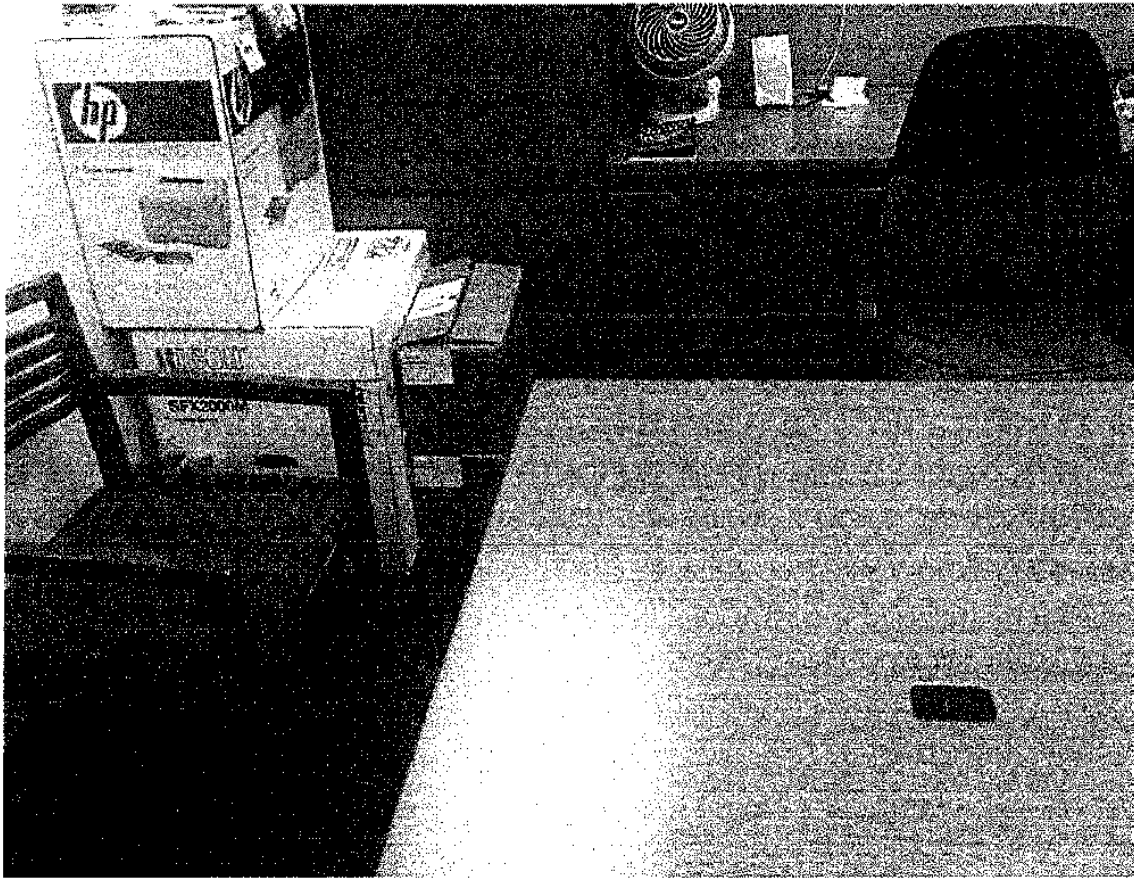
300 Rodgers Blvd, Honolulu Hawaii

Interview Room









SMITH HIMMELMANN
ATTORNEYS AT LAW, A LAW CORPORATIONTOPA FINANCIAL CENTER, SUITE 311
745 FORT STREET, HONOLULU, HAWAII 96813
TELEPHONE: 808.523.5050
FAX: 808.538.1382
E-MAIL: mail@shlaw.us**To Whom It May Concern:**

I, [REDACTED] hereby withdraw my resignation from employment at TSA/HNL, which I wrote and signed yesterday, January 25, 2012. I was not thinking clearly. I was so exhausted from my TSA deposition earlier that day, that I quickly stressed out over what I felt was intimidation and threatening by the OI agents' relentless questioning and accusations. After hours of being there, all I could think of is how can I get out of here. The doorway seemed blocked to me and I felt trapped. When I refused to agree to take a polygraph, Keith Edwards said to me, "Well, there's always resignation." So, feeling I had no choice, I said "OK" and the other guy (who always referred to his mentor, Lonnie) asked, "could I facilitate that for you?" So I said, "Yes." He left the room and brought me back a page to give my reason and sign and date. One of them put an "x" where I had to sign. My address was already typed in. I felt I just had to get out of there so I made and signed the statement about discrimination and forced working conditions, and my need to protect my physical and mental health.

Today I went to see a doctor and get an appointment to help me deal with my stress. I will need to be on sick leave for a few days until I calm down and can get my bearings and thoughts straight. I will have my doctor prepare any needed statement for sick leave.

Until my doctor says it is okay for me to have direct contact, please only contact me via my attorney, [REDACTED] who is my designated representative in my EEOC case too. His contact information is attached.

[REDACTED]

1-26-2012-
Date

H:\CLIENTS\Waro\Witness\Client\01-26-12 Waro - Withdrawal of Resignation.wpd

Specializing in Representing Federal Employees

SMITH HIMMELMANN
ATTORNEYS AT LAW • A LAW CORPORATIONTOPA PENITENTIAL CENTER - SUITE 311
745 FOKI STREET - HONOLULU, HAWAII 96813
TELEPHONE: (808) 523-5050
EMAIL: mail@shlaw.us**DESIGNATION OF REPRESENTATIVE AND
AUTHORIZATION TO RELEASE INFORMATION/RECORDS**

TO: U.S. Department of Homeland Security, TSA / EEOC

I, (b)(6) hereby designate the law firm of SMITH HIMMELMANN as my legal representative and I request access to/amendment of records maintained by you which pertain to me, and I authorize you to release to any representative of SMITH HIMMELMANN all information, documents and records which you may have in your possession which pertain to me with regard to:

My employment with the Department of Homeland Security

☒ Medical Reports and Records, Notes, Charts, Abstracts, Opinions, X-Rays and Billings and (if checked here) ☒ Including release of Psychiatric/Psychological Treatment Records.

☒ All Employment/Payroll Records, including my OPF.

I understand that knowingly or willfully seeking or obtaining access to records about another person under false pretense is punishable by a fine up to \$5,000. I understand that any applicable search and copying fees may have to be paid by me before any records will be released, unless such fees are waived. I certify and affirm that I am the person identified above and that my signature and social security number (and other identifiers) are as follows:

My present address is: (b)(6)SSN # (b)(6)My Date of Birth is: (b)(6)11-10-2011
Date(b)(6)
Client's Signature

A FAX MESSAGE FROM:

SMITH HIMMELMANN
ATTORNEYS AT LAW, A LAW CORPORATION

TOPA FINANCIAL CENTER, SUITE 311
745 FORT STREET, HONOLULU, HAWAII 96813

TELEPHONE: (808) 523-5050

E-MAIL: mail@shlaw.us

Reply FAX Number: 808-538-1382

Number of Pages including this Cover Sheet: 3

DATE: January 26, 2012

TO: Cy Okinaka, Assistant Federal Security Director - Screening
OF: TSA, Honolulu International Airport
FAX Number: 831-4619

FROM:

(b)(6)

RE:

(b)(6)

Transmitted please find the Statement of (b)(6) withdrawing his resignation of January 25, 2012, together with a copy of (b)(6) Designation of Representative form.

Please direct all further communication regarding (b)(6) and this matter to my office.

(b)(6)

Attorney for (b)(6)

cc: Stanford Miyamoto, Acting PSD
cc: Patrick Smith, AFSD-MS (Acting)
cc: Allison Vasper, HNL HR Office,

(b)(6)

(b)(6)

(b)(6)

H:\CLIENTS\Ward\Corro01-26-12 fax to Cy Okinaka, TSA - Withdrawal of Resignation.wpd

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ATTACHMENT

23

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 21, 2012 9:30 a.m.
Activity or Interview of: (b)(6) Behavior Detection Officer (BDO) Honolulu International Airport Phone number (808) 590-(b)(6)	Conducted by: Special Agents Michael Striglers and Akemi Wayne Location of Interview/Activity: Transportation Security Administration (TSA) Honolulu International Airport (HNL) 300 Rodgers Blvd., #45 Honolulu, HI 96819
Subject Matter/Remarks	

BDO (b)(6) was interviewed about the allegations raised by KITV News 4 reporter Keoki Kerr of KITV News 4 that behavior detection officers (BDOs) at HNL used racial profiling for screening, slept on the job, used a source at the Drug Enforcement Administration (DEA) to target passengers, and a BDO supervisor failed a drug test. (b)(6) stated that he never viewed the news cast and only read a quarter of the article. (b)(6) provided the following information:

(b)(6) became a BDO in October 2008 and works the day shift. (b)(6) primarily has worked with Supervisory Transportation Manager (b)(6) and BDOs (b)(6).
(b)(6)

Racial Profiling

- o The news story was the first time he heard any allegations that BDOs in HNL used racial profiling.
- o (b)(6) said he never saw, heard, or suspected that anyone at HNL or in the HNL BDO program of racial profiling.

Case Number: M-12-0755	Case Title: BDO practices at HNL
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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- o (b)(6) had worked closely with (b)(6) for approximately two years, and worked a couple of times with BDO (b)(6)
- o At no time did he suspect (b)(6) or (b)(6) of racial profiling. (b)(6) stated that the referrals they made were done based on behaviors.
- o (b)(6) was not aware of anyone who had a grudge against (b)(6) or (b)(6)
- o (b)(6) stated he heard the term "Mexicutioner" in connection with the allegation that Newark airport BDOs used racial profiling.
- o (b)(6) stated that he has stopped Hispanics and people of other races based on behaviors.
- o The (b)(3) 49 U.S.C. § 114(u)
- o (b)(6) worked the p.m. shift a few times with BDOs (b)(6) and did not observe racial profiling.

Use of DEA source

- o (b)(6) first heard about the DEA allegation during the news reports.
- o (b)(6) never heard any information about a BDO using DEA as a source.
- o (b)(6) assumed that BDO (b)(6) had a DEA contact because there is a plaque in the BDO office from DEA for (b)(6) and questioned why he would have received a plaque.

Sleeping on the job

- o (b)(6) never heard this allegations until the news story came out.
- o (b)(6) remembered that an email came out to remove a folded cot from the closet in the BDO office. No mention of sleeping was made in the email.
- o (b)(6) believed the overnight shift was eliminated because there were no flights; therefore there were no passengers to observe.

Drug use by BDO

- o (b)(6) had no information about any HNL employee in the BDO program that was accused of using illegal drugs.

Suspected anonymous complainants

- o (b)(6) opined that the allegations were made by someone in the BDO program. (b)(6) explained that no one but a BDO would have seen the plaque and the cot memo went out to the BDOs.
- o (b)(6) heard rumors that former HNL Deputy Assistant Federal Security Director and Screening Passengers by Observation Technique Coordinator (b)(6) might have

Case Number:
M-12-0755

Case Title:
BDO practices of HNL

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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

made the allegations because he was terminated shortly before the allegations arose.

(b)(6) claimed to not remember from whom he heard this rumor.

Additional information about (b)(6)

- o (b)(6) claimed to not know (b)(6) on a personal level. (b)(6) claimed they had no outside contact. (b)(6) stated that he knew some friends who liked (b)(6) and some who did not.
- o (b)(6) knew (b)(6) liked to ski.
- o (b)(6) was aware that (b)(6) was out on leave for an extended period of time.

Miscellaneous

- o (b)(6) thought the p.m. shift got into trouble more often than the a.m. shift for things such as taking long lunches or breaks, not being in place on time, and signing out at the wrong time.
- o (b)(6) stated he would feel comfortable going to management with concerns about racial profiling.
- o (b)(6) stated he would confront anyone he felt was targeting passengers based on race.

(b)(6) provided a signed sworn written statement (attached).

Case Number:
M-12-0755

Case Title:
BDO practices of HNL

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(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

I, (b)(6), having been duly sworn, hereby make the following statement to Michael Striglers and Akemi Wayne who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

(b)(6)

Signed and sworn to before me, this 21st day of January, 20 12.

Witness

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

My name is (b)(6) I am a BDO here at the Honolulu International Airport. I have been a BDO since 10/2008. I have never seen the whole news report on these allegations. However I have only read a small portion of the newspaper article.

I have worked with (b)(6) & (b)(6) But I have worked with (b)(6) more than (b)(6) I have never seen any type of racial profiling from these two individuals during my time working with them. Majority of, my two years, referrals and arrests were with (b)(6) and were always solely based on behaviors and points. I also was partnered up with (b)(6) a couple of times with in about two years and referrals was also solely based on behaviors and points. There was also statistics that (b)(6) has a high volume of referrals and arrests solely on behaviors due to the high number of passengers and she sees more behaviors and points. I have not seen any BDO use any type of racial profiling to perform their duties or targeted Mexicans and Hispanics. All referrals and arrests were due to a points system. During my shift with (b)(6) I have not seen racial profiling use as part of our job duties. I have also worked a few times on the PM shift with (b)(6) and (b)(6) and have not seen any type racial profiling used. Sometimes I have heard that the PM shift would get into trouble more than the AM shift. Like taking longer breaks and lunch.

I first heard the term Mexicutioner during the Newark incident regarding BDO's using racial profiling about year and a half ago. I then heard it being used during the allegations from the news reports here at HNL about three months ago.

I have never seen or heard anyone sleeping in the BDO program until the allegations from the press. However, around 2009 or 2010 an email was sent out from our Managers saying to remove a Military COT found in a closet in our office. Furthermore, I personally have never seen anyone sleeping in the BDO program. Also the BDO overnight shift was removed due to no flights were going out that late.

I don't know of any BDO who has been assisting or has ties with the DEA. I have only heard these allegations from others after the news media release. However I have seen an award given to (b)(6) from the DEA hanging on the wall in our BDO office in (b)(6) cubicle. I have no idea why only (b)(6) has this when all BDO's have the same types of arrests dealing with drugs too.

I have never seen or heard any BDO's using cocaine or other drugs in the BDO program.

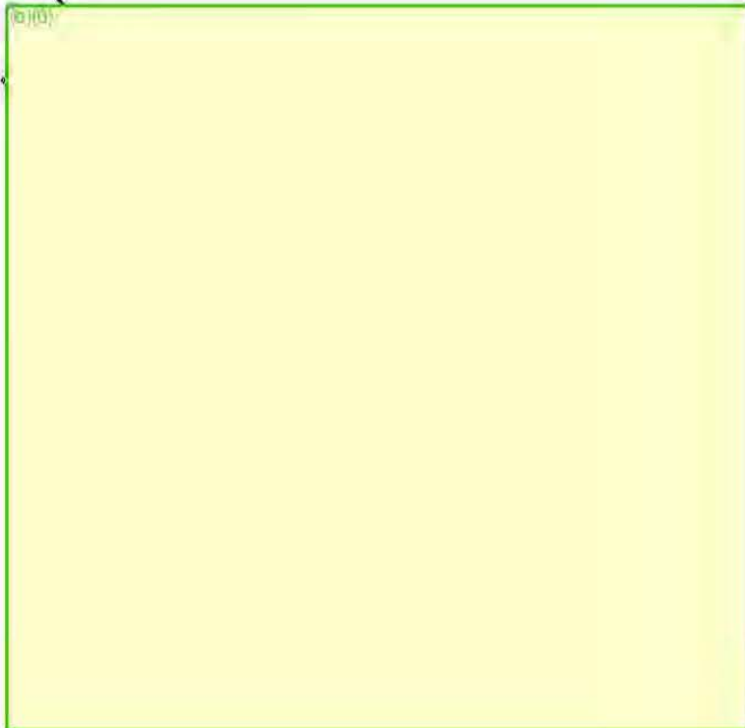
I have never seen the news media or read the whole article to make an educated determination on who is talking to the media. But If I had to come up someone, my assumption would be the former SPOT coordinator (b)(6) due to him leaving TSA. (b)(6)

(b)(5)(C)

feel comfortable going to management with any type of racial profiling issues or any type of issue that arises. It is also our responsibility and our duty to do this.

I am willing to take a polygraph exam regarding this matter

(b)(5)(C)



01/21/2012



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

(b)(6)

01/21/2012

WITNESSED BY:

Akemi Wayne

OI Official

01/21/12

Michael Strislars

OI Official

1/21/12

ATTACHMENT

24

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 23, 2012 9:05 a.m.
Activity or Interview of: (b)(6) Behavioral Detection Officer (BDO) Honolulu International Airport (HNL) (808) 590 (b)(6)	Conducted by: Special Agents Akemi Wayne and Michael Striglers Location of Interview/Activity: Transportation Security Administration (TSA), Honolulu International Airport (HNL) 300 Rodgers Blvd Honolulu, HI

Subject Matter/Remarks

BDO (b)(6) was interviewed about the allegations raised by KITV4 investigative reporter Keoki Kerr that HNL BDOs used racial profiling for screening passengers, slept on the job, used a source at the Drug Enforcement Administration (DEA) to target passengers, and a BDO supervisor failed a drug test. (b)(6) provided the following information:

(b)(6) has been a BDO at Honolulu Airport since January 2008.

Racial Profiling:

- (b)(6) watched the news broadcast on KITV4 News about the BDO program regarding racial profiling and felt was fabricated.
- Since entering the BDO program (b)(6) has never seen any action by any BDOs racial profiling.
- He worked with (b)(6) and (b)(6) on many occasions over the past three years and had never heard her do or seen anything that might be along the lines of racial profiling.

Case Number:
M-12-0755

Case Title:
BDO practices at HNL

~~SENSITIVE SECURITY INFORMATION FOR OFFICIAL USE ONLY~~

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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

News Report:

- (b)(6) opined that he was 99.9% certain that one of the individuals on the telecast was (b)(6) based on the way he spoke, choice of words, speech pattern and mannerisms.

"Mexicutioner":

- The first time he heard the term "Mexicutioner" was approximately two or three years ago. They only person that he ever heard use that terminology was (b)(6)
- (b)(6) heard (b)(6) say "Mexicutioner" maybe three to five times over the past two or three years.
- (b)(6) would ask "Hey, are the Mexicutioners here?"
- He did not recall who or if any other BDO was present at that time (b)(6) used the term "Mexicutioner".

SSI:

- There were some operational issues that were brought up during the news report that believed should not have been shown. (b)(6) did not recall the specifics or if it was SSI at the time.

Sleeping on duty:

- (b)(6) maintained that the story was fabricated.
- The cot was a loan to BDO (b)(6) for a camping trip. BDO (b)(6) loaned the cot to (b)(6) and (b)(6) were on different shifts, so (b)(6) left the cot in the storage room of the BDO office.
- The overnight shift was canceled due to a man power issues and a better allocation of payroll dollars since there were so few flights in the overnight shift.
- (b)(6) was not aware of any BDOs sleeping on the job.

DEA Allegation:

- Prior to becoming a BDO (b)(6) heard a rumor about a BDO having a friend in DEA. After becoming a BDO in 2008, he discovered that it was (b)(6) that they were talking about that had a friend in the DEA.
- He worked with (b)(6) many times and (b)(6) never targeted anyone based on anything other than behaviors and appearances.
- (b)(6) never mentioned to him that he knew someone in DEA.

Case Number:
M-12-0755

Case Title:
BDO practices at HNL

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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- He never saw (b)(6) get tips on specific passengers.

Drug use:

- The news broadcast mentioned that a manger had failed a drug test.
- (b)(6) had not seen or heard anything about anybody and drugs in the BDO program.
- He was not aware of anyone in the BDO program using drugs.

HNL TSA management:

- (b)(6) was very comfortable with both TSA management and the Screening Passengers by Observation Techniques (SPOT) management team if he had any issues or concerns. SPOT Transportation Security Managers had always stated that there was no quota for referrals. Neither he nor other BDOs at any time felt pressure to make referrals.

(b)(6) was willing to take a polygraph exam if needed.

(b)(6) provided a signed sworn written statement (attached).

Case Number:
M-12-0755

Case Title:
BDO practices at HNL

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(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

I, (b)(6), having been duly sworn, hereby make the following statement to
Michael Strigano and Adam Wayne, who has been identified to me as a federal law enforcement officer and special
agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will,
without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections
necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of
my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally
misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have
that relates to the matters under investigation or review.

(b)(6)

Signed and sworn to before me, this 23 day of January, 20 12

Witness

(Signature)
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(6)

My name is (b)(6) I have been a BDO at Honolulu Airport since January 2008.

I watched the news broadcast on KITV News about the BDO program regarding racial profiling and in my opinion is fabricated. Based on my opinion I am 99.9% sure that one of the individuals on the telecast was (b)(6) based on the way he spoke, choice of words, speech pattern and mannerisms.

Since entering the BDO program I have not seen any action by any BDOs that could be considered racial profiling. I have worked with (b)(6) on many occasions and have never heard her do or seen anything that might be along the lines of racial profiling. I have also worked with (b)(6) both as BDO and as a SPOT TSM over the past 3 years. (b)(6) has always stated "if it's there it's there, it is what it is". I have never seen anything remotely considered racial profiling on his part. I have worked with (b)(6) on numerous occasions he is a very matter of fact person. A Very black and white no grey area kind of BDO and in my opinion he would never do that.

The first time I heard the term "Mexicutioner" was approximately 2 or 3 years ago. The only person that I have ever heard use that terminology was (b)(6) (b)(6) had said that term maybe 3 to 5 times over the past 2 to 3 years. (b)(6) would ask "Hey, are the Mexicutioners here". When I asked who he was talking about he said "You know who". I am teamed with a different partner everyday and do not recall who or if any other BDO was present at that time (b)(6) used the term "Mexicutioner". (b)(6)

SPOT TSMs have always stated that there were no quotas for referrals. Neither I nor my fellow BDOs at any time feel pressured to do referrals.

There were some operational issues that were brought up during the news report that I felt should not have been shown. I don't recall the specifics or if it was SSI at this time.

The news report discussed the issue of sleeping on the overnight shift and that a cot was found. I believed that story to be 100% fabricated. The cot was a loan to BDO (b)(6) for a camping trip that he was going. The cot was loaned to him by BDO (b)(6) (b)(6) and (b)(6) were on different shifts so Thomas had left the cot in the back storage room of our old office (which when the doors were closed was not visible to anyone). The overnight shift was canceled due to a man power issues and a better allocation of payroll dollars since there were so few flights in the overnight shift not because BDOs were sleeping on the job. I am not aware of any BDOs or heard from anyone that a BDO was sleeping on the job.

Prior to becoming a BDO I had heard speculation about a BDO having a friend in DEA. After becoming a BDO in 2008 I discovered that it was (b)(6) that they were talking about that had a friend in the DEA. I worked with (b)(6) many times and it did not seem as if he were actually targeting anyone based on something someone had told him. At no time had (b)(6) had ever mention to me that he had a friend in DEA that was giving him tips about certain passengers.

The news broadcast mentioned that a manager had failed a drug test. This was a total shock to me. I had never seen or heard anything about anybody and drugs in the BDO program. I am unaware of anyone in the BDO program using drugs (b)(6)

(b) (7) know that (b) (7) was doing some filming on snowboarding someplace on the U.S mainland in 2009 /2010. I believe that (b) (7) and a few other TSA employees had accompanied him on that trip.

I am very comfortable with both TSA management and the SPOT management team that if I had any issues or concerns I would be able to bring them up to them like I have done in the past without fear of any retaliation.

I am willing to take a polygraph test to verify my statements (b) (7)

(b) (7)

1/25/2012

3 of 3

ATTACHMENT

25

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 20, 2012
Activity or Interview of: (b)(6) Transportation Security Manager (TSM) Honolulu International Airport (HNL) Ph: (808) 478-(b)(6)	Conducted by: Special Agents Mark Fedorko and Edward Archuleta Location of Interview/Activity: Transportation Security Administration (TSA) 300 Rogers Blvd., Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

TSM (b)(6) advised he was hired by on September 29, 2002, and has been assigned to HNL since that time. TSM (b)(6) further stated that he accepted a position as a Behavior Detection Officer (BDO) sometime during 2007, or 2008. After completing the BDO training courses he worked as a BDO for approximately 30 days. He was then offered a TSM position which he accepted.

TSM (b)(6) advised that during his brief assignment as a BDO he never observed any racial profiling taking place. He also stated that he recalled having received instruction which specifically precluded any form of racial profiling within the BDO program. TSM (b)(6) stated that he had never observed any TSA employee sleeping while on duty and had never observed or heard of any TSA employee using illegal narcotics. TSM (b)(6) stated that he recalled having heard of an incident in which a BDO allegedly worked with a Drug Enforcement Administration (DEA) agent, which resulted in the arrest of a passenger. TSM (b)(6) could not recall when he heard of this or whom he heard it from. TSM (b)(6) could not provide any relevant information regarding recent allegations of racial profiling by HNL BDOs.

(b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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(Revised 12-15-08)

TSA 15-00014 - 012476

SWORN STATEMENT



Transportation
Security
Administration

I, [redacted], having been duly sworn, hereby make the following statement to

SA MARK EDUARDO & EDWARD ARCHULETA, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

[redacted]

Signed and sworn to before me, this 20 day of JANUARY, 2012.


Witness


Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303



ENDING

My name is [REDACTED] and I've been employed by TSA since 2002. I am an H-band TSM at HNL. I was a BDO sometime back in 2007-2008 (this is a very approximate time frame.) I was a BDO on the floor in operations for an approximate time frame of 30 days when I was offered and accepted a position as an H band TSM. I did contemplate this decision before accepting the TSM position as I was excited to be a part of the BDO program and was considering growing with the BDO program as it evolved. During my time as a BDO I did not witness any indication of racial profiling. During the training it was strongly emphasized that racial profiling was not what the BDO program was about and it would be the very thing that would destroy the program. I did not see any sleeping on the job and I have no knowledge of any TSA employee using narcotics.

I did hear a rumor years ago that someone in the BDO program was made aware by DEA that a POI was coming through to fly out and that the BDO's on duty assisted in some way in busting this POI. This is only hear say for me and I do not have specific details that I can validate. [REDACTED]

Nothing follows

ENDING Not

2 of 2

ENDING

ATTACHMENT

26

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- ☒ Personal Interview
☐ Telephone Interview
☐ Records Review
☐ Other

Date and Time:

January 24, 2012

Activity or Interview of:

(b)(6)
Behavior Detection Officer (BDO)
Honolulu International Airport (HNL)
Ph: (808) 590-(b)(6)

Conducted by:

Special Agents Mark Fedorko and Edward Archuleta

Location of Interview/Activity:

Transportation Security Administration (TSA)
300 Rogers Blvd., Suite 45
Honolulu, HI 96819

Subject Matter/Remarks

BDO (b)(6) was interviewed. BDO (b)(6) stated that he was hired by TSA in May, 2004, and that he became a BDO in January, 2008. (b)(6) said that he first heard about racial profiling at HNL sometime around November or December, 2010, after a newscast discussed the allegations. Although he watched the news report on-line, he was not able to identify who the interviewees were because their faces and voices were disguised. (b)(6) further stated that most of the BDOs at HNL believe that the people interviewed were BDOs (b)(6) and (b)(6). (b)(6) stated that he recalled learning in BDO training that racial profiling is absolutely not allowed. (b)(6) stated that he has never engaged in or observed any racial profiling by BDOs at HNL.

(b)(6) stated that he had no first-hand knowledge of any BDO getting tips from law enforcement officers and that if a law enforcement officer ever approached him, he would refer him to his manager. (b)(6) stated that he had never heard of or observed any TSA employee using drugs with the exception of the news story. (b)(6) further stated that after this story was aired on television, his co-workers assumed that the person that they referred was (b)(6) (b)(6).

(b)(6) stated that he had never heard of any TSA employees using the term "Mexicutioner" until after the term was used in the newscast. (b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

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(Revised 12-15-08)

TSA 15-00014 - 012480

SWORN STATEMENT



Transportation
Security
Administration

(b)(6) _____, having been duly sworn, hereby make the following statement to Mark E. Fedorko, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

SEE ATTACHED STATEMENT *2*

This statement was prepared for me by Special Agent Mark E. Fedorko at my request.

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any correction necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

Signed and sworn to before me, this 24th day of JANUARY, 2012.

[Signature]
Witness

(b)(6) _____
[Signature]
Mark E. Fedorko, Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(6)

My name is (b)(6) I was hired by TSA at Honolulu International Airport in May, 2004. I am currently a Master BDO on the a.m. shift. I first became a BDO in January, 2008.

The first time I heard about the racial profiling allegation was recently when I saw the news story on-line. I could not tell who were the people being interviewed because they obscured their faces and voices. I think most BDOs at HNL believe that the people interviewed on the newscast were BDOs (b)(6) and (b)(6)

I recall learning in BDO training that racial profiling is absolutely not allowed. Since I became a BDO, I have never engaged in or observed any racial profiling.

Since the newscast that alleged that BDOs at HNL were racially profiling, I have heard some TSA employees using the term "Mexicutioners." Prior to the newscast, I have not heard this term used about TSA employees. I have heard this term used to describe an Ultimate Fighting Champion.

I'm not aware of any Law Enforcement Officers approaching a BDO for the purpose of asking them to help locate a wanted person or giving them a tip.

If anyone from a law enforcement agency asked me for assistance in locating an individual, I would refer them to my screening manager so that a tip or BOLO could be entered into the system.

I have no knowledge of any TSA employee using drugs or testing positive for drug usage with the exception of what was on the news. The rumor among co-workers is that the story was about (b)(6)

I heard a rumor that there was a cot in the BDO office and someone may have been sleeping there. This supposedly happened before I got into the BDO program. I've never seen a cot in the BDO work space. I've never seen anyone sleeping in the BDO work space.

I believe management is very approachable. If I had any problems or concerns, I would have no hesitation in reporting my concerns to my manager. (b)(6)

(b)(6)



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

(b)(7)
[Redacted Signature Box]

1/24/12

WITNESSED BY:

[Signature]
OI Official

EDUARDO ARIMULETA

1/24/12

[Signature]
OI Official

1/24/12

1/24/12

ATTACHMENT

27

~~SENSITIVE SECURITY INFORMATION~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 23, 2012
Activity or Interview of: (b)(6) Master Behavioral Detection Officer (MBDO) Honolulu International Airport (HNL) Ph: 808-479-(b)(6)	Conducted by: Special Agents Joseph M. Viviano and Philip Spampinato Location of Interview/Activity: Transportation Security Administration Office Honolulu International Airport (HNL) 300 Rodgers Blvd. Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

MBDO (b)(6) was interviewed regarding allegations of racial profiling and other improprieties directed toward HNL BDOs.

(b)(6) advised that he started as a Transportation Security Officer (TSO) in November 2005 and entered the BDO program on December 2008. (b)(6) advised that he is currently assigned to the morning shift at HNL. (b)(6) further advised that he does not have any outside connections or established relationships with BDOs (b)(6) and (b)(6) other than work contact. It should be noted that the above individuals are on the PM shift.

(b)(6) stated he never heard any discussion or rumors of racial profiling of certain ethnic groups by HNL BDOs until he viewed a TV report which aired on a local Hawaiian news channel (KITV4) in November, 2011.

(b)(6) advised that the two anonymous male "whistleblowers" that appeared in the KITV4 news report in November 2011 had their features shadowed over and voices distorted to protect their identities. (b)(6) further advised that he does not know the identities of the two individuals portrayed as "whistleblowers". However, he heard in casual conversation amongst co-workers (around the water cooler) that the "whistle blowers" were BDO (b)(6) and BDO (b)(6).

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

(b)(6) stated this was determined and rumored because they have been absent from work for long periods of time.

In the KITV4 report, the whistleblowers claimed that two BDO's were known as the "Mexecutioners". The article alleges that they were given this nickname because they had targeted Mexican nationals or Hispanics for additional security screening which resulted in arrests for various offenses.

(b)(6) stated that he did hear this nickname, "Mexecutioners", used by BDOs during the HNL briefings wherein the shift was being appraised of the arrests and referrals from the previous day or shift. (b)(6) further stated that BDO (b)(6) was the BDO identified as the one of the "Mexecutioners". (b)(6) advised that this took place approximately 1 to 1 ½ years ago. (b)(6) further advised that this term was used in jest or in a teasing manner because of her large number of referrals and arrests amongst some of the BDOs. (b)(6) could not identify the individuals (BDOs) using this term but did hear it in the aforementioned briefings.

(b)(6) is familiar with a Filipino professional fighter named Manny Pacquiao, nicknamed the "Mexecutioner". (b)(6) added that Pacquiao is very popular and he is enthusiastically supported by many Hawaiians.

(It is also noted that another popular Hawaiian professional athlete, Joey Beltran, a UFC fighter, attended college in Hawaii and is regularly called or described as the "Mexecutioner").

(b)(6) believes that BDO (b)(6) and BDO (b)(6) are attempting to smear TSA management and the HNL BDO program in retaliation for their past disciplinary actions along with being unhappy at TSA.

(b)(6) also addressed the additional allegations mentioned in the KITV Channel 4 report as follows –

- (b)(6) has no knowledge or evidence of racial profiling by any BDO or TSO at HNL. He has never witnessed any such behaviors targeting one ethnic group vs. another ethnic group.
- (b)(6) has never heard of any BDOs sleeping in a cot or sleeping while on duty. He first heard of the sleeping allegation on the KITV Channel 4 news report. (b)(6) advised that he has never been assigned or worked the overnight shift.
- (b)(6) has no knowledge of any TSA employee testing positive for cocaine. He first heard of the allegation on the KITV Channel 4 news report. After the fact, (b)(6) heard that the

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

individual who had the positive drug test was (b)(7) (b)(7)(F) due to his reassignment to the FSD office.

- (b)(7)(F) had no knowledge of any HNL BDO having some sort of DEA connection which resulted in seizures of suspected drug currency. He first heard of this allegation on the KITV Channel 4 news report. After the fact, (b)(7)(F) learned that the individual named in the report was BDO (b)(7)(F) due to receiving an award from DEA. (b)(7)(F) could not provide any additional information concerning this allegation.
- (b)(7)(F) has no information or evidence of sexual harassment or hostile work environment and has not been exposed to any of these issues at the HNL workplace. (b)(7)(F) opined that there will always be differences between various employees but overall he gets along well with his colleagues. (b)(7)(F) has a very positive impression of the BDO program and the BDO management at HNL.
- (b)(7)(F) is not aware that (b)(7)(F) is involved in some sort of snowboarding activities or videos. He has never viewed the videos and is unaware of their content.
- (b)(7)(F) was concerned about the SSI information that the two individuals "whistleblowers" provided the KITV Channel 4 reporter placing the BDO program in jeopardy by releasing privileged information concerning SOPs. (b)(7)(F) stated that he did not understand how this would be considered as being "whistleblowers."

At the conclusion of the interview, (b)(7)(F) provided a signed, sworn statement and agreed to take a polygraph to confirm this statement.

Attached:

Signed, sworn statement by BDO (b)(7)(F), dated January 23, 2012.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2005

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SWORN STATEMENT



Transportation
Security
Administration

I, [REDACTED], having been duly sworn, hereby make the following statement to
SA SPANNOU/SA VIVANO, who has been identified to me as a federal law enforcement officer and special
agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will,
without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections
necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of
my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally
misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have
that relates to the matters under investigation or review.

(RHS)

Signature

Signed and sworn to before me, this 23 day of January, 20 12

Witness

TSA-001 1-23-2012
10:20 AM

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

Statement of (b)(6)

(b)(6)

January 23, 2012 at HNL FSD Office

I, (b)(6), am allowing SA Philip Spampinato to write this statement for me.

(b)(6)

1/23/12

Date

(b)(6)

I have been employed with TSA since November 2005 as a TSO in Honolulu. In December 2008, I entered into the BDO Program at HNL.

(b)(6)

I am currently assigned to the BDO full time day shift – 6:00 am to 2:30 pm with RDOs as Wednesday and Thursday.

Sometime in November, 2011, I saw a KITV4 news report which alleged racial profiling and other improprieties by the HNL BDO program.

I had heard in casual conversation amongst co-workers that the individuals portrayed as “whistleblowers” on the KITV4 report must have been persons who were familiar with the BDO program. The individuals were identified as BDO

(b)(6)

and BDO

(b)(6)

I wish to point out that I have no outside connection or established relationships with the following HNL TSA employees – (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) or (b)(6) – other than daily work interaction.

Regarding the allegations made by the TSA whistleblowers in the KITV4 news report which aired in November, 2011-

- I do not know the identities of the two individuals who were portrayed as the whistleblowers who had appeared on the KITV4 news report in November, 2011. However, after the article aired the talk around the water cooler was that the two individuals were (b)(6) (b)(6) and (b)(6)
- About 1 to 1 1/2 years ago, I had heard some of my fellow BDOs mention the term “mexecutioner” in passing in reference to a BDO (b)(6). But I just dismissed it as idle gossip along with teasing because of her large number of referrals and arrests.

(b)(6)

(b)(6)

2/3

(b)(6)

I have no knowledge of racial profiling at HNL by the BDO program or any members of the program. I have never witnessed any such behaviors that would target one ethnic group vs. another ethnic group. There is no hint of racism of any kind among fellow BDOs or the Hawaiian population in general. The Hawaiian culture here is very diverse.

(b)(6)

- I have no knowledge of any HNL BDOs sleeping in a cot and I did not witness any TSA employees sleeping in a cot or sleeping during their assigned shift at HNL. I first heard of this allegation on the KITV4 news report. I have never worked the over shift.
- I have no knowledge of any TSA employee testing positive for cocaine. I first heard of this allegation on the KITV4 news report. After the fact, I heard that the individual who had the positive drug test was (b)(6) due his reassignment out of the BDO program.
- I have knowledge of a HNL BDO having some sort of DEA connection which resulted in the seizures of unreported currency. I first heard of this information because of an award issued to (b)(6). However, I have no other information other than that.
- I have no information of sexual harassment or hostile work environment and have not been exposed to either during my employment with TSA HNL. I believe overall everyone gets along pretty well and I get along well with about 95% of my colleagues.
- I currently have a very positive experience with the BDO program and the BDO management.
- I was not aware of the fact that (b)(6) was involved in some sort of snowboarding activities or videos. I have never seen the videos and I am unaware of their content.
- I was on the AM shift and have not associated myself with the PM shift except for the one day overlap and do not know the interactions of their shift.
- I am concerned about the SSI information that the two individuals provided the KITV4 reporter putting the BDO program in jeopardy by releasing privileged information concerning our SOPs. I do not understand how this would be considered as being whistleblowers.
- I am willing to take a polygraph in order to confirm my statement.

(b)(6)

(b)(6)

3/3



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

(b)(6)

1/23/12

WITNESSED BY:

[Signature] Joseph M. Viviano

1-23-12

OI Official

[Signature] Philip Spampinato

1-23/12

OI Official

9:09 A

ATTACHMENT

28

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 21, 2012
Activity or Interview of: (b)(6) Lead Transportation Security Officer (LTSO) Honolulu International Airport (HNL) Phone 808-221-(b)(6)	Conducted by: Special Agents Philip Spampinato and Joseph M. Viviano Location of Interview/Activity: Transportation Security Administration Office Honolulu International Airport (HNL) 300 Rodgers Blvd. Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

OOI interviewed LTSO (b)(6) regarding allegations of racial profiling and other improprieties directed at the HNL behavioral detection officer (BDO) program and specific BDOs assigned at HNL.

(b)(6) started as a Transportation Security Officer (TSO) in December, 2002, and entered the BDO program in 2008. (b)(6) became embroiled in a number of disciplinary issues which included allegations of sexual harassment and hostile work environment. (b)(6) was assigned to the BDO PM shift at HNL and during her assignment on this shift she was involved in inappropriate and sordid disciplinary issues with fellow evening shift BDOs (b)(6) and (b)(6).

In June, 2011 (b)(6) was given a proposed letter of termination for making false statements and lack of candor.

According to (b)(6) TSA Office of Chief Counsel and her attorney came to an agreement wherein (b)(6) would drop her Equal Employment Opportunity (EEO) complaints and she would leave the BDO program. Based on this agreement, in late September, 2011, (b)(6) was given a one (1) year

Case Number:
M-12-0755

Case Title:
BDO practices at HNL

Revised February 28, 2006

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~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

last chance agreement allowing her to retain her TSA employment and was demoted to LTSO and reassigned to the HNL screening force.

(b)(6) addressed the additional allegations mentioned in the KITV4 news report as follows –

- (b)(6) claims that she does not know the identities of the two individuals, who were portrayed as the whistleblowers in the KITV4 report which aired in November, 2011.
- (b)(6) can't remember hearing the term "Mexecutioner" ever used by any TSO or BDO at HNL.
- (b)(6) can't remember any allegations of racial profiling or targeting of any certain ethnic group by TSOs or BDOs at HNL. (b)(6) never saw any such behavior during her assignment in the HNL BDO program.
- (b)(6) has no knowledge of any BDOs sleeping in a cot or sleeping during their assigned shift at HNL.
- (b)(6) claims that she heard that BDO (b)(6) had a friend at DEA. (b)(6) believes that BDO TSM (b)(6) was trying to schedule a team building presentation and may have mentioned that (b)(6) contact at DEA was going to give a presentation to the BDO force at HNL.
- (b)(6) could not confirm the existence of the snowboarding videos that (b)(6) was supposed to have produced. She claims no knowledge of the content of the snowboarding videos or the content of the final credits.

During the interview (b)(6) was evasive and acted as if she could not understand the interview questions. She feigned being tired and yawned often. She said she was tired, could not concentrate and simply could not remember or recall particular facts. (b)(6) was not credible and most times exhibited selective memory.

It is noted that (b)(6) questioned the TSA Management Directive requirement to provide a statement and asked if she could provide a "verbal" statement versus a written statement.

At the conclusion of the interview, (b)(6) provided a signed, sworn statement.

Attached: Signed, sworn statement by LTSO (b)(6) dated January 21, 2012.

Case Number:
M-12-0755

Case Title:
BDO practices at HNL

Revised February 28, 2006

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SWORN STATEMENT



Transportation
Security
Administration

I, SA VIVIANO / SA SPAMPINATO, having been duly sworn, hereby make the following statement to

[Redacted], who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

[Redacted]

Signature

Signed and sworn to before me, this 21 day of 01, 20 12.

Witness

Special Agent

Transportation Security Administration

Department of Homeland Security

Authority to administer oaths: 5 U.S.C. § 303

785001

4:39 PM

1-21-12

Statement of Stacey DuPont
January, 21, 2012 at HNL FSD Office

I, [REDACTED], am allowing SA Joseph M. Viviano to write this statement for me.

[REDACTED]
Signature

1/21/12
Date

[REDACTED] I have been employed with TSA since December 15, 2002 as a TSO in Honolulu. In January, 2008, I entered into the BDO Program at HNL. I left the BDO program in June, 2011 after I agreed to a settlement dropping my EEO complaints.

On or about September, 2009, I had filed an EEO complaint against [REDACTED] wherein I alleged sexual harassment and other issues. I also filed an EEO complaint against TSM – BDO [REDACTED] [REDACTED] alleging a hostile work environment. In June, 2011, I was presented with a letter of proposed removal for inaccurate statement and lack of candor.

In conclusion I was then offered a last chance agreement to maintain my TSA employment and I was removed from the BDO program and reinstated as a LTSO at HNL.

Regarding the allegations made by the TSA whistleblowers in the KITV4 news report which aired in November, 2011 to the best of my knowledge at this moment this is what I recall or remember -

- I do not know the identities of the two individuals and will not guess the identities of the two individuals portrayed as the whistleblowers who had appeared on the KITV4 news report in November, 2011.
- I can't remember when or where I first heard the term the "mexecutioners". I do not recall any HNL BDO ever refer to any other BDO as a "mexecutioner".
- I can't remember any allegations of racial profiling or the targeting of one ethnic group versus another ethnic group by HNL BDOs. I never saw any of my fellow BDO's engage in any of this activity during my tenure in the HNL BDO program.

2/3

(b)(6)

(b)(6)

- I have no knowledge of any HNL BDOs sleeping in a cot and I did not witness any TSA employees sleeping in a cot or sleeping during their assigned shift at HNL. However I was warned in a BDO briefing sometime in 2008 about sleeping on duty.

- I have heard that BDO (b)(6) had a friend at DEA and I may have heard this information through my manager TSM – BDO Cherise (b)(6) who was trying to create a team building presentation. I have no knowledge if the relationship between BDO (b)(6) and his DEA contact resulted in any of the cash seizures which took place at HNL.

- I know that there is some type of allegation of a snowboarding "youtube" video involving BDO (b)(6) but I really don't know the content of the videos. I don't know if (b)(6) has any involvement or produced the video(s) which may or may not have included derogatory comments regarding fellow BDOs in the credit section of the video(s).

(b)(6)

(b)(6)

(b)(6)

1/21/12

1639

3/3

ATTACHMENT

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~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- ☒ Personal Interview
☐ Telephone Interview
☐ Records Review
☐ Other

Date and Time:

January 22, 2012

Activity or Interview of:

(b)(6)
Behavior Detection Officer (BDO)
Honolulu International Airport (HNL)
(808) 831-(b)(6)

Conducted by:

Special Agents Edward Archuleta and
Mark Fedorko

Location of Interview/Activity:

Transportation Security Administration (TSA)
Honolulu International Airport (HNL)
300 Rodgers Blvd. #45
Honolulu, HI 96819

Subject Matter/Remarks

TSA Office of Inspection (OOI) interviewed BDO (b)(6) regarding allegations made against HNL BDOs. BDO (b)(6) stated in substance the following information:

- He was hired by TSA at HNL in November of 2007 and became a BDO in August of 2011. He is currently assigned to the a.m. shift at HNL.
- In November of 2011, he first heard about the racial profiling allegation through TSA co-workers, but has never seen news clips or read anything concerning the allegations. Co-workers informed him the allegations alleged concerned with BDOs targeting Mexicans.
- He has never heard of TSA employees referring to themselves as, "Mexicutioner." People have told him that the boxer Manny Pacquiao is referred to as the Mexicutioner.
- BDOs target individuals through behavior analysis and not by ethnicity. BDOs always work in pairs and make a referral when someone meets the threshold.

Case Number
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- BDOs notify Law Enforcement Officers for various reasons such as (b)(7)(F) 5 U.S.C. § 552(a)(7)(F) (b)(7)(F) 5 U.S.C. § 552(a)(7)(F)
- During BDO training they are instructed to not use racial profiling.
- He has never seen anyone doing racial profiling within TSA.
- BDOs get law enforcement information such as BOLOs through TSA management.
- If anyone would give him law enforcement information, he'd refer the person to his supervisor or he'd discuss with his supervisor the proper channels to use in order to disseminate the information.
- He heard a rumor that BDO (b)(6) had a friend in the Drug Enforcement Administration.
- He has no knowledge of any TSA employee using drugs or testing positive for drug usage.
- He heard a rumor from co-workers about a news story alleging TSA employees were sleeping on a cot in the BDO work place, but has never see any TSA employees sleeping at work.
- His co-workers had mentioned to him that they believe the allegations were submitted to the media by disgruntled employees such as (b)(6) and (b)(6)
- (b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number:
M-12-0755

Revised February 28, 2006

Case Title:
BDO Practices at HNL

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(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

I, (b)(6), having been duly sworn, hereby make the following statement to
SA E. ARCHULETA + M. GEDURKO, who has been identified to me as a federal law enforcement officer and special
agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will,
without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections
necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of
my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally
misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have
that relates to the matters under investigation or review.

(b)(6)
Signature

Signed and sworn to before me, this 27 day of January, 20 12.

[Signature]
Witness

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

Page 1 of 2

(b)(6)

(b)(6)

My name is (b)(6) and I was hired by TSA at HNL in November 2007. I am currently a Master BDO on the a.m. shift and became a BDO in August of 2011.

The first time I heard about the racial profiling allegation was sometime in November of 2011 through co-workers. I never saw the news clips or read anything concerning the allegation. Co-workers stated the allegation was concerned with BDOs targeting Mexicans.

I have never heard of TSA employees referring to themselves as, "Mexicutioner." People have told me that the boxer Manny Pacquiao is referred to as the Mexicutioner.

We (BDOs) target individuals through behavior identifications and not by ethnicity. We always work in pairs and make a referral when someone meets our threshold.

We notify Law Enforcement when (b)(3) 49 U.S.C. § 114(n)

(b)(3) 49 U.S.C. § 114(n)

During BDO training they teach us not to do racial profiling. I have never seen anyone doing racial profiling within TSA.

We get information or BOLOs through managers. If anyone asked me about how to disseminate a tip or BOLO, I'd refer them to the supervisor or discuss with a supervisor the proper channels.

In reference to the news story, I heard a rumor about BDO (b)(6) had a friend in DEA.

I have no knowledge of any TSA employee using drugs or testing positive for drug usage.

I heard a rumor from co-workers about a news story alleging people sleeping on a cot, but I've never seen a cot in the BDO work space. I've never seen anyone sleeping in the BDO work space.

I heard rumors about BDOs being suspended.

BDO (b)(6) and I are not friends.

Co-workers have mentioned to me the allegations may have been submitted to the media by disgruntled employees such as (b)(6) (b)(6) (b)(6) (b)(6)

Pg 2 of 2

(b)(6)



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

[Redacted Name Box]

1/22/12

WITNESSED BY:

MARK E. FEDORKO
OI Official

[Signature]

1/22/12

E. ARGIVELTA
OI Official

[Signature]

1/22/12

ATTACHMENT

30

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 22, 2012 9:10 a.m.
Activity or Interview of: (b)(6) Behavior Detection Officer (BDO) Honolulu International Airport Phone number (808) 620-(b)(6)	Conducted by: Special Agents Michael Striglers and Akemi Wayne Location of Interview/Activity: Transportation Security Administration (TSA) Honolulu International Airport (HNL) 300 Rodgers Blvd., #45 Honolulu, HI 96819

Subject Matter/Remarks

BDO (b)(6) was interviewed about the allegations raised by KITV News 4 reporter Keoki Kerr reported that BDOs at HNL used racial profiling for screening, slept on the job, used a source at the Drug Enforcement Administration (DEA) to target passengers, and a BDO supervisor failed a drug test. (b)(6) provided the following pertinent information:

(b)(6) became a BDO in approximately July 2008 and had primarily worked in the a.m. shift.
(b)(6) worked the p.m. shift for approximately one bid or six months.

Racial Profiling

- o The news stories were the first (b)(6) heard the term "Mexicutioner."
- o (b)(6) remembered one time when BDO (b)(6) made a comment about targeting Hispanics. (b)(6) did not remember specifics about when, what was said or who else was present.
- o (b)(6) had not suspected any BDO of racial profiling.
- o (b)(6) worked with Expert BDO (b)(6) and BDO (b)(6)

Case Number: M-12-0755	Case Title: BDO practices at HNL
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(Revised 12-15-08)

~~SENSITIVE SECURITY INFORMATION~~

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- o When working with (b)(6) and (b)(6) had a different interpretation of a behavior than them and questioned whether (b)(3) 49 U.S.C. § 114(i) behavior.
- o (b)(6) was not aware of anyone who had a grudge against (b)(6) or (b)(6)
- o (b)(6) had not seen, heard or suspected any BDO at HNL of racial profiling.

Use of DEA source

- o (b)(6) first heard about the DEA allegation during the news reports.
- o (b)(6) did remember one time when BDOs implied a connection between BDO (b)(6) (b)(6) DEA source and (b)(6) seizures.
- o (b)(6) did not recall who or when the comment was made or who was present.
- o (b)(6) worked with (b)(6) when they had a referral resulting in a large currency seizure. (b)(3) 49 U.S.C. § 114(i)
- o (b)(6) explained that (b)(6) never appeared to target specific passengers or use sources for his referrals.

Sleeping on the job

- o (b)(6) had no knowledge of anyone at HNL sleeping on-the-job.
- o (b)(6) remembered an electronic notice regarding not sleeping on-the-job and thought the memo was sent before July 2008.
- o (b)(6) had never heard this allegations until the news story came out.
- o (b)(6) assumed the overnight shift was eliminated due to lack of throughput.

Drug use by BDO

- o (b)(6) first heard the allegation of drug use by a BDO manager from the media.
- o (b)(6) had no knowledge of anyone at TSA HNL using illegal drugs.

Suspected anonymous complainants

- o (b)(6) was 90% positive that one of the interviewees on television was BDO (b)(6) (b)(6) based on a gut feeling and the type of person that (b)(6) was.
- o (b)(6) stated that (b)(6) would make derogatory remarks.

Miscellaneous

- o (b)(6) felt comfortable going to management with issues or concerns.
- o (b)(6) was willing to take a polygraph exam concerning this matter.
- o (b)(6) knew that (b)(6) went snowboarding. She thought he went with Transportation Security Officers (b)(6) and (b)(6)

(b)(6) provided a signed sworn written statement (attached).

Case Number: M-12-0755	Case Title: BDO practices of HNL
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~~SENSITIVE SECURITY INFORMATION/FOR OFFICIAL USE ONLY~~

~~WARNING: THIS RECORD CONTAINS SENSITIVE SECURITY INFORMATION THAT IS CONTROLLED UNDER 49 CFR PART 1520. NO PART OF THIS RECORD MAY BE DISCLOSED TO PERSONS WITHOUT A "NEED TO KNOW", AS DEFINED IN 49 CFR 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 PENALTY OR OTHER ACTION. FOR U.S. GOVERNMENT AGENCIES, PUBLIC DISCLOSURE IS GOVERNED BY 5 U.S.C. 552 AND 49 CFR PARTS 15 AND 1520.~~

(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

I, [REDACTED], having been duly sworn, hereby make the following statement to
Michael Strigens and Akem. Nkomo, who has been identified to me as a federal law enforcement officer and special
agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will,
without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections
necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of
my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally
misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have
that relates to the matters under investigation or review.

[REDACTED]

Signed and sworn to before me, this 22nd day of January, 20 12.

Witness

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(6)
(b)(7)
My name is (b)(6) and I have been a Behavior Detection Officer (BDO) since approximately 07/06/2008 at the Honolulu International Airport (HNL).

I have seen/read the media coverage of the allegations made against the BDO Program at HNL in regards to possible racial profiling, sources from the Drug Enforcement Agency (DEA) being used for referral purposes, a person testing positive for drugs use and overnight shift (sleeping on the job). The following is my statement in regards to these allegations:

- Racial profiling
 - The media coverage is when I first heard the term "Mexicutioner"
 - Over a year ago, I heard (b)(6) make a comment about Hispanics/Mexicans in reference to a BDO referral during a shift change
 - I do not recall the exact comment that was made
 - I do not recall when this remark was made or who was present when the remark was made
 - I have not seen or heard of any racial profiling conducted by (b)(6) (b)(7) nor (b)(6) (b)(7)
 - I have been on the same shift with (b)(6) for over a year and have worked with her intermittently during this time
 - I have worked with (b)(6) (b)(7) intermittently since entering the HNL BDO Program
 - I am not aware of anyone holding a grudge against (b)(6) (b)(7) or (b)(6) (b)(7)
 - I have not encountered the use of racial profiling nor have any knowledge of person(s) using racial profiling in the HNL BDO Program
- Use of DEA source when conducting referrals
 - I have heard of implications of the use of a DEA source by (b)(6) (b)(7) to conduct referrals
 - I do not recall the persons making the implication nor when it was made
 - I have worked with (b)(6) and he has never mentioned to me nor did I witness him utilizing a DEA source for a referral
 - There was a referral where (b)(6) (b)(7) was conducting (b)(6) (b)(7) and he had transferred behaviors to the Checkpoint BDOs which resulted in the discovery of currency on a female passenger's person. The monies were discovered in her breast area (b)(6) (b)(7) and in her thigh area. I was called in to assist due to the passenger being female. The Airport Sheriffs and the Immigration and Customs Agency (ICE) responded to the incident. To my knowledge, DEA was not involved with this incident.
- Drug use
 - I first became aware of alleged drug use by a BDO in the above stated media coverage in which it mentioned that a BDO Manager failed a drug test
 - I assumed that it was (b)(6) because he was no longer on the floor performing managerial duties and responsibilities.
 - I have no knowledge or heard of anyone using drugs.
- Overnight shift
 - I assumed that the overnight shift was eliminated due to the lack of passenger throughput and that it was a pilot program (b)(6)

2053

(b) (6)

I do have a 90% gut feeling that (b) (6) took part in the interview on television due to my perception of him and the racial comment as stated above.

I am aware of the "Board Stories" through watching television and seeing it on commercials promoting its program. I have not been to their website. I had heard (b) (6) is associated with this program but do not know to what capacity he is involved.

I am aware that (b) (6) has gone on snowboarding trips for vacation with his girlfriend. (b) (6) did not tell me this information.

(b) (6) has not given me information in regards to any investigation or the media coverage about the HNL BDO Program.

I do feel like I would be able to bring any concerns or issues to my managers

I am willing to take a polygraph test.

I am unsure if there were any Sensitive Security Information (SSI) released to the public.

(b) (6)

(b) (6)

01/22/2012

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Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

(b)(6)

01/22/2012

WITNESSED BY:

Akemi Wayne

OI Official

[Signature]

01/22/12

Michael Stiglers

OI Official

[Signature]

01/22/12

ATTACHMENT

31

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 23, 2012
Activity or Interview of: (b)(6) Behavior Detection Officer (BDO) Honolulu International Airport (HNL) Ph: (808) 387 (b)(6)	Conducted by: Special Agents Mark Fedorko and Edward Archuleta Location of Interview/Activity: Transportation Security Administration (TSA) 300 Rogers Blvd., Suite 45 Honolulu, HI 96819

Subject Matter/Remarks

BDO (b)(6) was interviewed regarding allegations made against the HNL BDO program and officers. BDO (b)(6) stated that he became a BDO in June, 2008.

(b)(6) said that he first heard about racial profiling at HNL sometime during November or December, 20011, after a story appeared on a local news station. (b)(6) saw this newscast, but could not identify who the interviewees were, however it was a commonly held belief among HNL BDOs that one of the anonymous whistle blowers was (b)(6). (b)(6) stated that racial profiling is absolutely not allowed and he has never engaged in, or observed any racial profiling by BDOs at HNL. (b)(6) stated that he had no first-hand knowledge of any BDO getting tips from law enforcement officers and that if a law enforcement officer ever approached him, he would refer him to his manager. (b)(6) stated that he had never heard of or observed any TSA employee using drugs with the exception of the news story. (b)(6) further stated that after this story was aired on television, his co-workers assumed that the person that they referred was (b)(6).

(b)(6) stated that he was aware that some TSA employees began talking about "Mexicutioners" after the term was used on the newscast. He never heard the term used prior to the newscast, however was aware that this was a name used to refer to a boxer by the name of Manny Pacquiao. (b)(6) provided a sworn statement (attached).

Case Number: M-12-0755	Case Title: BDO Practices at HNL
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~~SENSITIVE SECURITY INFORMATION/FOR OFFICIAL USE ONLY~~

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(Revised 12-15-08)



Transportation
Security
Administration

SWORN STATEMENT

(b)(6)
(b)(6)

I, (b)(6), having been duly sworn, hereby make the following statement to Mark E. Fedorko, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

SEE ATTACHED STATEMENT

(b)(6)

This statement was prepared for me by Special Agent Mark E. Fedorko at my request.

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any correction necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

(b)(6)

Signed and sworn to before me, this 23rd day of JANUARY, 2012.

[Signature]
Witness

Signature

[Signature]

Mark E. Fedorko, Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(6)

(b)(7)(D)

My name is (b)(7)(D) I was hired by TSA at Honolulu International Airport on September 29, 2002. I am currently a Master BDO on the p.m. I first became a BDO in June, 2008.

The first time I heard about the racial profiling allegation was recently when I saw it on on-line. I could not tell who were the people being interviewed because they obscured their faces and voices. I think most BDOs at HNL believe that one of the people interviewed was BDOs (b)(7)(D)

I recall learning in BDO training that racial profiling is absolutely not allowed. Since I became a BDO, I have never engaged in or observed any racial profiling.

Since the newscast that alleged that BDOs at HNL were racially profiling, I have heard some TSA employees using the term "Mexicutioners." Prior to the newscast, I have not heard this term used about TSA employees.

I'm not aware of any Law Enforcement Officers approaching a BDO for the purpose of asking them to help locate a wanted person or giving them a tip.

If anyone from a law enforcement agency asked me for assistance in locating an Individual, I would refer them to my screening manager so that a tip or BOLO could be entered into the system.

I have no knowledge of any TSA employee using drugs or testing positive for drug usage with the exception of what was on the news. The rumor among co-workers is that the story was about (b)(7)(D)

When I first became a BDO, sometime around July, 2008, I heard a rumor that there was a cot in the BDO office and someone may have been sleeping there. I heard the news story alleging that people were sleeping on a cot in the BDO office. I've never seen a cot in the BDO work space. I've never seen anyone sleeping in the BDO work space.

I believe management is very approachable. If I had any problems or concerns, I would have no hesitation in reporting my concerns to my manager.

(b)(7)(D)

(b)(7)(D)

pg 2/2

(b)(7)(D)

ATTACHMENT

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~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity:

- ☒ Personal Interview
☐ Telephone Interview
☐ Records Review
☐ Other

Date and Time:

January 22, 2012

Activity or Interview of:

(b)(6)
Behavior Detection Officer (BDO)
Honolulu International Airport (HNL)
(808) 831- (b)(6)

Conducted by:

Special Agents Edward Archuleta and
Mark Fedorko

Location of Interview/Activity:

Transportation Security Administration (TSA)
Office
300 Rodgers Blvd., #45
Honolulu, HI 96819

Subject Matter/Remarks

BDO (b)(6) was interviewed regarding allegations made against the HNL BDO program and officers. BDO (b)(6) stated in substance the following information:

- He was hired by TSA in Philadelphia in April 16, 2006.
- In August of 2008, he became a BDO and transferred to HNL in July of 2011.
- In December of 2011, he saw an article that had been printed out from a website. He recalled the article spoke of allegations of drug usage, racial profiling, and sleeping on the job by TSA employees.
- He saw the video of unidentified individuals conducting an interview with the media and was unable to determine the identity of the people. He heard rumors alleging one of the people in the interview was BDO (b)(6).
- During BDO training they are instructed to not use racial profiling, but instead to use other criteria such as behavior analysis in order to determine passenger referrals.
- He has never conducted racial profiling.

Case Number
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

~~SENSITIVE SECURITY INFORMATION/FOR OFFICIAL USE ONLY~~

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(Revised 12-15-08)

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- He has never seen anyone sleeping in the BDO work space.
- He has never heard of TSA employees referring to themselves as, "Mexicutioner."
- He believed the allegation of drug usage in the news article was based on (b)(6) (b)(7)(C)
- He is not aware of any Law Enforcement Officers approaching a BDO and giving them information.
- He is not aware of anyone receiving information, which resulted in a BDO seizing a large sum of money.
- He has no problem speaking to HNL management. When he needs to speak to management he contacts (b)(6)
- (b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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(Revised 12-15-08)

SWORN STATEMENT



Transportation
Security
Administration

(b)(6)

, having been duly sworn, hereby make the following statement to Mark E. Fedorko, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

SEE ATTACHED STATEMENT

(b)(6)

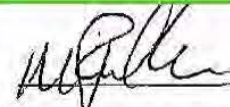
This statement was prepared for me by Special Agent Mark E. Fedorko at my request.

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any correction necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

Signed and sworn to before me, this 22nd day of JANUARY 2012.


Witness

(b)(6)


Mark E. Fedorko, Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

Page 1 of 2

(b)(6)

(b)(6)

My name is (b)(6) and I'm a Master BDO. I have been employed with TSA since April 16, 2006. I became a BDO in August of 2008 in Philadelphia and then transferred to HNL July of 2011.

In December of 2011, I saw an article which had been printed out from a media website. I recall the allegations in the article were about drug usage, racial profiling, and sleeping on the job. I saw the video interview on-line, but I was unable to determine who the people were. I've heard rumors that it could be (b)(6)

During BDO training they said racial profiling was not to be used and we were instructed to use other criteria such as behavioral analysis. I've never conducted racial profiling.

I've never seen a cot in the BDO area and have never seen anyone sleeping at work.

I've never heard of any TSA employees referring to themselves as, "Mexicutioners."

I read the article and believe the drug allegation was based on (b)(6)

I'm not aware of any Law Enforcement Officers approaching a BDO and giving them information.

I'm not aware of anyone receiving information resulting in a BDO seizing a large sum of money.

I have no problems speaking to management. If I needed to speak to management I'd speak with

(b)(6)

(b)(6)

(b)(6)

(b)(6)



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

The Office of Inspection (OI) is conducting an official investigation. As a result, OI is reviewing official records and/or have interviewed me in connection with this investigation. I understand that the disclosure of these records and/or any statements I make may not be disclosed to persons without a need to know as defined by Title 49, CFR, Part 1520, except with the written permission of the Administrator, Transportation Security Administration, Washington, DC. I further understand that unauthorized release may result in disciplinary action.

PRINT NAME

SIGNATURE

DATE

[Redacted Signature Box]

1/22/2012

WITNESSED BY:

E. ANCHUT COTA
OI Official

[Signature]

1/22/2012

W. FEDOROV
OI Official

[Signature]

1/22/12

ATTACHMENT

33

~~SENSITIVE SECURITY INFORMATION~~



MEMORANDUM OF INTERVIEW OR ACTIVITY

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 21, 2012
Activity or Interview of: (b)(6) Behavior Detection Officer (BDO) Honolulu International Airport (HNL) Ph: (808) 478-(b)(6)	Conducted by: Special Agents Edward Archuleta and Mark Fedorko Location of Interview/Activity: Transportation Security Administration (TSA) Office 300 Rodgers Blvd., Suite #45 Honolulu, HI 96819
Subject Matter/Remarks	

On January 21, 2012, the TSA, Office of Inspection (OOI) interviewed BDO (b)(6) BDO (b)(6) stated in substance the following information:

- He was hired by TSA on December 26, 2003, and has always been assigned to HNL.
- He became a BDO in May of 2008 and is currently a Master BDO.
- In November of 2011, he heard allegations of racial profiling by co-workers and accessed the internet and viewed the story. He couldn't identify the person on the video, but speculated it was (b)(6).
- He is not aware of anyone conducting racial profiling and the BDOs are instructed to only look for behaviors.

Case Number
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2005

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(Revised 12-15-08)

~~FOR OFFICIAL USE ONLY~~

PUBLIC DISCLOSURE TO BE DETERMINED UNDER 5 U.S.C. 552

MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- He has never heard of any TSA employee referring to themselves or anyone as, "Mexicutioners." The first time he heard this term was in reference to a boxer named Manny Pacquiao.
- The Drug Enforcement Administration has never contacted him in order to give him tips.
- He has heard unconfirmed rumors that (b)(6) had been given tips in order to find money.
- He has never seen a cot in the BDO work space and/or seen anyone sleeping in the BDO work space. The first time he became aware of this rumor was when it was reported by the HNL news media.
- He has no problems speaking with management and has spoken to (b)(6) on several occasions.
- He has never heard of a TSA employee using drugs and/or being fired for using drugs.
- He has heard that (b)(6) was on sick leave.
- He doesn't associate with BDOs outside of the work environment.
- (b)(6) provided a sworn statement which is attached to this Memorandum of Interview.

Case Number:
M-12-0755

Case Title:
BDO Practices at HNL

Revised February 28, 2006

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(Revised 12-15-08)

~~FOR OFFICIAL USE ONLY~~

PUBLIC DISCLOSURE TO BE DETERMINED UNDER 5 U.S.C. 552

SWORN STATEMENT



Transportation
Security
Administration

I, [redacted], having been duly sworn, hereby make the following statement to
E. ARCHULETA AND M. FEDORKO, who has been identified to me as a federal law enforcement officer and special
agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will,
without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any corrections
necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of
my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally
misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have
that relates to the matters under investigation or review.

[redacted]
Signature

Signed and sworn to before me, this 21st day of JANUARY, 2012.

[redacted]
Witness

[redacted]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

(b)(3)

My name is (b)(3) and I was hired by TSA on December 26, 2003. I've been at Honolulu Airport for the entire time and am currently a Master BDO. I became a BDO in May of 2008.

I heard about an allegation of racial profiling by co-workers and went on-line to see the story in November of 2011. I saw the video of a person with their face blacked out, but I couldn't identify the person. Many BDOs had speculated it was (b)(6) because he hadn't been in the office for a while.

I am not aware of anyone conducting racial profiles and we only look for behaviors. I have never heard any TSA employees referring to themselves as, "Mexicutioners." The first time I heard this term was in reference to a boxer named Manny Pacquiao.

No one in DEA has ever contacted me and given me tips. We have lists to review from our intelligence sources concerning persons of interest.

I've heard rumors about a BDO, I believed to be (b)(6) had been given tips in order to find money, but I have no actual knowledge of this.

I have never seen a cot in the BDO working space and/or seen anyone sleeping in the BDO work space. The first time I became aware of this rumor was when it was reported by the news media.

I have no problems speaking to management if I have a problem and would speak with (b)(6)

I have never heard of a TSA employee using drugs and or being fired for using drugs.

I heard that (b)(6) was on sick leave, but I don't associate with any BDOs outside of the work environment.

(b)(3)

(b)(6)



Transportation
Security
Administration

NON-DISCLOSURE AGREEMENT

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PRINT NAME

SIGNATURE

DATE

[Redacted]

1/21/2012

WITNESSED BY:

M. Fedorina

OI Official

[Signature]

1/21/12

E. Archuleta

OI Official

[Signature]

1/21/12

ATTACHMENT

34

~~SENSITIVE SECURITY INFORMATION~~



**MEMORANDUM OF INTERVIEW
OR ACTIVITY**

Type of Activity: ☒ Personal Interview ☐ Telephone Interview ☐ Records Review ☐ Other	Date and Time: January 22, 2012
Activity or Interview of: (b)(6) Master Behavioral Detection Officer (MBDO) Honolulu International Airport (HNL) Ph: 808-782-(b)(6)	Conducted by: Special Agents Joseph M. Viviano and Philip Spampinato Location of Interview/Activity: Transportation Security Administration Office (TSA) Honolulu International Airport 300 Rodgers Blvd., Suite 45 Honolulu, HI 96819
Subject Matter/Remarks	

OOI investigators interviewed MBDO (b)(6) regarding allegations of racial profiling and other improprieties directed toward BDO officers at HNL. (b)(6) started entered the BDO program on November 9, 2008.

(b)(6) is currently assigned to the evening shift at HNL. (b)(6) does know (b)(6) who are all on the evening shift, but has no established relationships with them other than at work.

(b)(6) has never heard any discussion or rumors of racial profiling of certain ethnic groups by HNL BDOs until he viewed a TV report which aired on a local Hawaiian news channel (KITV4) in late November, 2011. (b)(6) advised that he has not reviewed the aforementioned KITV4 news report, claiming racial profiling and other issues at the BDO program at HNL, in its entirety.

(b)(6) stated that he later reviewed the news story which was based upon information provided by two HNL BDOs who came forward as "whistleblowers". (b)(6) advised that the two male "whistleblowers" that appeared in the KITV Channel 4 news report in November 2011, had their features shadowed over and voices distorted to protect their identities. (b)(6) stated that he does not

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

know the identities of the two individuals portrayed as "whistleblowers". However, he can only speculate that one of the individual's maybe BDO (b)(6) because he has been absent from work for long periods of time. (b)(6) also stated that there was talk at work, a week after the article aired, and that BDO (b)(6) may be the second individual identified as the other "whistleblower".

In the KITV4 report, the whistleblowers claimed that two BDO's were known as the "Mexecutioners". The article alleges that they were given this nickname because they had targeted Mexican nationals or Hispanics for additional security screening which resulted in arrests for various offenses.

Pablo stated that he has never heard this nickname, "Mexecutioners", ever used at HNL or heard it in reference to any BDO's at HNL. However, (b)(6) is familiar with a Filipino professional fighter named Manny Pacquiao, nicknamed the "Mexecutioner". (b)(6) added that Pacquiao is very popular and he is enthusiastically supported by many Hawaiians.

(It is also noted that another popular Hawaiian professional athlete, Joey Beltran, a Ultimate Fighting Championship fighter, attended college in Hawaii and is regularly called or described as the "Mexecutioner").

(b)(6) believes that BDO (b)(6) and BDO (b)(6) are attempting to smear TSA management and the HNL BDO program in retaliation for their past disciplinary actions along with being unhappy at TSA. (b)(6) advised that BDO (b)(6) was unhappy with BDO program and wanted to go back to the check point where he would have the opportunity to earn overtime.

(b)(6) stated that there are two evening shift BDO shifts and he only works one day a week (when the shifts overlap) with BDO (b)(6) and BDO (b)(6) who have always been assigned to the other PM BDO shift rotation.

(b)(6) also addressed the additional allegations mentioned in the KITV Channel 4 report as follows –

- (b)(6) has no knowledge or evidence of racial profiling by any BDO or TSO at HNL. He has never witnessed any such behaviors targeting one ethnic group vs. another ethnic group.
- (b)(6) has never heard of any BDOs sleeping in a cot or sleeping while on duty. He first heard of the sleeping allegation on the KITV Channel 4 news report. (b)(6) stated that he was never assigned or worked the overnight shift.
- (b)(6) has no knowledge of any TSA employee testing positive for cocaine. He first heard of the allegation on the KITV Channel 4 news report.

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MEMORANDUM OF INTERVIEW OR ACTIVITY (continuation sheet)

- (b)(6) had no knowledge of any HNL BDO having some sort of DEA connection which resulted in seizures of suspected drug currency. He first heard of this allegation on the K!TV Channel 4 news report.
- (b)(6) has no information or evidence of sexual harassment or hostile work environment and has not been exposed to any of these issues at the HNL workplace. (b)(6) has a very positive impression of the BDO program and the BDO management at HNL.
- (b)(6) is not aware that (b)(6) is involved in some sort of snowboarding activities or videos. He has never viewed the videos and is unaware of their content.
- (b)(6) advised that he is aware that BDO (b)(6) goes snowboarding in Canada two to three times per year. He is aware of this because (b)(6) attempts to switch his schedule with other BDO's.

At the conclusion of the interview, (b)(6) provided a signed, sworn statement and advised that he was willing to take a polygraph examination to confirm this statement.

Attached:

Signed, sworn statement by BDO (b)(6) dated January 22, 2012.

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SWORN STATEMENT



Transportation
Security
Administration

I, [REDACTED], having been duly sworn, hereby make the following statement to
SA VIVIANO / SA SPANAWATO, who has been identified to me as a federal law enforcement officer and special agent with the Transportation Security Administration, Office of Inspection. I am making this statement of my own free will, without any duress or coercion.

*** SEE ATTACHED STATEMENT ***

I have read this entire statement consisting of 3 pages. I have been given the opportunity to make any corrections necessary to make the statement accurate. All of the information contained in this statement is true and accurate to the best of my knowledge and belief. I understand that I may be prosecuted for perjury or making false statements if I have intentionally misrepresented anything contained in this statement. I have not intentionally omitted any information or knowledge I have that relates to the matters under investigation or review.

[REDACTED]
Signature

Signed and sworn to before me, this 22 day of January, 2012

Witness

78A-001

3:30 pm

[Signature]
Special Agent
Transportation Security Administration
Department of Homeland Security
Authority to administer oaths: 5 U.S.C. § 303

Statement of (b)(6)
January, 22, 2012 at HNL FSD Office

(b)(6)
I, (b)(6), am allowing SA Philip Spampinato to write this

(b)(6) Signature

1/22/2012
Date

(b)(6) (b)(6)
I have been employed with TSA since February 6, 2005 as a TSO in Honolulu International Airport (HNL). In November 9, 2008, I entered into the BDO Program at HNL.

I am not aware of any management issues and have no issues concerning the current BDO management at HNL. I also have not experienced any alleged hostile work environment at HNL.

Regarding the allegations made by the TSA whistleblowers in the KITV4 news report which aired in November, 2011, to the best of my knowledge, I recall the following information:

- I do not know the identities of the two individuals portrayed as the whistleblowers and who had appeared on the KITV4 news report in November, 2011. However, I can only speculate that it may be (b)(6) (b)(6) because he was absent from work for long periods of time. There was also talk at work a week after the article aired and (b)(6) name was brought up as possibly being the second individual.
- I have never heard the term "mexecutioners" by any TSA employee to include the BDO's. I do recall the term "mexecutioner" when they refer to Manny Pacquiao, the Filipino boxer, who is very popular in Hawaii.
- I never heard of any allegations of racial profiling or anyone (BDO's) targeting one ethnic group versus another ethnic group by HNL BDOs. I never saw any of my fellow BDO's engage in any of this activity during my tenure in the HNL BDO program.

(b)(6) I have no knowledge of any HNL BDOs sleeping in a cot and I did not witness any TSA employee to include BDO's sleeping in a cot sleeping during their assigned shift at HNL. I was never assigned to work the overnight shift. (b)(6)

2/3

(b)(5)

(b)(5)

I have no knowledge of any BDO who may have had a friend at DEA who provided information concerning individuals carry large sums of drug money into the check point .which resulted in cash seizures which took place at HNL.

- I have no knowledge of any BDO employee or supervisor failing a drug test and continuing to work for TSA.
- I have no knowledge of any snowboarding "YouTube" video involving BDO (b)(5) (b)(5) I also don't know if (b)(5) has any involvement or produced the video(s) which may or may not have included derogatory comments regarding fellow BDOs in the credit section of the video(s). However, I know he goes snowboarding in Canada two to three times per year.

(b)(5)

(b)(5)

I am willing to take polygraph to confirm my statement.

(b)(5)

1/22/2012

Nothing to Follow

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