Ogilvie, Janice E

From: [redacted]
Sent: Monday, July 26, 2010 4:16 PM
To: Ogilvie, Janice E
Cc: [redacted]
Subject: Last Week's Meeting

Hi, Jan,

Thanks for taking time last week to discuss Mr. Siciliano's concerns with us. So that we can ensure that BEA takes adequate corrective actions, where necessary, we just wanted to confirm our discussion from July 22, 2010, relating to your Mark Siciliano investigation report dated May 17, 2010. Your report covered the issues in Mr. Siciliano's 708 complaint that were not looked into by the Office of Hearings and Appeals.

- Relative to the concern that you substantiated that Mr. Siciliano's had made security recommendations that were not adopted, this portion of your investigation was referred to DOE-ID subject matter expert [redacted] for review. Her finding was that had some of Mr. Siciliano's recommendations been implemented in a more timely manner, they could have potentially averted some of the security incidents that had occurred. She also reported back to you that many of Mr. Siciliano's recommendations have since been implemented. No additional action by BEA is needed.
- Concerning Mr. Siciliano's concern regarding BEA [redacted] lying or misrepresenting DOE-ID personnel, your conclusion was that there was significant confusion among all the players, including DOE, BEA, and the customer, regarding the status of the person in question. Since this concern was unsubstantiated, no corrective action is required by BEA.
- Regarding your substantiation that Mr. Siciliano's direct reports were required to sign as being responsible for a security incident when they in actuality were not, you stated that your focus is to work with the DOE and that you have no specific corrective actions that you are looking for from BEA. However, we noted the same concern and have made suggestions to BEA Security to consider revising and re-numbering the form.
- Regarding the chilling effect concern that you partially substantiated, the subsequent broader survey of all National and Homeland Security staff led to a 12 percent response rate indicating that people would be afraid to raise security issues because they feel that they would be retaliated against. This was much lower than the rate you encountered when you surveyed only Mr. Siciliano's staff. You mentioned that you are working with DOE-ID and are not expecting any corrective action from BEA at this time.
- Finally, regarding the substantiated foreign travel reporting issue, we discussed that [redacted] investigation showed that the failure to report travel to a sensitive country was systemic and not limited to the one individual. [redacted] described the corrective actions that have been put in place to ensure that future travel plans are reported to all the correct groups. You are not expecting any additional corrective actions from BEA at this time.

You also said that you had discussed your corrective action approach with Mr. Siciliano the

previous week so that he has no expectation that BEA owes you or him any corrective action response.

Again, thank you for affording us the time and the insight. We will keep you informed about our progress with Security.

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