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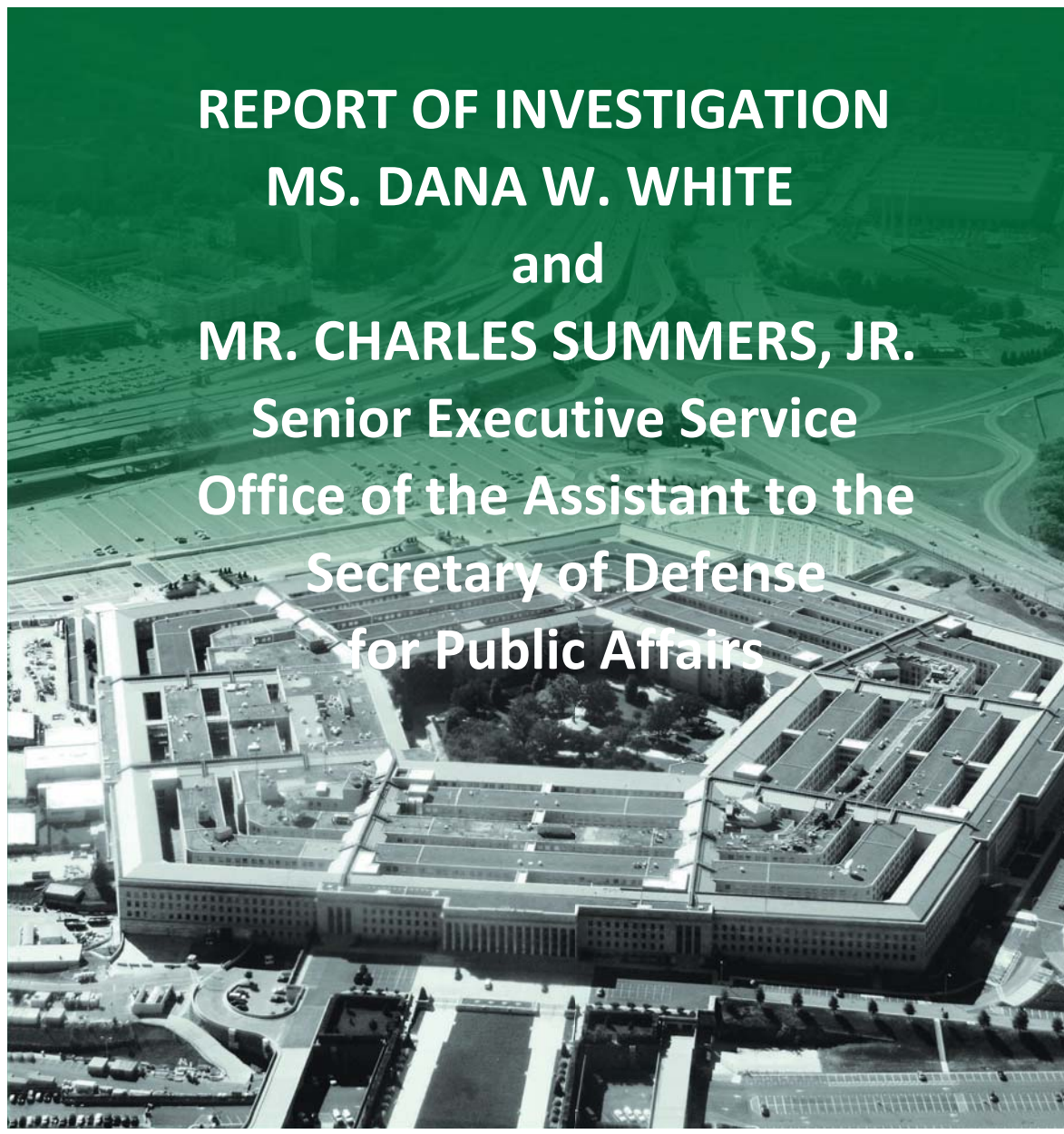
INVESTIGATIONS OF SENIOR OFFICIALS

INSPECTOR GENERAL

U.S. Department of Defense



JULY 16, 2019



REPORT OF INVESTIGATION

MS. DANA W. WHITE

and

MR. CHARLES SUMMERS, JR.

Senior Executive Service

Office of the Assistant to the

Secretary of Defense

for Public Affairs

INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE

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**REPORT OF INVESTIGATION:
MS. DANA W. WHITE AND MR. CHARLES SUMMERS, JR.
SENIOR EXECUTIVE SERVICE**

I. INTRODUCTION AND SUMMARY

Complaint Origin and Allegations

The DoD Office of Inspector General (DoD OIG) received and investigated allegations of reprisal and misconduct against Ms. Dana W. White, Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)), and her deputy, Mr. Charles Summers, Jr., Principal Deputy Assistant to the Secretary of Defense for Public Affairs.

The complaints regarding Ms. White were that she allegedly misused subordinates' time to conduct personal services for her, and that she allegedly failed to treat subordinates with respect. In addition, she allegedly reprised against a subordinate who complained about her misuse of subordinates for personal services. A part of this allegation was that Ms. White, while using her subordinates to conduct personal services, also accepted gifts from her subordinates.

This report provides the results of our investigation regarding the allegations related to misuse of subordinates for personal services and acceptances of gifts from subordinates. We completed a separate report that specifically addresses the allegations of reprisal.

With regard to Mr. Summers, the allegation was that Ms. White's subordinates told Mr. Summers of Ms. White's alleged misconduct and that he failed to take appropriate action. We also discuss that allegation in this report.

If substantiated, these allegations could violate the standards summarized throughout this report. We present the applicable standards in full in Appendix A.¹

Scope and Methodology of the Investigation

During our investigation, we interviewed Ms. White, Mr. Summers, and 10 witnesses. The witnesses included Mr. Michael L. Rhodes, Director of Administration, Office of the Chief Management Officer (OCMO), Office of the Secretary of Defense, and personnel from the DoD Public Affairs office. We reviewed DoD ethics presentations, personnel records, official and unofficial correspondence, and applicable ethical standards. We also reviewed the e-mails of Ms. White, Mr. Summers, and other DoD Public Affairs personnel related to these allegations.

On February 6, 2019, we provided Ms. White our Tentative Conclusions Letter (TCL) containing our preliminary conclusions for her review and comment. On March 22, 2019, Ms. White's attorney sent us a response to our preliminary conclusions, on her behalf.

¹ The complaint also contained additional matters related to Ms. White's alleged misuse of subordinates' time. Based on our review, we determined that these matters did not warrant investigation. We discuss these matters in Appendix B.

We carefully considered the response and re-examined the evidence, but did not change our conclusions. We include relevant summaries of her comments throughout this report.

DOD OIG CONCLUSIONS

We substantiated the allegation that Ms. White misused subordinates' time to conduct personal services for her and that in doing so, she accepted gifts from her subordinates.

We did not substantiate the allegation that Ms. White failed to treat subordinates with respect.

We did not substantiate the allegation that Mr. Summers failed to take appropriate action regarding Ms. White's alleged misuse of subordinates.

We summarize our conclusions in this Introduction and Summary, then provide the facts and analysis underlying these conclusions in Section III.²

Conclusion on Ms. White's Misuse of Subordinates for Personal Services and Acceptance of Gifts from Subordinates

We substantiated the allegation that Ms. White misused her subordinates' time for personal services. The Joint Ethics Regulation (JER), Section 2635.705b, states that an employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation.

We concluded that Ms. White directed subordinates to perform various personal services and also accepted personal services from subordinates. These actions violated the JER. We found that Ms. White engaged in an overall course of conduct that encouraged, required, or allowed her subordinates to perform numerous services for her that were personal in nature and not related to her subordinates' official duties. The services occurred both during and after official duty hours. These services included making arrangements for her personal travel, obtaining lunch and snacks for her, scheduling makeup appointments at her residence, making an ATM cash withdrawal on her behalf, ordering personal stationery for her, driving her to and from work on a snow day, and dropping off and picking up her dry cleaning.

We also concluded that while misusing her subordinates' time, Ms. White accepted gifts from her subordinates in violation of the JER. On two occasions, Ms. White allowed her subordinates to use their privately-owned vehicles to drive her to the Pentagon and another location. She also accepted pantyhose from one of her subordinates. The JER states that an employee is prohibited from directly or indirectly accepting a gift from an employee receiving less pay than themselves unless the two employees are not in a subordinate-official superior relationship, and there is a personal relationship between the two employees that would justify the gift. These conditions were not present in this case.

Ms. White told us that while she did not request it, she allowed her subordinates to perform some personal services for her and accepted items of value from them. After a subordinate eventually

² We based our conclusions on a preponderance of the evidence, consistent with our normal process in administrative investigations.

raised complaints about Ms. White's use of personal services, Ms. White reimbursed mileage costs to the two subordinates who drove her on the two occasions, and according to the subordinate who purchased the pantyhose for her, Ms. White reimbursed her for the pantyhose.

In sum, based on the evidence, we substantiated the allegations that Ms. White misused her subordinate's time for personal services and improperly accepted gifts from her subordinates.

Conclusion on Ms. White Treating Subordinates with Respect

We did not substantiate the allegation that Ms. White failed to treat subordinates with respect. The complaint alleged that Ms. White verbally yelled at or "dressed down" two of her subordinates when they did not schedule a makeup artist visit, when flowers were not delivered on time for a funeral, and when a subordinate left office telephones unattended while handling Ms. White's dry cleaning. Section 4 of the JER, "Ethical Values," states that ethics are standards by which one should act based on values. These values include accountability, fairness, caring, and respect. The JER states respect involves treating people with dignity.

We concluded that Ms. White's behavior on these occasions did not violate the JER. One of her subordinates told us that Ms. White did not yell at her. The other subordinate told us that Ms. White yelled at him on three occasions. However, he told us that Ms. White's voice while "yelling" was about a 5 or 6 on a scale of 1 to 10, and that her normal voice was about a 3 on the same scale. The subordinate said that Ms. White yelled, "It's unacceptable" at him when a flower delivery was late for a funeral.

The subordinate also told us Ms. White yelled at him when a makeup artist showed up late, and when he left the office phones unattended, she yelled "Someone needs to be in the office" and "The office needs to be manned." He told us that her demeanor was belittling and a little aggressive, and it made him feel like he was not doing a good job.

However, the subordinate also told us that Ms. White did not curse or publically berate him, and that she never told him that he "wasn't doing a good job." Other witnesses told us they never saw Ms. White yell or dress down any of her subordinates. Ms. White told us she never yelled at or dressed down her subordinates.

We concluded, based on all the evidence, that Ms. White's actions did not constitute an ethical violation of the JER, and the allegation was not substantiated.

Ms. White's Response to our Tentative Conclusions Letter

Ms. White's attorney responded to our TCL by asserting that we reached "erroneous conclusions." Her attorney wrote that "Ms. White routinely paid out-of-pocket for items that she thought would aid [the Office of Public Affairs'] mission," that "Ms. White got no personal benefit," and that Ms. White was "justified in having subordinates assist her." Ms. White's attorney also wrote:

First, any suggestion that Ms. White misused staff time or accepted gifts from her staff (in the form of time) has no basis in fact or law. . . The tasks in question were job-related. The government did not suffer any loss, and Ms. White did not realize any gain from them. The mere fact that DoD did not pay for some things,

and that Ms. White paid for them out-of-pocket, does not convert them to private tasks because they were all demonstrably to advance OPA's mission (Emphasis in original).

Ms. White's attorney also wrote:

Ms. White made good-faith efforts to comply with applicable ethical requirements. At times, Ms. White received advice that her requests for staff to perform certain functions raised ethical concerns, and she always stopped after receiving such warnings. In addition, Ms. White's conduct always complied with the ethical training she received.

Ms. White's attorney also wrote:

The fact that so many unsubstantiated claims were made against her undermines the credibility of her accusers and demonstrates that they were primarily engaged in an effort to undermine her.

Further, Ms. White's attorney wrote that our report identified "a series of *de minimis* issues for which the government suffered no loss – either pecuniary or non-pecuniary . . ." ³

We disagree with the attorney's conclusions regarding Ms. White's conduct. Ms. White directed subordinates to perform various, non *de minimis*, personal services and also accepted personal services from subordinates. We found that Ms. White engaged in an overall course of conduct that encouraged, required, or allowed her subordinates to perform numerous services for her that were not related to her subordinates' official duties. After considering the attorney's arguments, for the reasons discussed in this report, we stand by our overall conclusions that Ms. White misused her subordinates' time and accepted gifts from her subordinates - employees who received less pay than herself.

Conclusion on Mr. Summers' Alleged Failure to Take Action on Complaints from Ms. White's Subordinates

We did not substantiate the allegation that Mr. Summers knew of Ms. White's alleged misconduct and failed to take action. The JER states that each DoD employee shall report suspected violations of ethics regulations to one of eight separate entities, including an ethics counselor, an Inspector General, or the suspected violator's agency designee. The complaint alleged that Mr. Summers failed to take action after DoD Public Affairs personnel told him about Ms. White's alleged misconduct described above.

We determined that on April 11, 2018, a DoD Public Affairs employee e-mailed Ms. White to inform her that due to ethical guidelines, he could not purchase a personal train ticket for her. Ms. White then e-mailed another DoD employee, courtesy copying Mr. Summers, and requested written ethics guidance. Ms. White and Mr. Summers received the requested ethics guidance. Mr. Summers

³ Ms. White's attorney stated that we "should append [her] entire response to [our] final report" so that the "public record includes both OIG's allegations and Ms. White's complete response." Consistent with our standard practice, we summarize Ms. White's comments throughout this report, and we provided a copy of her response to the DoD as part of this report.

told us that because one of the DoD Public Affairs employees had also directly discussed the allegations with Ms. White, he considered the matter closed.

From April 30, 2018, through May 4, 2018, two DoD Public Affairs employees approached Mr. Summers and told him that Ms. White was misusing her subordinates' time to perform personal services. Mr. Summers spoke with Ms. White about misusing her subordinate's time to perform personal services for her within several days of receiving the reported allegations. Ms. White then contacted the appropriate DoD ethics counselor. Mr. Summers said that after he spoke to Ms. White, he was satisfied that she understood that her use of the subordinates was inappropriate and that it would not happen again.

We concluded that Mr. Summers' course of action in talking directly with Ms. White about misusing her subordinate's time to perform personal services for her was reasonable. Based on the evidence, we did not substantiate the allegation that Mr. Summers failed to act on subordinates' complaints.

The following sections of the report provide the detailed results of our investigation. It first provides background on Ms. White and the Office of Public Affairs. It then discusses various alleged instances of misuse of subordinates' time by Ms. White. It then discusses the allegations that Ms. White yelled at employees. The report then examines the allegation that Mr. Summers failed to take action regarding Ms. White's alleged misuse of subordinates' time. Finally, we provide our overall conclusions and recommendations.

II. BACKGROUND

Ms. White

On April 5, 2017, Ms. White was appointed to the Senior Executive Service (SES) and assumed duties as the Assistant to the Secretary of Defense for Public Affairs.

As the Assistant to the Secretary of Defense for Public Affairs, Ms. White was the principal staff advisor for public affairs to the Secretary of Defense and the Deputy Secretary of Defense.

From October 2015 until her appointment to the SES, Ms. White was the founder and chief executive officer of a leadership and strategic communications consulting firm in Washington, D.C., which specialized in developing the talents and skills of senior leaders including executives, political appointees, candidates, and elected officials. From 2012 through 2015, Ms. White served as the Director of Policy and Strategic Communications for a company based in Paris, France. From 2007 through 2011, she served as a Professional Staff Member on the U.S. Senate Armed Services Committee.

Ms. White resigned from Government service on December 31, 2018.

Mr. Summers

On November 13, 2017, Mr. Summers was appointed to the SES and assumed duties as Ms. White's Principal Deputy, responsible for the formulation of strategies on the release of information

to the public news and media, and for overseeing and coordinating the efforts of DoD Public Affairs.

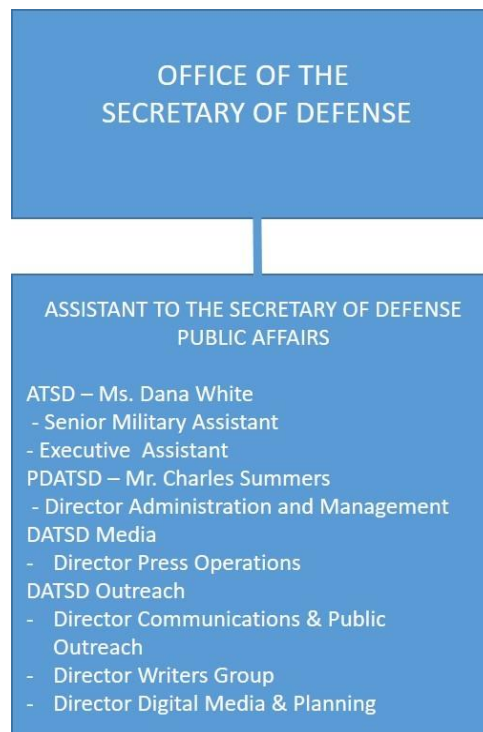
Mr. Summers assumed responsibilities as the Acting Assistant to the Secretary of Defense for Public Affairs on January 1, 2019, following Ms. White's resignation on December 31, 2018.

Mr. Summers served in various elected and appointed positions in both state and Federal Government prior to his SES appointment. Mr. Summers is also a public affairs officer in the United States Navy Reserve where he holds the rank of Captain. Mr. Summers served two tours on active duty with the United States Navy from 2009 through 2016, first as a staff officer within the Office of the Chairman of the Joint Chiefs of Staff, then as the Director of Public Affairs, Office of the Chief of the Navy Reserve.

Office of the Assistant to the Secretary of Defense for Public Affairs

The DoD Public Affairs office is composed of the Assistant to the Secretary of Defense, a Principal Deputy and two major directorates – Media and Outreach. Figure 1 depicts the DoD Public Affairs organizational structure.

Figure 1. Organizational Structure – Office of the Assistant to the Secretary of Defense for Public Affairs



Ethics Training

On June 1, 2017, and March 28, 2018, Ms. White and Mr. Summers, respectively, received one-on-one “New Political Appointee Orientation Ethics Training” presented by the Director, Standards of Conduct Office (SOCO), DoD Office of the General Counsel (DoD OGC). The SOCO Director presented the training using PowerPoint slides.

Ms. White completed her initial training within the required 90 days of her appointment to SES. Ms. White told us that she asked no questions during her ethics training.

Mr. Summers was appointed in November 2017. He completed his initial ethics training in March 2018.⁴

During Ms. White’s and Mr. Summers’ ethics training, the SOCO Director included a slide titled, “14 Principles of Ethical Conduct (5 C.F.R. 2635.101).” This slide included the following four key principles for a new political appointee.

- Do not use public office for private gain.
- Protect and conserve government property and only use it for authorized purposes.
- Disclose fraud, waste, and abuse.
- Avoid appearance of unethical conduct/violating the law or ethics regulations.

A second slide, titled “Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. 2635,” highlighted that a gift between a supervisor and subordinate is prohibited. A third slide, titled “Key Take-Away,” stated, “Leaders set the tone.”

Ms. White’s assigned senior military assistant (SMA) did not receive any specific ethics training on assuming her duties.

We interviewed the former DoD SOCO Director who provided ethics training to Ms. White and Mr. Summers. She told us that she provided ethics training in small group sessions to new political appointees using the DoD “New Political Appointee Orientation Ethics Training” PowerPoint slide presentation. The former DoD SOCO Director told us that during her training with new political appointees she discussed the use of Government resources for official purposes and that employees were considered as Government resources. She said she did not discuss specific examples, such as using subordinates to pick up dry cleaning or conduct other personal errands. She also said she discussed gifts between employees but did not go into much detail, concentrating instead on gifts from prohibited sources and the exception for “widely attended gatherings.”

⁴ The initial ethics training occurred outside of the required 90-day window due to SOCO scheduling issues.

In her TCL response, Ms. White's attorney referred to Ms. White's ethics training as "Spartan" but also acknowledged that Ms. White was told that she should use Government property only for Government purposes, and that she should not accept a gift from a subordinate. Her attorney added that:

The training did not say, or even suggest, that "private gain" would include the use of government staff to provide job-related tasks that might not be funded by DoD. It also did not say, or even suggest, that Ms. White was receiving "gifts" from staff when the staff performed tasks for Ms. White for which Ms. White received no pecuniary benefit.

Ms. White's attorney also stated:

Without proper training, it is reasonable for a political appointee, new to government service, not to understand what was meant by the improper use of government resources. Thus, without proper training, Ms. White was put in a situation that she had to rely on career government officials to provide specific guidance on such matters that are uniquely prohibited in government service but not in the private sector. She did her best to comply with that training.

We disagree. First, in considering Ms. White's TCL response concerning ethics, we noted that a slide in her ethics training included a statement that: "The Government ethics rules can get complicated and are not always intuitive; consult your ethics counselor with questions before acting."

Ms. White's attorney wrote that it was "incumbent for her staff and those in management" to advise Ms. White of "all applicable rules and regulations" and identified one of her subordinates, a DoD Public Affairs Manager (Manager), as having failed to provide her "the needed guidance." This is not correct. It is the fundamental personal responsibility of all DoD managers, including Ms. White, to ensure that they understand and comply with ethics requirements applicable to all Government employees. If Ms. White had any questions, she could have, and should have, sought appropriate guidance, including advice from an ethics counselor.

Ms. White's attorney also referred to Ms. White as "new to government service" without proper ethics training and asserted that it was reasonable for her "not to understand what was meant by the improper use of government resources." Again, we disagree. As noted above, it is Ms. White's responsibility, particularly as a high-level DoD official, to understand her ethical obligations, and to seek advice from an ethics counselor if she does not. Moreover, this was not Ms. White's first Government position. According to Ms. White's public LinkedIn profile, she previously served in DoD from March 2004 to February 2006 as DoD's Taiwan Country Director, responsible for managing U.S.-Taiwan defense relations. She also previously served in several positions in the legislative branch.

Ms. White's Key Staff Members' Duties and Responsibilities

Senior Military Assistant

Ms. White's Senior Military Assistant (SMA) told us that her duties included advising Ms. White, managing Ms. White's calendar, and traveling with Ms. White to Capitol Hill and other locations. This was the SMA's first assignment in this role. The SMA's position description (PD) states:

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Serves as the Senior Military Assistant to the Assistant Secretary of Defense for Public Affairs. Advises him/her on major problems requiring policy determinations. Relieves him/her of numerous important and detailed aspects of his/her responsibilities. Receives, reviews, evaluates, studies, and makes recommendations on various documents and correspondence referred to the ATSD(PA) staff as required or directed by the ATSD(PA). Elicits information from the Service Public Affairs Directors and other Military Assistants and adds his/her observations.

We reviewed the Secretary of Defense Executive Secretary's guidance for the use of military assistants detailed in the "Military Assistant and Executive Office Handbook," dated May 2011. Although not considered a binding standard or directive, the handbook provides guidance on matters unique to general officers and senior executives. It states:

Be particularly careful about [the] use of Executive, Military, and Personal Assistants, including personal and confidential assistants ("Schedule C" employees), schedulers, secretaries, protocol officers, personal security officers, drivers, and others assigned to a Principal's personal staff.

Assistants are assigned to enable Principals to perform their official functions more effectively. An Assistant may perform duties on behalf of a Principal that the Principal would otherwise be required to perform in the execution of his or her official duties. As a general rule, Assistants may not plan or coordinate unofficial personal events, or, perform unofficial personal tasks, even if doing so would give the Principal more time to focus on official business.

The handbook provides examples of impermissible personal services, including:

- Providing local transportation for Principal in assistant's personal vehicle;
- Preparing Principal's income taxes;
- Running personal errands for the Principal at their permanent duty station;
- Picking up dry cleaning;
- Bringing lunch from a commercial establishment to the office; and,
- Doing personal shopping for Principal.

Executive Assistant

Ms. White's Executive Assistant (EA) told us his duties and responsibilities related to Ms. White included scheduling meetings, coordinating with offices within and outside of DoD, and coordinating her official travel. The EA's position description states:

The EA uses the Defense Travel System to make travel arrangements for the executive, prepares itineraries and will work closely with commands, installations or civilian communities to be visited by the executive. The responsibility to coordinate travel does not include non-official or personal travel arrangements.

III. THE ALLEGATIONS

Chronology of Significant Events

Table 1 lists significant events related to this investigation.

Table 1. Chronology of Significant Events

Date	Event
Apr. 5, 2017	Ms. White assumes duties as the Assistant to the Secretary of Defense for Public Affairs.
Apr. 5 - 31 Dec. 2017	Ms. White's SMA picks up Ms. White at her residence and drives her to an official function.
June 1, 2017	Ms. White receives new political appointee ethics training.
Nov. 13, 2017	Mr. Summers assumes duties as the Principal Deputy Assistant to the Secretary of Defense for Public Affairs.
Nov. 29, 2017	The EA researches transportation options for Ms. White's personal trip to Michigan.
Jan. 3 - Apr. 11, 2018	The EA purchases train transportation for Ms. White's personal trip to New York City.
Jan. 4, 2018	The EA drives Ms. White from her residence to the Pentagon and drives her home to her residence on a snow day.
Jan. 4, 2018	A DoD Public Affairs Manager (Manager) cautions Ms. White on using her staff to drive her to and from work.
Jan. 17, 2018	The EA receives an e-mail notification with a train ticket e-voucher for Ms. White for personal travel that Ms. White did not complete.
Mar. 28, 2018	Mr. Summers receives new political appointee ethics training.
Apr. 11, 2018	The EA e-mails Ms. White, "Due to ethical guidelines, I am unable to purchase a train ticket for you."
Apr. 11, 2018	Based on the EA's April 11, 2018 e-mail, Ms. White e-mails the Manager, courtesy copies Mr. Summers, and requests "all documents regarding ethics" for her to review.
Apr. 27, 2018	The EA schedules a makeup artist to meet Ms. White at her residence in preparation for the White House Correspondent's Dinner.
Apr. 28, 2018	The makeup artist fails to show up at Ms. White's residence.
Apr. 30, 2018	The EA reports to the Manager his concerns regarding performing personal services for Ms. White.
Apr. 30, 2018	The Manager tells Mr. Summers that the EA scheduled a makeup artist for Ms. White's at her residence before the April 28, 2018, White House Correspondents' Dinner.
Apr. 30, 2018	The EA tells Mr. Summers that he is performing personal services for Ms. White.
May 1, 2018	The EA tells Mr. Summers that Ms. White directed her staff to conduct personal services.
May 1, 2018	The EA reports his concerns about conducting personal services to the Manager.
May 2, 2018	The Manager tells Mr. Summers that Ms. White continues to use her staff to conduct her personal services.
May 2, 2018	The EA tells the DoD Director of Administration Mr. Rhodes, that Ms. White's staff performs personal services for her.

April 30 - May 4, 2018	Mr. Summers tells Ms. White about the Manager's concerns of using subordinates to perform personal services.
May 2 - May 4, 2018	Mr. Rhodes talks to Ms. White about the use of her staff performing personal services.
May 4, 2018	Ms. White contacts a DoD ethics counselor about being driven to and from work.
May 8, 2018	Ms. White gives "thank you" cards to EA and SMA, with a check reimbursing them for providing rides to and from work.
May 8, 2018	Mr. Summers reads the EA a memorandum from Ms. White placing him on an involuntary 120-day detail to DoD Public Affairs Defense Press Operations.
May 11, 2018	DoD OIG receives undated memo from Ms. White referencing "Travel Reimbursement."
May 15, 2018	Mr. Summers reads the Manager a memorandum from Ms. White placing her on an involuntary 120-day detail to a position outside of DoD Public Affairs.
May 16, 2018	The DoD Hotline receives the complaint against Ms. White and Mr. Summers.
May 29, 2018	The DoD Office of Inspector General initiates this investigation.
December 31, 2018	Ms. White resigns from Government service.
February 6, 2019	The DoD OIG provides Ms. White the TCL containing preliminary conclusions for her review and comment.
March 22, 2019	Ms. White's attorney responds to the TCL.

A. MS. WHITE - USE OF SUBORDINATES' TIME AND ACCEPTANCE OF GIFTS

The DoD Hotline received a complaint on May 16, 2018, alleging that Ms. White used her subordinates, specifically her Senior Military Assistant (SMA) and her Executive Assistant (EA), as if they "were her personal assistants, responsible for seeing to her non-official needs."

The following sections describe in more detail the facts surrounding the key events related to this allegation. We divide this allegation into two categories: personal travel and personal services. We also incorporate in this section the allegation that Ms. White received gifts from her subordinates in the form of a car ride to and from work and panty hose from CVS.

Personal Travel

Table 2 lists the alleged personal travel arranged for Ms. White by subordinates.

Table 2. Alleged Personal Travel Arrangements Made by Subordinates

Date	Topic	Synopsis
Nov. 29, 2017	Travel to Michigan	The EA researches transportation options for Ms. White's personal trip to Michigan.
Jan. 3 - Apr. 11, 2018	Purchasing Train Tickets and Requesting Travel Expenses Refund	The EA purchases train tickets and later requests refunds for AMTRAK train travel from Washington, D.C., to New York City for Ms. White.

Jan. 4, 2018	Driving Ms. White to Work	The EA picks up Ms. White from her residence, drives her to the Pentagon, and returns her home during inclement weather (snow).
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Travel to Michigan

The complaint alleged that Ms. White tasked the EA to research “plane tickets and directions to [Michigan] so that [Ms. White] could visit a friend.”

The EA told us that on or about November 29, 2017, Ms. White verbally requested that he research travel options for her so she could travel to Michigan to see a friend. The EA told us he “felt uncomfortable” with the request but he thought that if he refused he “might be fired the next day.” He told us he completed the research but did not purchase any tickets for Ms. White. He said that the trip never happened, so his research “was just a giant waste of time.”

We reviewed a November 29, 2017, e-mail titled “Michigan Travel Information” that the EA sent to Ms. White. In the e-mail the EA wrote:

Ma'am, In regards to your trip to Michigan here are a few options. There are flights that go within the vicinity of your destination, which would be the [name removed] MI, Regional Airport. Unfortunately, there are not any direct flights to this airport. You would have a layover in Detroit. The other option would be to fly into Flint, Michigan and get a rental car for a 3 hour drive north, which traffic is usually not an issue in Michigan. What dates were you thinking of travelling to Michigan? I would not recommend going in the January/February time frame due to weather.

Ms. White told us that she planned to visit a friend in Michigan and asked the EA about Michigan because the EA was from Michigan. Ms. White told us that she did not remember asking the EA to research travel arrangements for her to go to Michigan.

Purchasing Train Tickets and Requesting Reimbursements for Ms. White

The complaint alleged that Ms. White, on multiple occasions, directed the EA to purchase Amtrak train tickets so Ms. White could travel to New York City, New York, for hair appointments.

The EA told us that the first time Ms. White told him to make her a personal train reservation was for a January 6, 2018, trip to New York City. The EA said that he purchased a one-way ticket for Ms. White from the Amtrak website using Ms. White’s personal credit card. The EA said, based on a conversation he had with the SMA, he understood that Ms. White was traveling to New York City for a hair appointment. The SMA told us that Ms. White did travel to New York City for hair appointments.

We reviewed an e-mail from Amtrak, addressed to the EA that was attached to the complaint. The e-mail contained an Amtrak train ticket for Ms. White for a trip to New York City. According to the train ticket, Ms. White was scheduled to depart Alexandria, Virginia, for New York City on Saturday, January 6, 2018, at 8:36 a.m. Ms. White was not courtesy copied on the e-mail. The train ticket

contained Ms. White's residential address and showed that it was purchased using Ms. White's personal credit card.

The EA told us that he informed his direct supervisor, the DoD Public Affairs Director of Administration and Management (Manager), about purchasing the train ticket. He said, "[the Manager] was there when I was [purchasing the ticket] – for the January 6th [2018] one, the very first one – and [the Manager] told me . . . I should not be doing that and it's completely unethical and that she was going to have a conversation with Ms. White about it so I wouldn't have to do it anymore."

The Manager told us she recalled the EA speaking to her about Ms. White's personal train ticket but did not remember the specific date. The Manager said that the purchase of the January 2018 train tickets prompted her to talk to Mr. Summers about the EA performing personal services for Ms. White. The Manager said Mr. Summers agreed to "talk to Ms. White," but she did not know if he did. We asked the Manager if she spoke to Ms. White about the January 2018 train tickets and she told us, "I probably did, but I couldn't tell you when."

The EA told us that he again purchased a train ticket for Ms. White in February 2018 using her personal credit card. He said that Ms. White later e-mailed him, on February 9, 2018, to inform him that he might receive an electronic voucher because she had changed her ticket. The EA told us that Ms. White asked him to obtain reimbursement for her unused travel.

We reviewed two e-mails related to this trip. The first e-mail, sent by Amtrak to the EA on February 5, 2018, detailed Ms. White's one-way train ticket for travel departing on February 9, 2018, from Washington, D.C., to New York City. In the second e-mail to the EA, dated February 9, 2018, Ms. White told the EA, "I'm changing my Amtrak ticket." In her e-mail, Ms. White did not ask the EA to obtain any reimbursements for her unused travel.

A witness on Ms. White's Key Staff told us that the EA made arrangements for Ms. White to travel to New York City for a hair appointment, and later the EA "vented" to the Key Staff witness that he was "frustrated." The Key Staff witness told us that the EA said Ms. White was "not happy" with the departure time. The Key Staff witness also told us that he was not aware of Ms. White seeking reimbursement for cancelled personal travel plans.

The Key Staff witness told us that he did not tell anyone about the EA making Ms. White's personal travel arrangements. The Key Staff witness said that when he heard about it, "he listened and didn't get involved."

The EA told us that on April 11, 2018, Ms. White again asked him to purchase a personal train ticket for her to travel New York City. He said that instead of purchasing the ticket, he informed the Manager and the SMA that he no longer "felt comfortable" purchasing Ms. White's personal train tickets. The EA said that he then collected the ethics guidelines relating to personal services and provided them to the Manager. He said the Manager took the guidelines to Mr. Summers and advised him that Ms. White could not request that her staff perform personal services for her.

The SMA said that she did not recall the EA telling her specifically about purchasing train tickets on April 11, 2018. However, she told us that she knew the EA had Ms. White's personal credit card

information and, "That's how he would purchase the New York [train tickets] with her personal credit card, as opposed to DTS [Defense Travel System], because that wasn't official travel."

The SMA told us that once, when the EA was not available, Ms. White asked her to research train ticket options so that Ms. White could travel to New York City for a hair appointment. The SMA told us that she researched travel options for Ms. White to travel to New York City and provided Ms. White the information. The SMA said she did not remember the exact date this happened and that she did not purchase the tickets because she did not have Ms. White's credit card information. The SMA told us that the EA had Ms. White's personal credit card information to use when he purchased her tickets.

We reviewed an e-mail that Ms. White sent to Mr. Summers and the Manager on April 11, 2018. In this e-mail, Ms. White wrote to the Manager:

When you come for our meeting today, I'd like for you to bring the EA and [S]MA's PDs with you? I'd also like to see all the documents regarding ethics, i.e. what's allowed, what's not allowed so that I can review those documents. Please include any EO and/or Labor handbooks. Please provide copies to [Mr. Summers] as well. I'll get smarter on this so we don't EVER have any issue.

The Manager told us that she provided the materials to Mr. Summers, but did not attend the meeting with Ms. White to discuss the purchase of the train tickets.

Ms. White told us that the Manager gave her the ethics guidance and position descriptions she requested. She also told us that after the Manager placed the documents in her in box, there was no further discussion on the matter.

The EA told us that he talked to Mr. Summers on two other occasions about arranging Ms. White's personal travel, but he did not remember the specific dates. The EA said that he last informed Mr. Summers in May 2018 but "it doesn't seem like [Mr. Summers] ever did anything about it."

Mr. Summers told us that he did not recall meeting with Ms. White and discussing the train tickets as a result of her April 11, 2018, e-mail. Mr. Summers told us he had no concerns with the EA purchasing personal train tickets for Ms. White because the Manager told him she had told Ms. White the EA could not purchase her personal train tickets. Therefore, he did not speak to Ms. White about the Manager's concerns. Mr. Summers also told us that he did not recall the EA talking to him about the train tickets. However, he understood Ms. White traveled to New York City for hair appointments. He told us:

She is someone who appears before the cameras, just like with her makeup, that, you know, like any television anchor or anyone that is before the cameras, hair and makeup is an integral part of that.

Mr. Summers told us that the Manager informed him that the EA had purchased personal train tickets for Ms. White. Mr. Summers told us that the Manager subsequently told Ms. White that the EA could not obtain her personal train tickets. Mr. Summers said the Manager did not ask him to take any

action regarding the EA purchasing Ms. White's train tickets; however, he said that on an unknown date, he confirmed with Ms. White that she and the Manager had spoken about the matter.

Mr. Summers said that he "considered the matter closed" after Ms. White confirmed that the Manager had spoken to her. He told us he did not recall if he reengaged the Manager on the matter. Mr. Summers also told us that Ms. White's travel to New York City was integral to her job and therefore he considered this official travel.

Ms. White told us that her EA did purchase one train ticket to New York City for a personal hair appointment. Ms. White said the EA used her personal credit card to purchase the train tickets and that both the SMA and EA had access to her credit card information for official use. Ms. White told us:

I was making arrangements to go to New York [City] and [my SMA] says, "Well, ma'am, I can get [the EA] to do that for you," and I was like, "Okay," I didn't think anything about it. [The EA] made the train reservation [ticket purchase].

We asked Ms. White whether she tasked the SMA to purchase train tickets for her and she told us:

I'm not aware of any personal business that I tasked [the SMA to do]. I mean, unless you're talking about train tickets or that train ticket, but I never tasked [the SMA] to take care of any personal business.

Ms. White told us that the Manager did inform her that it was inappropriate for the EA to purchase her train tickets to New York City for personal hair appointments. Ms. White told us:

I had another appointment to go to New York [City] ... and I had asked again, and then [the EA] actually told me, "Ma'am, I can't make the train arrangements for you," and I said, "Oh, why," and he said, "[The Manager] heard that and she says that's not appropriate." I said, "I've got it," and then I had sent an e-mail to [the Manager] and I said, "Please let me know all of the criteria so that I don't do this," and she [the Manager] sent me the guidance, and that was it.

Ms. White told us that prior to the Manager telling her that it was inappropriate to have the EA purchase her personal train tickets, she considered this to be part of the EA's official duties. Ms. White told us:

I see scheduling me, whatever that looks like . . . getting my hair done, it's the only reason I go to New York [City]. I'm the Pentagon spokesperson, to me it's a scheduling thing . . . people are aware of where I am, but once [the Manager] told me -- once [the EA] told me that he had been told by [the Manager] that was inappropriate, I scheduled my own train tickets and went to New York [City].

Driving Ms. White to Work

The complaint alleged that on January 4, 2018, the EA drove his privately-owned vehicle (POV) to Ms. White's residence, picked her up, and then drove Ms. White to the Pentagon. Further, according to the complaint, the EA used his POV to return Ms. White to her residence at the end of the duty day.

According to the complaint, the driving happened on a day when the Federal Government was under a two-hour reporting delay due to inclement weather (snow).

We confirmed that on January 4, 2018, the Office of Personnel Management (OPM) announced a "2-hour delayed arrival with [the] option for unscheduled leave or unscheduled telework" for Federal agencies in the Washington, D.C., area due to inclement weather.

That morning, Ms. White e-mailed Mr. Summers, courtesy copying her staff, and wrote, "I'd prefer we all telework. I don't drive in the snow if you are comfortable driving in, it would be great if you were in as the FO [front office for the Secretary of Defense] is in."

After receiving Ms. White's e-mail, the SMA called the EA and asked him to pick up Ms. White from her residence and drive her to work. The SMA told us:

So, it was delayed reporting. She [Ms. White] needed to be there, because the secretary [SECDEF] was there, and she probably didn't need to be there, but the secretary was there, and she felt obligated. And so . . . [the EA] and I talked about it, and he's like "well, I'll go in. I'm closer than you are." I'm like, okay. And so, I told him, I said, hey, do you mind swinging by and getting her [Ms. White], because she is not comfortable driving in snow? And he's like, "I got it." . . . he didn't complain. He didn't say, "I don't feel comfortable doing this." He just said, "Sure, I'll go get her."

The SMA told us Ms. White never tasked anyone to pick her up from her residence and drive her to the Pentagon on January 4, 2018. The SMA said that she called the EA and asked him to pick Ms. White up as there was a two-hour reporting delay due to snow. She said she asked the EA, "Hey, since you're going in, do you mind swinging by to get [Ms. White]?" The SMA said that the EA did not complain or make any negative comment about driving Ms. White to work. The SMA also said that Ms. White felt obligated to be at work and was uncomfortable driving in snow so the SMA asked the EA to drive Ms. White because he was going to the Pentagon.

The SMA told us that when the Manager learned that the EA had driven Ms. White to work, the Manager said the EA should not be performing personal services for Ms. White. The SMA said she then explained to the Manager that she [the SMA] had asked the EA to pick up Ms. White. The SMA said she told the Manager, "We're [the SMA and EA] just trying to be good people and help [Ms. White] out."

The SMA also told us that on one occasion, she voluntarily picked up Ms. White from her residence and drove her to an official function they were attending together. The SMA said she did not remember the specific function or the date but said this occurred during 2017. The SMA said Ms. White did not task or request the SMA to pick her up for the event. We asked the SMA why she volunteered to drive Ms. White and the SMA told us it was "just something you do for your work team."

The EA told us that he believed that when the SMA called him to pick up Ms. White, the request came from Ms. White. The EA drove Ms. White home that day, as well. Although the EA had never been to Ms. White's residence before, he knew the SMA had; therefore, when the SMA called, the EA said he felt he was required to pick up Ms. White. He told us, "It's [that day] one of the main things that sticks out that I was – felt like I was required to do if I didn't do it, then Ms. White would fire me."

The EA told us that he did not “offer” to drive Ms. White to the Pentagon and that it was his understanding that Ms. White “wanted” him to pick her up at her residence and drive her to the Pentagon. The EA said he felt he was being “voluntold” by Ms. White and that he had no choice in the matter. The EA said he did not express his concerns or feeling to anyone at that time.

The Manager told us that when she arrived at work on January 4, 2018, she was shocked to see Ms. White at work after her early morning e-mail about teleworking. The Manager said that after their morning staff meeting, she asked the EA how Ms. White had arrived at work and was told that the EA drove her to work. The Manager said she walked into Ms. White’s office, closed the door and told her, “You cannot ask your staff to drive you to and from work.” The Manager said Ms. White “acknowledged that she could not have her staff bring her to work.”

Ms. White acknowledged to us that the Manager informed her about subordinates driving her to work and told us, “The way I remember it is it wasn’t that day that she told me. I don’t know when it was but she did tell me subsequently, ‘You don’t rank staff driving you so you can’t do that.’ -- and that was it.” Additionally, Ms. White told us she was not aware that the EA talked to the Manager about his driving Ms. White to work on January 4, 2018.

We asked Ms. White about her presence in the Pentagon on the snow day. Ms. White told us, “I am not a fan of driving in the snow” and that the SMA “knew my apprehension.” Ms. White told us:

The Secretary was in that day, there is an expectation even if the government is closed -- frankly, I feel a certain obligation to be here when the Secretary is here. So I had just mentioned it and [my SMA] was like, ‘Well, ma’am, I’ll get [the EA] just to come by and pick you up,’ and that’s what happened and I didn’t think anything about it.

Ms. White told us she “did not think anything about [the EA driving her to work]” and that her EA was “from Michigan and knows how to drive in the snow.” Ms. White told us that was the only time her EA had driven her anywhere.

Ms. White told us that after the January 4 morning staff meeting, she and the Manager spoke directly about the EA driving her to work. During their conversation the Manager told Ms. White that she was “absolutely not authorized [to have her staff drive her to and from work].” Ms. White said she could not remember when this conversation took place, but it was “more than a day or two after the event.”

The EA also told us that later that day, the Manager told him of her conversation with Ms. White about the EA driving Ms. White to work. According to the EA, the Manager informed Ms. White that she should not accept rides from her subordinates. The Manager said she also told her deputy to tell the EA, “never to do that again.” The EA said he did not think Mr. Summers knew, at this time, that the Manager had spoken to Ms. White.

The Deputy Manager also told us that he and the Manager spoke to the EA about driving Ms. White to work. Additionally, the Deputy Manager informed the EA that if he performed personal services for Ms. White, he should notify him and the Manager.

The SMA told us that after the EA drove Ms. White to work, the Manager told them [the SMA and the EA], "You guys can't do that."

Mr. Summers told us that the Manager only brought this incident to his attention on or about May 2, 2018, and that the EA may have mentioned something about it to him during the same timeframe as the Manager. Mr. Summers told us he believed that the SMA had asked the EA to pick up Ms. White on the morning of January 4, 2018. Additionally, Mr. Summers told us that he learned from Ms. White that she consulted an ethics counselor about accepting rides from her subordinates and that she was writing a thank you card and a check to reimburse the EA for his mileage.

The EA told us that he met with Mr. Rhodes on May 2, 2018, and discussed with him the personal services that he and the SMA had performed over the past year for Ms. White. The EA explained to us that he felt his chain of command took no action after he reported it to them. The EA told us:

I felt like [Mr. Rhodes] was the appropriate person to go to, to talk to him about this so I discussed not only a handful of the personal services with him just so that they would be addressed, and discussed all of it with him because it's quite a bit.

In addition, the EA told us:

So [Mr. Rhodes] stated that Ms. White should not be doing the issues that I stated to him, like from the mortgage application to the child adoption to the lunches, the dry cleaning.⁵ He stated she should not be doing that at all and especially, you know, since we work directly with the media, you know, it's not going to take long for them to figure it all out, what we're doing for Ms. White. And he also stated that everything's going to be all right and patted me on the shoulder.

Mr. Rhodes told us that in May 2018, after the EA's May 2, 2018, conversation with him, he met with Ms. White and talked with her about organizational dynamics and the general topic of subordinates performing personal services. Mr. Rhodes said he did not tell Ms. White the EA had complained to him that she was tasking the EA to perform personal services. Mr. Rhodes told us he did not attribute anything to the EA because he did not want to make anything difficult for the EA. Mr. Rhodes told us:

I raised to [Ms. White] in general the topic of personal services; that she needs to be careful. You need to stay very much away from the sidelines, way in the middle, especially if you are making change or if you've got personnel issues because even if you're doing everything right, if you're anywhere near or anybody can perceive it, it's going to be problem -- it's just complicated. You need to be very careful to be in the right with everything. You need to be careful on your activities with everything, and I just brought up a couple generalities about personal services because I wanted to reinforce the point.

Mr. Rhodes told us that Ms. White responded to him saying "Oh, yeah, of course. Of course, yes. Of course, I would."

⁵ These issues are discussed in the following sections.

Ms. White told us that she did not recall talking to Mr. Rhodes about using her staff for personal services. Ms. White told us, "My conversations with Mr. Rhodes were confined to climate survey and how I could go about what were my options with respect to a climate survey."

Ms. White's "Thank You" Cards and Reimbursement Checks

Ms. White told us that after the Manager raised the issue of the EA driving her to work again in May 2018, she decided to contact a DoD SOCO ethics counselor and discuss the issue. Ms. White said that on May 4, 2018, the DoD SOCO ethics counselor advised her to reimburse both the SMA and EA for their travel expenses and to report her "violation" to the DoD OIG. She told us:

I mean, they -- they gave me options of what I could do. I said, listen, I did this. They said, you're not allowed to do that. So this is the amount of money it is. Give it -- you can give it to him and I don't -- I don't remember. I don't know who used -- I don't remember who used the term, but I'm sure that was one of the options because I would not have come up with it on my own. But in terms of I didn't know what to do about -- there was a violation, I knew there was a violation, and they advised me this is what you -- you can -- you can write him a check and then there you go. And I don't remember it coming up. Maybe. I don't know. But probably they said you can -- once you -- once you write the check and you make a record of it and then -- I don't know if they -- you can send it to the IG if you -- I don't know. But that was -- that was certainly the guidance that I -- those were the options that I had with respect to the snow day.

When asked to explain the time lapse between January 2018 and the May 2018 reimbursements to her subordinates, Ms. White said that she could not explain the delay except to say that she was "just busy."

On May 8, 2018, Ms. White presented both the SMA and EA with a thank you card and separate personal checks reimbursing them for the costs involved with driving her from her residence to the Pentagon and an official function. In the thank you card to the EA, Ms. White wrote:

Recently, you were kind enough to offer to drive me home ~~after~~ before and after working hours on your way home, understanding how timid I am about driving in the snow. I appreciate your kindness. In an effort to ensure you are not financially disadvantaged and out of abundance of caution, please accept the enclosed check for \$10.90. This amount reflects the GSA's privately owned vehicle mileage reimbursement rate for the roundtrip travel from the Pentagon to my residence that day. Thank you. Sincerely, Dana. [strikethrough in original]

The EA told us that when he received the thank you card, he never cashed the check because he considered it to be "like a slap in his face." The EA told us he did not ask for the thank you card or to be

reimbursed for his expenses. He told us Ms. White gave him the card and check "months after the fact" and on the same day that he was reassigned to a new position.⁶

The EA told us about receiving his thank you card, "I just got a thank you card, like that's awesome. She goes back into her office, though, and it was sort of like, this ain't no thank you card. It's a f--k you, you're fired card."

In a separate thank you card to the SMA, Ms. White wrote:

Recently, you were kind enough to offer to drive me to work. I appreciate your kindness. In an effort to ensure you are not financially disadvantaged and out of an abundance of caution, though, please accept the enclosed check for \$5.50. This amount reflects the GSA's privately owned vehicle mileage reimbursement rate from my residence to the Pentagon that day. Thank you very much for your kindness. Best, Dana.

The SMA told us that she received the thank you card with a personal check from Ms. White.

On May 11, 2018, a DoD Public Affairs staff member e-mailed a memorandum from Ms. White to the DoD OIG Deputy Inspector General for Administrative Investigations (DIG-AI) to inform the OIG that Ms. White had accepted rides from subordinates and that the ethics counselor had advised her to reimburse her subordinates. Attached to the e-mail was an undated memorandum in which Ms. White wrote:

Recently I accepted offers of rides from two individuals in the Office of the Assistant to the Secretary of Defense for Public Affairs. I subsequently contacted the Department of Defense Standards of Conduct Office (SOCO) for advice. That office agreed with me that, out of an abundance of caution, I should provide the attached notes and reimbursement checks.

I have asked SOCO to include information about ride-sharing and similar issues in upcoming office-wide ethics training to ensure my office understands the rules and "plays the ethical midfield."

Ms. White told us:

The way I understand it, if there's a violation, and I am of the mindset and I am in such a position that it's just better to lean forward on these sorts of things, but that was it. They said, "Write a check. You give it to [your EA], and you can report the violation," and that was it.

⁶ As discussed above, on May 8, 2018, the EA was involuntarily transferred to DoD Public Affairs Defense Press Operations. [REDACTED]

Additional Personal Services

The complaint alleged that Ms. White directed the SMA and EA to perform various personal services for her during their duty days.

Table 3 lists personal services allegedly performed for Ms. White by her subordinates.

Table 3. Alleged Personal Services Performed by Subordinates

Event	Personal Service	Synopsis
1	Lunch and Snacks	<ul style="list-style-type: none"> Obtaining lunch and snacks for Ms. White
2	Makeup Artist	<ul style="list-style-type: none"> Escorting makeup artist to Ms. White's office for Ms. White Making Automated Teller Machine (ATM) cash withdrawal for Ms. White Making White House Correspondents' Dinner makeup appointment for Ms. White
3	Medical Matters	<ul style="list-style-type: none"> Making personal medical appointments for Ms. White
4	Financial/Mortgage Paperwork	<ul style="list-style-type: none"> Obtaining financial disclosure paperwork for Ms. White Printing W2 forms for Ms. White Making adjustments to Ms. White's Thrift Savings Plan account Assisting with Ms. White's mortgage paperwork
5	Adoption Matters	<ul style="list-style-type: none"> Assisting with juvenile adoption matters
6	Other Personal Services	<ul style="list-style-type: none"> Picking up dry cleaning for Ms. White Buying Ms. White pantyhose Ordering office flowers Ordering personal flowers for funeral Purchasing Ms. White's personal exercise equipment Purchasing Ms. White's personal stationery Escorting personal guests for Ms. White

Meals - Lunch and Snacks

The complaint alleged that both the SMA and EA obtained lunch and snacks for Ms. White on a daily basis and delivered the items to her in her Pentagon office.

The EA told us he was also tasked by the SMA with picking up Ms. White's lunch, when she was out of the office at Capitol Hill or special events. The EA told us that on these occasions the SMA would task him because the SMA was usually with Ms. White and knew what she needed. The EA told us that in total, he had picked up Ms. White's lunch 30 or 40 times, which he estimated was about once or twice a week from April 2017 through May 2018.

The EA told us that starting in April 2017, Ms. White tasked him, either directly or via the SMA, to get her snacks. The EA said that "right from the beginning" Ms. White would call either him or the SMA into her office, give them cash, and have them go to a store in the Pentagon or a vending machine to get her snacks.

We reviewed an e-mail that accompanied the complaint and discussed picking up lunch for Ms. White. This e-mail, dated January 19, 2018, was from the SMA to the EA and titled, "Lunch ready when Ms. White returns." The e-mail stated: "Cucumbers and tomatoes and see if they have any type of curry dish on the buffet bar. No lamb."

The SMA told us that she directed the EA to pick up Ms. White's lunch. The SMA said she recalled asking the EA, "'Hey can you do it today? I've got to get [something] done . . .' because we were a team." The SMA told us that the EA never mentioned or told her that he "shouldn't" be picking up lunch and snacks for Ms. White.

The SMA also told us that she picked up Ms. White's lunch "about every single day" while she was purchasing her own lunch until Ms. White went on a diet and started bringing her own food to the office. She said Ms. White "always reimbursed us every single time." The SMA told us that she would ask Ms. White what she wanted for lunch and either she or the EA would go to any of the Pentagon food outlets to pick up Ms. White's lunch based on Ms. White's preferences. Additionally, the SMA told us that "every now and then," Ms. White would ask her to "run to the vending machine" and get her a snack. The SMA told us the EA also obtained snacks for Ms. White, but added "I don't think [the EA] had to do that much, frankly."

The SMA told us that after the EA drove Ms. White from her residence to work and back in January 2018, the Manager told her that she should not be performing personal services for Ms. White. The SMA told us her response to the Manager was "to just nod and copy" and not get into an argument. The SMA told us:

Why can't I get her [Ms. White] lunch every day? I'm getting lunch too. I don't [know] any execs [executive officers] that don't get lunch for their bosses. The Secretary of Defense has lunch brought to him, made for him. So I'm like why can't I get her lunch?

The SMA told us it was her opinion that "that's a role that any executive officer or military—senior military assistant does" but added, "I don't know [if that is right] because this was the first time I've ever done anything like this."

The Manager told us she saw both the EA and the SMA pick up lunch for Ms. White "several times a week" and bring it to Ms. White's office. The Manager told us the SMA and EA would either order and pick up lunch from the Navy Mess or get lunch from a variety of Pentagon food outlets. The Manager told us that once when she was in Ms. White's office, she saw Ms. White handing the SMA money and telling the SMA to pick up "cucumbers, tomatoes, and whatever."

The Manager told us she also knew Ms. White asked the SMA and EA to pick snacks like gummy bears and soft drinks from a store in the Pentagon on a "rather regular basis" but never witnessed it. The Manager told us that she would frequently see the EA and SMA in the halls of the Pentagon and they would tell her they were getting snacks for Ms. White. The Manager said that she told both the EA and SMA that "when she asks you to do that you need to tell her how much time she has on her calendar until her next meeting and she has plenty of time to walk to CVS."

The Deputy Manager told us he saw “previous administrations where the SMA or EA would run to get the boss’ lunch, or run to get the coffee, or something from [the Pentagon] CVS.” The Deputy Manager said this “was not necessarily unusual for that office or frankly other political appointees in the Pentagon but the degree in this case became more and more.” The Deputy Manager told us that he saw both the EA and the SMA go to CVS to buy food and other items for Ms. White. He said that he saw the SMA doing more personal services for Ms. White than the EA. The Deputy Manager told us that both he and the Manager told the EA not to perform personal services for Ms. White.

A Key Staff witness told us that in May 2018, he learned from the EA about the EA picking up Ms. White’s lunch. The Key Staff witness told us that he saw the EA bring Ms. White her lunch on several occasions, and he described the frequency as “too many to count.” He told us that during meetings with Ms. White, the EA would remind Ms. White that it was lunchtime and Ms. White would tell the EA, “Can you go pick me up . . . cheeses or something like that.” The witness told us that Ms. White said to the EA several times, “Hey, you know, today I’ll have chicken,” or “Today I’ll have tuna,” and the EA would go get Ms. White’s lunch and bring it back. The Key Staff witness said he never saw any exchange of money or anything like that, but it was “a routine occurrence for the EA and the SMA to bring Ms. White her lunch.”

The Key Staff witness told us that on “numerous” occasions, Ms. White would ask him, the EA, and the SMA to bring her snacks. The Key Staff witness said that Ms. White “would reach in her drawer and say, ‘Hey, get me some Mike & Ike’s at the snack machine in the hallway,’ and we would comply -- I just did it last Friday [before this interview].”

Mr. Summers told us he learned, “quite a while after the fact,” that the SMA and EA were obtaining Ms. White’s lunch and snacks. He told us he could not provide a specific date as to when he first became aware this had happened. Mr. Summers said he could not recall if the EA or SMA brought lunch or snacks into a staff meeting for Ms. White. Mr. Summers told us that he did not speak with Ms. White about the EA and SMA getting her lunch and snacks.

Ms. White told us that she never asked anyone to get her lunch or snacks. She told us that both her SMA and EA were very helpful and that while she accepted the food items, she also paid the SMA and EA for the food and snacks they would bring her. Ms. White told us the SMA would “often go get me lunch” because she was about to brief the news media and had not eaten. Ms. White told us lunch was “brought to her on the days she briefed but other than that not that frequently.”

Ms. White told us that her subordinates brought her lunch on Thursdays, the day of her scheduled press briefing, because the poor scheduling of meetings kept her from getting her own lunch. Ms. White told us that she did not know if she ever thought about whether the act of her subordinates bringing her lunch or snacks was part of their official duties.

Makeup Artists

The complaint stated that Ms. White routinely directed her EA to schedule makeup artist appointments and to escort the makeup artist into and out of the Pentagon before official Pentagon on-camera briefings. Additionally, the complaint alleged that Ms. White sent her EA to a nearby ATM to make cash withdrawals from Ms. White’s personal bank account to pay for the makeup artist’s fees. The complaint also alleged that Ms. White directed her EA to schedule a personal makeup appointment

for Saturday, April 28, 2018, at her residence, with her personal stylist in preparation for the April 2018 White House Correspondents' Dinner.

The EA told us that Ms. White chose an independent company for makeup and preferred a specific makeup artist, by name. The EA said Ms. White requested that he schedule a makeup artist for her every Thursday before the scheduled weekly Pentagon Press briefing. He told us that if a makeup artist was not there, Ms. White would be "very upset." The EA said that coordinating a makeup artist for Ms. White was not part of his official duties.

The EA told us that he was responsible for registering each makeup artist with the Pentagon Visitor Registration Center, and escorting them in and out of the Pentagon. Additionally, the EA told us he arranged for Pentagon parking access for the makeup artists who drove to the Pentagon. He said he also met and escorted makeup artists traveling to the Pentagon by Metro. The EA said that he was the primary escort for the makeup artists and the SMA served as his backup. The EA estimated each appointment took 30 to 50 percent of his time away from performing his daily official duties.

The SMA told us that the EA was primarily responsible for arranging each visiting makeup artist's access into the Pentagon. The SMA said that both she and the EA escorted the makeup artist in and out of the Pentagon before Ms. White's appearances at press briefings. The SMA told us that she was unaware of anyone using an independent makeup artist before Ms. White and that Ms. White's predecessor applied his own makeup prior to his press briefings. The EA and the Deputy Manager also told us that Ms. White's predecessor applied his own makeup before each press briefing.

Ms. White told us she never tasked her EA to schedule her makeup appointments. She said her SMA managed her schedule and that the SMA and EA worked together to arrange her makeup artist visits. Ms. White added, "So that was [the SMA who] tasked [the EA] directly."

In addition to the makeup artist appointments for Thursday press briefings, the EA told us about his preparations for a Saturday press briefing in April 2018. The EA said that Ms. White did not request a makeup artist in advance of the press briefing, and when he arrived to work that Saturday, Ms. White asked him to get her a makeup artist. The EA told us:

This was a makeup appointment that I managed to make happen on a Saturday after the Secretary of Defense went out on a Friday to talk about the Syria bombings. Ms. White followed up with a press conference on Saturday, and [the SMA] and I got there early and I don't think Ms. White realized how big of [a] news [event] this was going to be and she never thought about in advance getting a makeup artist, so when I came in, she asked me to get her a makeup artist and . . . I managed to make it happen.

The Manager also told us that Ms. White conducted an official press briefing at 9:00 a.m. on a Saturday morning in April 2018, and that the EA escorted a makeup artist that morning to do Ms. White's makeup before the press briefing.

We reviewed an April 14, 2018, e-mail from Ms. White to the EA, related to his arranging for the makeup artist on the Saturday in April, titled, "Thank you!" In the e-mail, Ms. White wrote, "I really appreciate you getting makeup in. You're a lifesaver. That move alone garnered you a 12 in my book."

Enjoy your weekend. DWW.” The EA told us that Ms. White appreciated his efforts to get the makeup artist into the Pentagon in time for the unscheduled Saturday morning press briefing.

Ms. White told us she did not tell the SMA or the EA about the April 2018 Saturday morning press briefing ahead of time and she could not tell anyone about the press briefing at the direction of the Secretary of Defense. Ms. White told us that the EA “miraculously figured out a way to bring the makeup artist in [the Pentagon] the morning of the briefing.” Ms. White told us that “it's hard to get people in the building and [the EA] did it, and I was glad for it, but I didn't ask him to do it.”

We found no DoD Public Affairs policy governing the use of private makeup artists. We contacted Mr. Summers, who told us that no such policy existed within DoD Public Affairs. Mr. Summers said he learned from Ms. White that she paid for her makeup appointments. Mr. Summers told us that he considered Ms. White's makeup appointments as part of her job.

The Deputy Manager told us that after Ms. White was appointed, he contacted the DoD OGC regarding the propriety of using Operational & Management (O&M) funds to pay for makeup services, instead of the individual assuming a personal responsibility. A senior DoD OGC attorney responded to the Deputy Manager via e-mail on August 31, 2017:

In our opinion, appropriated funds are not available for DoD's Press Secretary to obtain makeup services or purchase makeup for self-application. As you know, the Comptroller General of the United States has concluded that even hygiene products are personal expenses, and that although an agency may fund soap and hand sanitizers for public restrooms and break areas, it may not use appropriations for operating expenses to acquire hygiene items like toothpaste and soap for individuals. In our opinion, operating appropriations are similarly unavailable for cosmetics/makeup products provided for specific individuals. First, public health and safety considerations are not available as a rationale for purchasing makeup to improve the appearance of individuals. Second, it's unlikely that such products actually could be made available for common, shared use (vice for personal use/consumption) by PA staff or some broader class of DoD personnel, which means that that such use would be personal. Certainly the services of a makeup artist would fail to qualify for similar reasons. Accordingly, we recommend that the DoD Press Secretary continue to use personal funds for his or her makeup services and products, notwithstanding the commonality of makeup usage by those who appear on camera within the television industry.

The Manager told us:

When [Ms. White] first started doing her regular briefings and she wanted her makeup done professionally before the briefings, she asked if we [the DoD] could pay for it and we got a legal opinion on it and we [the DoD] could not. So, she understood that she would have to pay for the makeup [appointments] on her own.

Ms. White told us regarding her makeup appointments:

I don't know [what policies exist within OSDPA governing make-up and hair services] because it's been a long time since a woman's been in this position. So, I don't know that we have a policy with respect -- I pay for it. It's what I chose to have done. I'm on high [definition] TV and that requires certain make-up, and plus it's just I'm a woman and I'm on camera so I chose to have a make-up artist do my make-up.

The EA said Ms. White would write the makeup artist a personal check to pay for his services. The EA told us that on one occasion, Ms. White did not have cash to pay the makeup artist. He said Ms. White sent him to the ATM with her credit card to retrieve cash to pay her makeup artist.

Ms. White told us she directed her EA to make an ATM withdrawal for her "one time."
Ms. White told us:

I had forgotten my checkbook and I was running [late], and I did give [my EA] my [personal] credit card one time and he did pull [money], for [the makeup artist], because [the makeup artist] was leaving and I didn't have -- I don't think I had checks, and again, I think I was about to go out and brief. So, I think I -- I do remember giving [the EA] my credit card -- my credit card once.

Makeup Artist - April 2018 White House Correspondents' Dinner

On April 28, 2018, Ms. White attended the annual White House Correspondents' Dinner [Dinner].

The EA said that Ms. White told him she wanted a makeup artist in preparation for the Dinner. The EA told us he scheduled a makeup artist to go to Ms. White's residence prior to the Dinner. When the makeup artist failed to show up to Ms. White's residence on Saturday, April 28, Ms. White texted the SMA for the EA to call her "ASAP," so that she could find out what had happened.

The EA told us he deliberately ignored Ms. White's texts and e-mail when the makeup artist failed to show at her residence on the Saturday prior to the Dinner.

The EA told us that because the makeup artist had failed to show, he felt Ms. White was upset; however, he did not follow up with the makeup artist to find out what had happened. The EA told us:

It was not part of my official duties and I was just done doing personal services at that point. I think this event was kind of where I finally drew the line of -- and just put myself out there that I'm not going to do this -- personal --
It -- just taking the time to arrange someone and knowing that if you don't, Ms. White would be upset and having to see that text on a Saturday and, you know, just, I mean, being fearful that when you come in on that Monday, like, I'm going to be fired -- you know, because the makeup artist didn't show up.

The SMA told us the makeup artist was supposed to arrive at Ms. White's residence on Saturday afternoon prior to the Dinner later that evening. The SMA said that the EA gave Ms. White the

telephone number to contact the makeup artist. The SMA told us that when the makeup artist failed to show for the scheduled appointment, Ms. White called the SMA to find out what had happened. The SMA told us Ms. White was "livid!"

According to Ms. White, on Friday, April 27, 2018, the EA told her he had set up the makeup artist prior to her attending the White House Correspondents' Dinner. Ms. White told us:

[The EA] set up that appointment; I didn't ask him to, to do it, in the first place. He told me at the end of the day that Friday, he said, "Ma'am, this is -- this is the information," and he told me [name removed] -- "she's going to come and do your makeup." And I was like, "Oh, okay." And that was it. And he leaned forward, which [the EA] often leaned forward; [the EA] was very conscientious. He understood -- he understood my pattern of life.

Ms. White said that when the makeup artist failed to show up, she called the number the EA had provided and spoke to the makeup artist, and learned that the EA had not confirmed the appointment. Ms. White told us that after that, she contacted the SMA to have the EA call Ms. White to find out what happened. Ms. White told us, "I didn't talk to [the EA] that day [Saturday, April 28, 2018] or on Monday [April 30, 2018]."

According to the SMA, on Monday, April 30, 2018, Ms. White told her she wanted the confirmation e-mail for the makeup artist, or something to show how the EA had scheduled the makeup artist because Ms. White wanted to complain to the makeup company. However, the EA had scheduled the appointment on the phone and had no other records. The SMA told us, "and so [Ms. White] was very skeptical of if [the EA] even made that phone call, and I think that pissed him off, and that's probably when he went down to vent [to the Manager]." The SMA said he did not know what the EA discussed with the Manager that morning.

The Manager told us that on April 30, 2018, the EA and SMA informed her about Ms. White being upset and raising her voice at the SMA because the makeup artist had failed to show up at Ms. White's residence before the Dinner. The Manager told us that after she learned of this from the EA and SMA, she again raised their concerns to Mr. Summers about Ms. White's continuation of obtaining personal services from her subordinates.

The EA told us, "The Manager stated that, 'This isn't something that you should be doing for her and I'm going to address it with Mr. Summers.' She did."

The Deputy Manager told us that he had no knowledge of the weekend scheduling of the makeup artist, but he knew there was tension between the EA, SMA, and other DoD Public Affairs personnel the Monday following the event. The Deputy Manager told us that the Manager wanted him to get copies of the position descriptions for both the SMA and EA, as requested by Ms. White in an e-mail dated April 11, 2018. The witness told us it was clear to him that "Ms. White was challenging the objection to using the [EA and SMA] for that [unofficial Saturday] function."

The EA told us that on April 30, 2018, he also discussed with Mr. Summers how he believed Ms. White would berate him for the makeup artist not showing up to Ms. White's residence on the night

of the Dinner, and the EA discussed other personal services that he and the SMA were required to do for Ms. White.

According to Mr. Summers, he did not recall either the Manager or the EA speaking to him about Ms. White possibly berating the EA for the makeup artist not showing up on the night of the Dinner. However, Mr. Summers said he believed the SMA told him about the makeup artist not showing up, and also stated, "I have never seen [Ms. White] get, you know, abusive . . . and I have never seen her like that," and, "I spent a lot of time with [Ms.] White. I've never seen her berate anyone."

Ms. White said she did not specifically remember Mr. Summers speaking to her about the makeup artist failing to show up at her residence the night of the White House Correspondents' Dinner, but that Mr. Summers did talk to her about the makeup artist appointments. Ms. White told us, ". . . it could have been in that same makeup artist, you're not supposed to have a makeup – that [Mr. Summers'] saying it's a personal – in that conversation. But I don't remember specifically."

Ms. White told us that Mr. Summers informed her that it was inappropriate for her to have her EA schedule her makeup appointments. Ms. White told us:

[Mr. Summers] told me that -- about the makeup. He said, "[the Manager] has said that you can't use [the EA] to make your makeup appointments," and I said, "Okay. Got it," and then I told [the EA] not to make the appointments anymore.

Ms. White told us that she and Mr. Summers spoke in private about the appointments and while he did not tell her to take any specific actions, she decided to tell the EA, "Don't make any more makeup appointments for me."

The SMA told us that in May 2018, Ms. White told her, "do not do it [schedule makeup artists] anymore, because it's a personal thing that she [Ms. White] should have been taking care of [herself]."

Medical Matters

The complaint stated that Ms. White directed her EA to schedule medical appointments for her, pick up her prescriptions, and set up her health care insurance.

The EA told us that Ms. White was eligible for medical services at the DiLorenzo Health Clinic in the Pentagon. In an August 28, 2017, e-mail from the EA to another DoD Public Affairs employee, the EA asked if Ms. White was authorized to use the DiLorenzo Health Clinic. In response, the DoD Public Affairs employee wrote that Ms. White could be seen at the "Executive Medicine" portion of the clinic. The employee recommended that the EA contact the clinic directly to arrange any appointments or to discuss Ms. White's medical insurance.

The EA told us that Ms. White requested, in the presence of the SMA, that the EA schedule various appointments for her at the DiLorenzo clinic. He also told us that Ms. White received a prescription after one of her medical appointments and that she asked him to take it to the clinic's pharmacy for her. The EA told us he did not want to pick up the prescription when it was ready so he asked the SMA if she would pick it up, because the EA "did not feel comfortable" doing so.

The SMA told us that Ms. White asked both her and the EA to pick up her prescriptions and that according to the clinic's policies, Ms. White could authorize her staff to pick up her prescriptions.

The EA told us about Ms. White requesting that the EA schedule a medical appointment for her at the DiLorenzo clinic, but that Ms. White could not be seen at the DiLorenzo clinic for the specific type of appointment Ms. White wanted. Ms. White therefore requested that the EA find her a civilian doctor. The EA told us that to find Ms. White a civilian doctor, he had to first set up an online medical insurance account for her. The EA told us how he set up Ms. White's online medical insurance account:

Ms. White stated that she had not received her health insurance cards, so she doesn't [sic] know her health insurance number and asked if I would set up her account and [make] her a medical appointment or find a doctor for her to [make] a medical appointment . . . I received the information from [Ms. White] in order to start it . . . I did get her set up with an account online.

The EA told us that once he created Ms. White's health insurance account he "just left it alone" and he did not make Ms. White's appointment as she requested because "it made him feel terrible" to schedule Ms. White's medical appointments. The EA told us that Ms. White asking him to make her medical appointments was "completely not professional" and "terrible in general." The EA told us that establishing Ms. White's medical insurance provider account took "an hour, maybe two at the most . . . during work hours."

The EA told us that probably five months later Ms. White asked the SMA about the medical appointment and that the EA "advised the SMA just to not do anything about it." The EA told us he did not know what the SMA did about the appointment.

On June 13, 2017, Ms. White received an e-mail from her medical insurance provider that requested she complete an online registration process. According to the e-mail, Ms. White had already "completed the one time online medical account registration process." The e-mail also informed Ms. White that after activating her account, she would "then be able to log in to [the account] to access all the online tools offered to [Ms. White]." In a June 13, 2017, e-mail from the EA to Ms. White, the EA provided Ms. White with her online medical account login and password.

Ms. White told us she did not remember asking the EA to create her online medical account. After reviewing the June 13, 2017, e-mail, Ms. White told us that she did "not dispute" the e-mail but that she "certainly never asked" the EA to set up her account. Ms. White said the EA "anticipated her requirement" when he set up the online medical account; however, she said she had never logged into it.

The SMA told us that both she and the EA made "personal medical appointments" for Ms. White. The SMA told us Ms. White asked the EA about medical care at the Pentagon and wanted to know if she had to keep her civilian doctor. The SMA told us it was the EA who learned Ms. White was eligible to be seen at the DiLorenzo Clinic. The SMA said that the EA scheduled Ms. White's first medical appointment in May or June of 2017 and that the SMA took Ms. White to the appointment and to "three or four" other appointments. When we asked the SMA why she and the EA made Ms. White's medical appointments, the SMA told us, "we just did it . . . we were trying to help, and make sure that she could be seen by the executive doctor within the Pentagon."

Mr. Summers told us he was not aware of anyone scheduling Ms. White's medical appointments, picking up her prescription medications, or setting up her online medical accounts.

Ms. White told us she would tell the SMA when she needed a medical appointment at the clinic and the SMA would then have the EA schedule the appointment. Ms. White told us there was one instance where she requested that the EA schedule a specific appointment. She said the clinic did not provide the specific service so she went to an "outside" doctor a year later. Ms. White told us none of her subordinates ever told her that they felt uncomfortable making her medical appointments or that scheduling her appointments was not part of their official duties. Further, Ms. White told us she did not remember any of her subordinates picking up her prescriptions.

Financial and Mortgage Paperwork

The complaint alleged that Ms. White directed the EA and SMA to obtain her financial paperwork to prepare her Public Financial Disclosure Report (OGE Form 278), to print her Wage and Tax Statements (W-2), to make adjustments to her Thrift Savings Plan, and to assist with her mortgage paperwork.

The EA told us he had to obtain documents from Ms. White's accountant to complete the OGE Form 278. He said that he did this at Ms. White's request and that Ms. White gave him the contact information for her accountant. The EA told us he was designated a "Trusted Agent" with the responsibility to input Ms. White's information onto the OGE Form 278.⁷ The EA said that he first entered Ms. White's data into the OGE Form 278 for the time period covering April to June 2017. He said it was at this point he stopped and told Ms. White it was "way too complicated" for him to enter someone else's financial information and that he would not be working on it any more.

In a June 13, 2017, e-mail to a DoD OGC attorney regarding Ms. White's new entrant information for her OGE Form 278, the EA requested an extension for filing the form. The EA wrote:

I have inputted quite a bit of information for Ms. White, but I still need to speak with her accountant (I have spoken to the person who handles her brokerage accounts). I still need to have Ms. White speak with her accountant in order to grant me approval, but due to unforeseen meetings and events I don't think that is going to happen before the 15th. Is there any possibility you could grant us a week extension? I am very close to completing this.

In a June 16, 2017, e-mail, titled "Dana White 2016 federal and Virginia tax returns," Ms. White's certified public accountant (CPA) wrote:

Dana and [EA], I have attached copies of Dana White's 2016 federal and Virginia tax returns. The attachments are password protected using Dana's standard password. The e-file authorizations, payment vouchers, and filing instructions

⁷ It is permissible for officials to use staff, a "Trusted Agent," to assist in obtaining and entering data for OGE Form 450 or OGE Form 278 financial disclosure reports. Completion of these reports is considered part of filers' official duties, and thus is something for which their staff can provide assistance. Both the Office of Government Ethics and the Department of Defense's electronic financial disclosure systems specifically provide a mechanism for designating one or more filer assistants/designees.

are in the (Gov) file, and the taxpayer copies are in the (Clt) file. Please let me know if either of you have any questions.

In a July 24, 2017, e-mail, from the EA to Ms. White, titled "Financial Disclosure – Additional Questions," the EA wrote:

Ma'am, I sent this to your accountant to see if he could help with it, but I have not heard back. If you have time, please see if you can answer the additional questions. If not we have a meeting set up on Tuesday, August 1st w/ OGC in order to assist you with this.

The SMA told us that the EA was a trusted agent for the purposes of completing Ms. White's OGE Form 278. She said that because of Ms. White's busy schedule, the EA was frustrated with arranging, then having to cancel appointments for Ms. White with the SOCO paralegal who was to assist Ms. White in completing the OGE Form 278. The SMA told us she was not present when Ms. White and the EA discussed the OGE Form 278.

Ms. White told us that her EA completed her OGE Form 278. She said:

To some -- I'm in a position of trust with people that they know what they are [supposed to do] and what they aren't supposed to do. It was very much represented to me that this was very standard with respect to ATSDs [Assistant(s) to the Secretary of Defense] and [the EA] went in and [completed the OGE Form 278].

With regard to Ms. White's W-2 forms, the EA told us that in an April 4, 2018, e-mail from Ms. White to the EA, Ms. White requested that the EA retrieve her electronic W-2's because she had not yet received a hard copy of the documents in the mail. The EA told us that after Ms. White sent him the April 4, 2018, e-mail, he accessed Ms. White's computer, logged into her MyPay account, printed her W-2s and placed them in a folder on her desk. The EA replied to Ms. White that he placed the documents in her desktop computer folder titled "Taxes."

The SMA told us she learned from the EA that the EA had to print Ms. White's W-2s. The SMA told us she did not have access to Ms. White's W-2s or MyPay account and that only the EA had access.

The EA told us he had access to Ms. White's computer because Ms. White leaves the Common Access Card (CAC) in her computer for the EA and SMA to perform their duties of completing official paperwork on her behalf. The SMA told us she had access to Ms. White's computer so she could check encrypted e-mails and to review and electronically sign for Ms. White after her approval.

Ms. White told us that during tax season, she had "tried multiple times" to send her W-2 to her CPA but she was not successful because the document contained Personal Identifying Information (PII).⁸ She told us that after being told by the EA that she could not send such information via e-mail, she either (1) printed the documents and asked the EA to fax them to her CPA or (2) her EA helped her print the documents and he volunteered to fax them to the CPA.

⁸ Government computer systems generally do not allow for the sending of unencrypted Personal Identifying Information (PII).

The EA told us about other instances in which he accessed Ms. White's MyPay account on her behalf. The EA told us Ms. White verbally requested that he change Ms. White's Thrift Savings Plan contributions to 1 percent and Ms. White also requested the EA change her Federal tax withholding exemptions around the time she was purchasing a house.

Ms. White told us it was not true that her EA adjusted her Thrift Savings Plan contribution amount and that she was not aware that her EA had access to her Thrift Savings Plan account. Further, Ms. White said that she had not changed her contribution amounts since she initiated her account.

With regard to Ms. White's mortgage paperwork, the EA told us that he was not involved with Ms. White's mortgage paperwork, but he learned from the SMA that Ms. White had tasked the SMA with preparing her mortgage paperwork.

Both the Manager and the Deputy Manager told us they learned from the EA that the SMA may have assisted Ms. White with her mortgage paperwork, but neither one of them told Ms. White that it was not part of the SMA's duties.

The SMA told us that she thought the EA either faxed or e-mailed "mortgage stuff" for Ms. White. The SMA told us that Ms. White did not ask her to assist with her mortgage paperwork and that she did not assist Ms. White with completing her mortgage paperwork. The SMA told us, "I wouldn't know what to do with it anyway."

Mr. Summers told us that he learned, after the fact from the Manager, that on or about April 11, 2018, that one of Ms. White's subordinates had assisted her with her mortgage paperwork. Mr. Summers told us he spoke to Ms. White about this matter and he understood that it was a "one-time occurrence, and it did not happen again." He said he did not recall speaking to anyone else about this matter. Mr. Summers told us that he also understood that the Manager met with Ms. White and addressed the subjects of subordinates purchasing train tickets and filling out Ms. White's mortgage paperwork for Ms. White. Mr. Summers told us:

I believe it was understood that that wasn't correct and in conversations with Ms. White, it did come up. – [Ms. White] acknowledged that it wasn't correct, so there really wasn't any reason to go any further.

Ms. White told us that her subordinates did not assist her with completing her mortgage paperwork. She said this claim was "false" and at no time did she ever ask or tell the SMA to help her with her mortgage paperwork. Further, Ms. White said she "absolutely" did not consider this to be part of the SMA's official duties. Ms. White told us Mr. Summers did not bring up the EA or SMA assisting her with her mortgage paperwork; he only talked to her about the EA scheduling makeup appointments which she acknowledged and told the EA not to make any more makeup appointments.

Adoption Matters

The complaint alleged Ms. White directed the SMA to contact a social worker to facilitate starting required paperwork to adopt a child.

The EA told us that in July or August 2017, the SMA left the office early that day and he answered a telephone call from an adoption agency. The EA told us that he was not involved in this matter; however, after receiving the telephone call, he “put it together” that the SMA “did everything she could” to contact this adoption agency for Ms. White. Although the EA said he did not know the extent of the SMA’s involvement, he told us it “completely took away from the SMA’s day.”

The SMA told us that Ms. White asked her to look up the telephone number for an adoption agency. The SMA told us she viewed Ms. White’s request as a scheduling event. The SMA said that after she contacted the adoption agency and confirmed a date and time that Ms. White could contact it, the SMA added the appointment to Ms. White’s calendar. The SMA told us it impacted her daily duties because she “searched a little while to find the information.” The SMA told us everything got accomplished “but it was just a little extra time to do stuff.”

The Manager said the SMA told her that she had assisted Ms. White with her adoption efforts. The Manager told us that once during lunch, Ms. White told her that the SMA had contacted the adoption agency on Ms. White’s behalf. The Manager told us she did not discuss this matter with anyone else and could not recall if she told the SMA that her effort assisting with the adoption was a personal service for Ms. White.

Mr. Summers told us that he learned from the Manager that Ms. White had her subordinates assist with her adoption process. Mr. Summers told us that on or about April 11, 2018, he spoke to Ms. White about the SMA assisting with her adoption efforts as being a personal service and that he understood it was a “one-time occurrence, and it did not happen again.” He said he did not recall speaking to anyone else about this matter. Mr. Summers told us that based on the Manager’s discussion with Ms. White about using subordinates to perform personal services on or about April 11, 2018, Ms. White acknowledged that her use of subordinates for personal services was not correct and there was no reason to pursue the matter any further.

Ms. White told us she neither adopted nor applied to adopt a child. Ms. White said she “personally called” the adoption agency and left messages to “possibly inquire about adopting” a child. Ms. White told us because it was “a busy day,” she asked the SMA to call the adoption agency and leave a message on her behalf. Ms. White said she considered this an official duty for the SMA to call and leave a message on her behalf. Ms. White told us that Mr. Summers did not bring up the issue of the SMA assisting her with an adoption, and that he only talked to her about the EA scheduling makeup appointments.

Other Personal Services Performed

The complaint alleged that Ms. White directed the SMA and EA to perform other personal services for her, such as: (1) handling her dry cleaning; (2) purchasing pantyhose; (3) ordering flowers for the office; (4) ordering flowers for a funeral; (5) arranging for the purchase of personal exercise equipment; and (6) ordering personal stationery.

Dry Cleaning

The EA told us that beginning in May 2017, Ms. White requested that he drop off and pick up Ms. White’s clothing from the dry cleaners inside the Pentagon on “three to four occasions.” The EA

told us that Ms. White requested that both he and the SMA drop off and pick up Ms. White's dry cleaning. The EA said that the first time Ms. White requested he take a dress to the Pentagon dry cleaners was in May 2017. He said he could not recall the dates of the other times Ms. White asked him to go to the dry cleaners for her but told us they were "just kind of sporadic."

The EA said that Ms. White gave him cash or he used her personal credit card to pay for her dry cleaning. The EA also told us that in May 2017 Ms. White yelled at him and was visibly upset when he and the SMA missed a telephone call from the Secretary of Defense. The EA said that Ms. White had sent him to pick up her dry cleaning and that Ms. White told him, "You can't leave the office empty." The EA told us that he felt disrespected and that he did Ms. White "a favor when she should have been doing it herself."

The SMA told us that Ms. White asked her once, at the beginning of Ms. White's appointment, to take her dry cleaning to the Pentagon dry cleaners because she needed a dress for an official event held by the Secretary of Defense. The SMA said she went to the Pentagon dry cleaners and asked about getting the dress dry cleaned, but the Pentagon dry cleaners could not get the dress cleaned by the time Ms. White needed it, so Ms. White ended up finding a dry cleaners near her residence.

The SMA told us that the EA also picked up Ms. White's dry cleaning. The SMA recalled the occasion when the Secretary of Defense called to discuss a matter with Ms. White; however, no one answered because the office was unmanned. The SMA told us that the "EA might have gone to pick up Ms. White's dry cleaning," leaving the office unattended.

The Manager told us the EA picked up Ms. White's dry cleaning and recounted a time when Ms. White became upset after the office missed a telephone call from the Secretary of Defense because the office was left unattended. The Manager said the EA told her he was out of the office picking up Ms. White's dry cleaning when the call was missed. The Manager said when this situation arose, she told the EA to tell Ms. White, "No, I can't [pick up your dry cleaning]."

The Manager told us she knew that in April 2017 Ms. White asked the SMA to take a formal gown to the Pentagon dry cleaners. The Manager told us she was in the front office when the SMA came back from the dry cleaners and told her the Pentagon cleaners could not "turn it [the dress] around in a day."

The Key Staff witness told us he saw the EA return to Ms. White's office "routinely" with her dry cleaning. The Key Staff witness knew of one instance when the EA picked up Ms. White's dry cleaning for a press briefing. He told us the EA was getting Ms. White's dry cleaning "in preparation for the Thursday press briefing because Ms. White was going to do an on-camera event." The Key Staff witness told us he could not tell what the garment was or if Ms. White even wore the outfit the EA picked up.

Four other witnesses from the Public Affairs office told us they knew of at least one instance where Ms. White requested that one of her subordinates pick up her dry cleaning.

Mr. Summers told us he was not aware of Ms. White tasking her subordinates to handle her dry cleaning as he did not think Ms. White used the dry cleaners located in the Pentagon.

Ms. White told us she never asked her subordinates to handle her dry cleaning. Ms. White told us she had only been to the Pentagon dry cleaners twice since assuming her duties. Ms. White said that the second time she used the Pentagon dry cleaners she paid for same-day service and it took a week and a half before she could return to get her dry cleaning so she was "quite bitter." Ms. White denied yelling at the EA for missing office phone calls and she told us she never asked the EA to get her dry cleaning from the Pentagon dry cleaners. Ms. White added "no one picks up my dry cleaning."

Pantyhose

The EA told us that Ms. White directed the SMA to obtain pantyhose, panty liners, and other random items for Ms. White from the Pentagon CVS Pharmacy.

The SMA told us Ms. White once asked her to pick up a pair of pantyhose after the SMA told Ms. White she had a "run" in her pantyhose. The SMA said that she picked up a new pair of pantyhose for Ms. White but she did not believe the EA ever picked such items for Ms. White. The SMA said Ms. White reimbursed her for the pantyhose. The SMA told us about picking up pantyhose for Ms. White:

She asked me to. The first time that she had a run, she was -- she was late getting up to a meeting already. And I said, ma'am, you have a run. And she's like, crud, and I've got the -- I said, let me go get you a pair. So I picked up some while I was there, too.

The Manager told us that on a regular basis, Ms. White asked both the EA and the SMA to pick up pantyhose, gummy bears, and soft drinks from the CVS Pharmacy. The Manager said she spoke to both the SMA and EA and told them:

When Ms. White asks you to [perform personal services] you need to tell her how much time she has on her calendar until her next meeting and [that] she have [*sic*] plenty of time to walk to CVS [Pharmacy].

The Key Staff witness told us that the SMA talked about purchasing pantyhose for Ms. White but not as something she had a problem doing. The Key Staff witness told us that because Ms. White was on camera he considered it as something Ms. White would have asked the SMA to do for her. He told us that from a military standpoint, it was something that "raised my eyebrow a bit" but he justified it because Ms. White is a "very busy lady."

The Key Staff witness said he recalled "laughing with the SMA about getting [Ms. White] pantyhose and [said] personally, [he] thought it was inappropriate [for Ms. White] to ask." The Key staff witness told us that when the SMA told him about getting Ms. White pantyhose, the witness thought the SMA was "venting, I listened and I didn't get involved."

We asked the Key Staff witness if he talked to Ms. White about the SMA and the EA performing personal errands, such as getting pantyhose for Ms. White and those personal services being outside the SMA and EA's official duties. The Key Staff witness told us:

The wrong answer is that what prohibited me was I thought it was none of my business. In fact, that's not true. As an officer, we don't walk past things that are wrong, or things that we think are wrong, we perceive are wrong. Certainly, I -- as I said earlier, I've got an obligation to where I put my best military advice, and my failing was just limiting that to Public Affairs and our professional content, I guess. I thought long and hard about it. Even though [the SMA] and I have joked about the pantyhose thing, I thought about bringing that up to her [Ms. White]. But I didn't. And what prohibited me from doing that was professional apathy. I had an obligation to do it, I didn't. Because frankly, I've got a lot of stuff going on here managing my team. I left the front office to the front office. As long as they were doing the things I needed them to do and we were providing them the things that we needed to provide them, I -- no organization is perfect, and yeah. That's it.

Ms. White told us that on one occasion, before she attended a regularly scheduled 8:00 a.m. meeting with the Secretary of Defense, her SMA noticed she had torn her pantyhose. Because Ms. White had a pre-brief with her staff prior to the 8:00 a.m. meeting with the Secretary of Defense, subsequently the SMA obtained her a replacement pair for her so she could get to her 8:00 a.m. meeting. Ms. White told us she did not ask the SMA to get her the replacement pantyhose but accepted the pantyhose from the SMA. Ms. White told us that the SMA saw she needed pantyhose, knew Ms. White's schedule, and took it on herself to obtain a replacement pair.

Office Flowers

The EA told us that in May 2017, Ms. White verbally requested both the EA and SMA to contact the Pentagon florist shop and have flowers delivered weekly to the DoD Public Affairs office. The flower orders were eventually scheduled for every other week. The EA told us the flowers were an assortment for a table setting, just for office decoration. He told us that either he or the SMA set up the deliveries using Ms. White's personal credit card. The EA told us that ordering flowers was not within the scope of his duties and that if Ms. White wanted flowers, he felt "she should be ordering them herself."

The SMA told us that when Ms. White first assumed her duties, she wanted the office "beautified" so she started a weekly flower delivery. The SMA said that she and the EA set up the flower deliveries, which were paid for by Ms. White from her "personal money." The SMA told us that when the flowers were not delivered, Ms. White would tell her, "Hey, I'm not seeing the flowers." The SMA said she would respond to Ms. White, "I'll call or e-mail [the florist] and find out." The SMA told us there were a couple of times, usually over a holiday or a 3-day weekend, when the floral shop forgot to deliver the flowers.

The EA told us that Ms. White required him to cancel the flower deliveries in November 2017. In a November 29, 2017, e-mail between the EA and a florist, titled "Flowers for the month of December – Dana White," the EA informed the florist that "Ms. Dana White would like to cancel all of her flower orders for the month of December. Please do not hesitate to contact [the EA] if you have any questions or need any additional information."

The EA said that Ms. White requested the SMA contact the Pentagon floral shop and restart the deliveries in January 2018. In a January 31, 2018, e-mail between the SMA and a florist, titled "Ms. Dana

White flowers,” the SMA informed the florist that “We have not received Ms. White’s floral delivery for this week. Flowers were supposed to be delivered Monday. Thanks!”

The EA told us that in late January or early February 2018, Ms. White told him to contact the florist and stop the deliveries “until further notice.” The EA told us he contacted the floral shop to stop the delivery of flowers. In a March 11, 2018, e-mail, sent by Ms. White to the SMA and EA, Ms. White asked the SMA and EA to “Please confirm with [the florist that the flowers] are stopped until further notice. Last time they did not get the message. Thanks Dana.” The EA told us that with the March 11, 2018 e-mail Ms. White “got upset that [the floral shop] didn’t receive the message that [the flowers] were cancelled” and Ms. White expected the EA to reach out to the floral shop and cancel the flower order.

The SMA told us that the March 11, 2018, e-mail reflected Ms. White’s expectation that the SMA was to call the florist and confirm the flowers were cancelled because they were delivered after Ms. White wanted them cancelled. The SMA told us “I needed to call them, and just verify that they weren’t going to be sending them.” The SMA told us she did not even think about checking on the flower orders as not being part of her official duties; she “just did it.” The SMA told us it is not in her “DNA” to say “sorry ma’am, I’m not going to do that for you. This is not part of my job description.”

Mr. Summers told us he remembered seeing flowers sitting on a wooden filing cabinet and having conversations in Ms. White’s outer office about flowers; however, he said this was not something that “struck” him as being odd. Mr. Summers told us the flowers were there for aesthetic reasons and that the practice was similar to what he experienced in other offices. Mr. Summers said that because the flowers were for aesthetic reasons he did not speak with Ms. White about the flowers or that the EA and SMA ordering flowers for the office was not part of their official duties.

Ms. White told us she regularly ordered and paid for flowers from the Pentagon florist to “spruce up” the office. Ms. White said that her subordinates may have placed flower orders for her but the order was a “one [time] set up, debited to her account” and “just a reoccurring thing that I did for the office.” Ms. White said she could not recall if she tasked her subordinates to follow up on missing orders but if the flowers did not arrive, then she “probably” tasked them. Ms. White reiterated she did not remember asking her subordinates to “see what happened to [the flower orders] but it’s possible.”

Flowers for Funeral

The EA told us that Ms. White verbally told him to order flowers for the funeral of a person whom he and the SMA did not personally know. He said by the time Ms. White told him to order flowers, the funeral was over and the flowers were not delivered in time for the funeral service. The EA told us that Ms. White then yelled at him in a “belittling demeanor” -- “That’s unacceptable. They should have been delivered on time.” The EA told us he replied to Ms. White, “I’ll call 1-800-Flowers and find out what we can do.”

On February 8, 2018, 1-800-FLOWERS sent two e-mails to the EA referencing a sympathy flower arrangement ordered for a funeral in [REDACTED]. The first e-mail, sent at 4:38 a.m., read:

Dear Dana, We would like to inform you that, unfortunately, Order Number 167092XXX was not delivered on the date you requested. Florist informed us

that they were unable to make it for the [funeral] service and asking for the home address for the family instead to deliver. We understand this is a very important gift, and we are very sorry that we did not deliver on time. Please let us know how to proceed with the order.

The second e-mail, sent at 6:53 p.m., notified the EA that Ms. White's flowers had been delivered.

An Internet search for the individual listed in the e-mail revealed a [REDACTED] [REDACTED] obituary for a funeral service held on [REDACTED] that corresponded to the e-mails received by the EA.

Mr. Summers told us he was not aware that either the SMA or EA were tasked to order flowers on Ms. White's behalf for a funeral.

We showed Ms. White the February 8, 2018, e-mail and Ms. White told us she could not remember sending flowers for a funeral. She said that she had spoken to her SMA about sending flowers to a non-DoD media reporter who was recuperating from an injury. Ms. White told us she "generally never tasked" her staff for such things, but she "requested flowers be sent" to the recuperating reporter on this occasion.

Personal Exercise Equipment

The EA told us he could not remember the specific date but that the SMA confided in him that Ms. White had the SMA research information on exercise bikes.

The SMA told us that Ms. White asked her to research information for an exercise bike for her. She said Ms. White was attempting to meet the Secretary of Defense's goal on physical fitness for his staff. The SMA told us she "found the cheapest price for one" and that Ms. White took it from there. The SMA told us that after Ms. White purchased the exercise bike, "we talked about it all the time, her goals, her achievements, you know, the weight she lost and all that stuff."

Mr. Summers told us he was not aware the SMA had researched information on exercise equipment or obtained an exercise bike for Ms. White.

Ms. White told us it was "false" that the SMA had assisted her in purchasing exercise equipment. Ms. White told us she purchased one piece of exercise equipment and that she could not remember the SMA providing any assistance with the purchase. Ms. White told us the SMA had no interaction with her purchasing an exercise bike other than to ask if she had "used her [bike] today."

Personal Stationery

The EA told us that on February 2, 2018, Ms. White had him order personalized notecards for her to be shipped to her residence. He told us he placed the order online and paid for it using Ms. White's personal credit card. The EA told us that ordering the stationery was "just a normal typical scenario of not being able to do my official job while ordering personal cards" for Ms. White.

We reviewed a February 2, 2018, e-mail from a stationery company to the EA. The e-mail read:

Thank you for your order, Dana
Your [stationery company] Order Number XXXX1900
Shipping Information: [Ms. White's residence]
Billing Address: [Ms. White's residence]
[EA's office phone number]
E-mail Address: [EA's]
Order Total: \$77.95

The SMA and the Manager told us that they saw a picture of the personalized notecards. They said the stationery was personal stationery and would not have been ordered for her official duties. The Manager told us Ms. White, in her capacity as the head of the Public Affairs office, was eligible for official stationery. Mr. Summers told us he was not aware that the EA had ordered personal stationery for Ms. White.

Ms. White told us that the EA ordered the stationery for her. She said that she considered this to be a part of the EA's official duties because she used the stationery "within her official capacity" and felt it was appropriate for the EA to order it. Ms. White told us the notecards were items she used in her work and so she did not see the EA ordering the stationery for her as a personal task.

Personal Guests

The complaint alleged that the EA and SMA performed a variety of personal services for Ms. White.

As one example, allegedly the EA and the SMA escorted Ms. White's personal guests who visited her inside the Pentagon. The EA and SMA met the visitors at the Pentagon's visitor entrances and escorted them to Ms. White's office for various purposes that included lunch and coffee.

The EA told us that Ms. White's friends visited her in the Pentagon about "20 or 30 times," or an average of 2 guests per month, since Ms. White had assumed her duties. The EA told us that when Ms. White scheduled friends for lunch in the Pentagon, he was responsible for arranging their parking, making reservations at the Navy Mess, and meeting Ms. White's personal guests at the entrance to the Pentagon. The EA told us:

It takes me away from checking e-mails . . . missing something if it comes in her inbox and her being verbally upset if you do miss something by the end of the day, but you were out escorting friends around instead.

The complaint specified three occurrences of the EA having to escort Ms. White's personal guests within the Pentagon. The first occurrence was on December 3, 2017. A friend of Ms. White had sent her an e-mail apologizing for not being able to make a scheduled lunch appointment. In her reply, Ms. White expressed her disappointment, then wrote, "Let's see what [the EA] . . . can get scheduled" for a future lunch visit with the friend.

The EA told us that this guest was a representative of a media organization, that Ms. White wanted the EA to schedule lunch with this guest, and that that this visit could have been considered an official visit.

The second occurrence mentioned in the complaint was documented in a December 10, 2017, e-mail from Ms. White to the SMA and EA about her December 11, 2017, schedule. In her e-mail, Ms. White wrote:

Please reschedule my lunch. If [name removed] is coming to the [Pentagon] just for coffee with me, tell her not to. There's a high probability I will need to [reschedule] for later in the week . . . Thanks, Dana

The EA told us this guest was also with a media organization and it probably would have been an official lunch.

The complaint listed a third occurrence and attached a supporting e-mail from Ms. White to the EA dated December 13, 2017. In her e-mail, Ms. White informed the EA that one of her friends would be visiting her at the Pentagon. Ms. White wrote:

My friend [name removed] is coming for an event at the [White House] but I want to have lunch with her from 1230-ish or 1 till 2. Would you reach out to her in the AM? She has [a] car driving her around. Thank you, Dana.

The EA told us this was a personal lunch request and he could not recall if it actually happened. He told us he had to make parking arrangements and that even though the lunch got cancelled, it was an example of Ms. White wanting to have lunch with a friend. The EA told us he did not know anything about the guest and that he did not know how it related to official business.

We asked the SMA about the allegation of escorting Ms. White's personal friends in the Pentagon. The SMA told us that while it was "few and far between," she and the EA arranged for Ms. White's family and their friends to visit the Pentagon. The SMA told us they picked guests up at the Pentagon's River Entrance, arranged Pentagon tours for them, then escorted them to Ms. White's office for lunch with her and maybe to attend a press briefing.

We also asked the Deputy Manager about escorting Ms. White's personal friends, and he told us that Ms. White's family and friends did visit her at the Pentagon but visits by family members were not unique to Ms. White. The Deputy Manager said Ms. White's predecessors and their EAs also scheduled and escorted visitors into the Pentagon.

Mr. Summers told us he was aware Ms. White would have lunch with visitors, but he did not know whether they were personal friends. He said he was not aware that the EA had been required to schedule and escort Ms. White's personal lunch guests. We showed Mr. Summers an e-mail he received by courtesy copy, dated December 10th, 2017, titled "My Schedule Tomorrow." In this e-mail, Ms. White directed her EA to reschedule a lunch appointment for a personal guest. After reviewing the e-mail, Mr. Summers told us that he did not recall the e-mail or the fact that Ms. White had directed her EA to reschedule the lunch appointment. Mr. Summers told us he did not recall anyone bringing to his attention that the EA had expressed concerns about scheduling Ms. White's personal lunch guests

We showed Ms. White the three e-mails in which she asked her staff to organize her lunches with guests. Ms. White told us that in both the December 3, 2017, and December 10, 2017, occurrences, the visitors were associated with media organizations and because she is the “head of Public Affairs for the Pentagon” she considered them “official engagements.” She told us the third occurrence was indeed a lunch for a personal friend, “but the lunch never happened” and the guest never got into the Pentagon. Ms. White told us she considered scheduling lunch appointments to be part of the EA’s official duties.

Conclusions on Use of Subordinates’ Time and Acceptance of Gifts

We substantiated the allegation that Ms. White misused her subordinates’ time to conduct personal services for her. The Joint Ethics Regulation (JER), Section 2635.705b, states that an employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation.

Table 4 lists the personal services that Ms. White requested or allowed her subordinates to perform for her.

Table 4. Summary of Personal Services Performed for Ms. White

Event	Personal Services Performed
<i>Personal Travel Arrangements Made by Subordinates</i>	
Purchasing Train Tickets	Yes
Driving Ms. White to Work	Yes
<i>Personal Services Performed by Subordinates</i>	
Obtaining Lunch and Snacks	Yes
Arranging Makeup Artists (Arranging/Escorting/ATM withdrawal)	Yes
Picking up Dry Cleaning	Yes
Buying Pantyhose	Yes
Ordering Office Flowers	Yes
Ordering Personal Flowers for Funeral	Yes
Purchasing Personal Stationery	Yes
Medical Matters (Prescriptions/Online Insurance Account)	Yes
Financial and Mortgage Paperwork (W2s/TSP/Mortgage Assistance)	Yes
Researching Ms. White’s Personal Exercise Equipment	Yes
<i>Other Alleged Services (Not Substantiated)</i>	
Researching Transportation Options for Ms. White’s Personal Trip to Michigan	No
Assisting with Juvenile Adoption Matters	No
Escorting Personal Guests for Ms. White	No

We concluded that while one or very infrequent instances of use of a subordinate’s time for personal service may not have been an ethical violation, Ms. White engaged in an overall course of conduct that violated the JER when she encouraged, requested, or allowed her subordinates to perform numerous services for her that were personal in nature and not related to their official duties. The services occurred both during and after official duty hours.

The JER states that an employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation. Yet, Ms. White repeatedly tasked her subordinates to conduct clearly unofficial personal tasks including purchasing train tickets, driving her to work, obtaining lunch and snacks, arranging for makeup artists, picking up her dry cleaning, buying pantyhose, ordering office flowers, ordering flowers for the funeral of a family friend, ordering personal stationery for delivery to her personal residence, picking up medical prescriptions, setting up an online medical insurance account, obtaining and filing personal financial paperwork, and researching personal exercise equipment. Regarding the other alleged instances of personal services in Table 4, we concluded that there was insufficient evidence to establish in this case that those instances were clearly impermissible, however, we considered them as further evidence that Ms. White relied on her subordinates to perform numerous personal tasks and errands.

We also concluded that in allowing her subordinates to perform personal services for her, Ms. White also accepted gifts from them that violated the JER. On two occasions, Ms. White allowed her subordinates to use their privately-owned vehicles to drive her to the Pentagon and another location. She also accepted pantyhose from one of her subordinates. The JER states that an employee is prohibited from directly or indirectly accepting a gift from an employee receiving less pay than themselves unless the two employees are not in a subordinate-official superior relationship, and there is a personal relationship between the two employees that would justify the gift.

Ms. White repeatedly denied to us that she asked her subordinates to perform these personal services for her. However, as described above, the documentary evidence and testimony from several witnesses show that Ms. White both asked for, and accepted many personal services from her subordinates.

Ms. White also told us that she reimbursed mileage costs to the two subordinates who drove her; however, she did so many months after the event, only after the EA had complained to Mr. Rhodes about the personal services he performed for Ms. White and after an ethics counselor advised her to reimburse her subordinates.

Ms. White's Response to Our Tentative Conclusions Letter

Ms., White's attorney wrote that Ms. White's conduct "benefitted the DoD" and that Ms. White did "not personally benefit" because "everything she did was to further the mission."

In summary, her attorney asserted that Ms. White's actions were:

- all related to Ms. White's professional duties;
- made in good-faith to comply with applicable ethical requirements;
- paid for "out-of-pocket;" and
- a series of "*de minimis*" issues for which the Government suffered no loss.

Additionally, the attorney wrote that Ms. White "reasonably understood" the use of the EA's and SMA's time for these purposes to be within the scope of their job responsibilities, that she

reasonably thought these uses of her subordinates' time were job-related, and that these tasks "supported her performance" as the ATSD(PA).

In her TCL response, Ms. White's attorney also addressed specific examples of personal services highlighted in this report. We summarize each of those responses in the following paragraphs.

The attorney wrote that Ms. White viewed the use of the EA to purchase her train tickets to New York City as related to the EA's duties "because it was necessary for her staff to know her whereabouts at all times" and that getting her hair "cut and styled" in New York City was necessary as the Pentagon's spokesperson. Ms. White's attorney also wrote that Ms. White's ethics training did not "[alert] her to the fact that the use of the EA for this purpose was not job-related or violated an ethical regulation." Ms. White's attorney wrote "Ms. White reasonably relied on [her staff's] silence to assume her conduct complied with applicable [ethics] regulations."

The attorney also wrote that on January 2, 2018, the Manager "advised Ms. White she was not permitted to accept a ride from a subordinate" and that "Ms. White had not previously been told – either during training or otherwise - that accepting a subordinate's offer of a ride to work violated any ethical rule." Her attorney also wrote that in May 2018, Ms. White sought advice from SOCO and OGC about the fact that the EA had driven her to work because she wanted to "ensure the matter was closed."

Ms. White's attorney wrote that she "did sometimes piggyback" on subordinates' trips to pick up lunch or a snack, that Ms. White always paid for her own food, and that "the Government did not suffer any loss." Additionally, the attorney stated that "Ms. White reasonably thought that the conduct in question was job-related," and "she was not given any information suggesting that having [subordinates] pick up food for her was outside the scope of their job duties."

Regarding her subordinates' actions in arranging for the make-up artist, Ms. White's attorney wrote that Ms. White considered her make-up, applied professionally before conducting on-camera briefings, "particularly important for a woman on camera given the reality that the public judges women on television more harshly for their appearance than it judges men." The attorney wrote that DoD's refusal to pay for the makeup artist did not preclude Ms. White from having the service performed at her expense at the Pentagon in preparation for DoD media briefings.

Ms. White's attorney also wrote that "Ms. White's conduct was proper and appropriate for a woman in her position with her background and experience." Ms. White's attorney concluded by stating "any time taken by the EA to schedule the appointments or to escort the visitors was *de minimis* and does not warrant an adverse finding here."

Ms. White's attorney wrote that "the contradictory record [of witness statements] here undermines the credibility of all of the witnesses on this point [of dry cleaning]. The attorney also wrote that Ms. White "routinely used a dry cleaning service around the corner from her residence and that she only twice used the Pentagon cleaners."

Ms. Whites' attorney wrote that "on one occasion, the SMA saw a run in Ms. White's hose as Ms. White was on her way to attend a meeting or a briefing. To be kind, the SMA offered Ms. White a replacement pair that the SMA got when to a store on her own errands."

Ms. White's attorney wrote that "Ms. White reasonably understood the use of the EA's and SMA's time" for the purposes of calling the Pentagon florist and checking on office floral arrangements "was within the scope of their job responsibilities." Additionally, the attorney wrote that "Ms. White, at her own expense, paid for fresh flowers arrangements to be delivered."

Ms. White's attorney wrote that on one occasion, "Ms. White asked the EA to order flowers for the funeral of a "family friend." Additionally, the attorney wrote that "Ms. White paid for those flowers herself." Finally, Ms. White's attorney wrote "a single occasion where the EA spent a few minutes ordering flowers, constitutes at most a *de minimis* impact on the government."

Ms. White's attorney wrote that on one occasion "Ms. White had her EA order the stationery, but she paid for it herself," and that "Ms. White reasonably viewed the purchase of the stationery as within the scope of the EA's duties." Finally, Ms. White's attorney wrote "nothing that Ms. White received from DoD, in the form of training or written materials, contradicted that conclusion."

Conclusions Regarding Ms. White's Response to our Tentative Conclusions Letter

First, we disagree with the attorney's description of Ms. White's use of her subordinates was "a series of *de minimis* issues for which the government suffered no loss." While a single or very infrequent personal services performed for Ms. White by her subordinates might not constitute misconduct, Ms. White's subordinates performed numerous, and at times very detailed services that were personal in nature and not related to their official duties.

Second, we disagree with the attorney's assertion that Ms. White's conduct should be excused because her subordinate's actions helped Ms. White perform her professional duties. According to the Military Assistant and Executive Office Handbook, the DoD has assigned executive assistants to enable principals to perform their official functions more effectively. However, the handbook also states that assistants may not plan or coordinate unofficial personal events, or perform unofficial personal tasks, even if doing so would give the principals more time to focus on their official business or may help them overall with their work.

Ms. White, on multiple occasions, directed her subordinates to help her with personal matters. She had her EA purchase Amtrak train tickets for unofficial travel to New York City, New York for personal hair appointments. Ms. White's subordinates used Ms. White's personal credit card to purchase her train tickets. Even Ms. White recognized the personal nature of these tasks because when we asked her whether she tasked her subordinates to take care of personal business for her, she told us: "I'm not aware of any personal business that I tasked [the SMA to do]. I mean, unless you're talking about train tickets..."

Regarding Ms. White receiving rides from her subordinates to the Pentagon and an official function, the Handbook clearly lists this as an impermissible personal service. Additionally, not only did Ms. White reimburse two of her subordinates for the rides, she admitted to us that "there was a violation, I knew there was a violation."

Regarding the subordinates obtaining lunch and snacks for Ms. White, witnesses told us that both the SMA and EA obtained lunch and snacks for Ms. White on a daily basis and delivered the items to her in her Pentagon office. The Handbook states that running personal errands such as obtaining lunch from a commercial establishment for Ms. White is not permitted. Moreover, the frequency of her subordinates obtaining lunch and snacks for Ms. White was more than the “sometimes” described by Ms. White’s attorney, and clearly not an official duty.

Regarding the makeup artist, Ms. White asked whether the DoD could pay for her makeup. A DoD OGC attorney advised on August 31, 2017, that “notwithstanding the commonality of makeup usage by those who appear on camera,” she could not use appropriated funds to obtain the services of a makeup artist or purchase makeup for self-application. In spite of such advice, Ms. White routinely directed her EA to schedule makeup artist appointments, which included registering each makeup artist with the Pentagon Visitor Registration Center, obtaining authorized parking, and escorting the makeup artist into and out of the Pentagon. Adding to the detailed tasks involved in arranging the makeup artists’ appointments, Ms. White also sent her EA to a nearby ATM to make cash withdrawals from Ms. White’s personal bank account to pay for the makeup artist’s fees because Ms. White “forgot her checkbook.” While Ms. White may have believed this helped her perform her duties more effectively, this was a personal choice, and not required as part of her job, and the EA should not have been asked to regularly help her with this personal service.

Additionally, Ms. White’s requests for scheduled make-up artist appointments also extended beyond her subordinate’s normal duty hours. Ms. White directed her EA to schedule a personal makeup appointment for Saturday, April 28, 2018, at her residence in preparation for the April 2018 White House Correspondents’ Dinner, a function for which a DoD OGC attorney determined Ms. White could attend in her *personal* capacity.

Despite the attorney’s assertions to the contrary, witness testimony clearly established that Ms. White directed her subordinates to pick up or drop off her dry cleaning in the Pentagon. The Military Assistant and Executive Office Handbook specifically lists “picking up dry cleaning” as an example of impermissible personal services.

Regarding the SMA purchasing pantyhose for Ms. White “on one occasion,” we disagree with Ms. White’s attorney that “it was a one-off occurrence that should be lauded, not condemned.” Ms. White asked her subordinate to pick up a pair of pantyhose during duty hours. The subordinate also talked with another member of the office about purchasing pantyhose for Ms. White, who told us they “thought it was inappropriate [for Ms. White] to ask [the subordinate to get her new pantyhose].” The Military Assistant and Executive Office Handbook lists “personal shopping” as an impermissible personal service.

Regarding ordering office flowers, we disagree with the attorney’s assertion that this was within the scope of the EA’s and SMA’s official duties. Ms. White purchased the flowers with her own money, but directed her subordinates to arrange for weekly deliveries. When the flowers were not delivered, her subordinates had to contact the florist to find out what happened. Ms. White directed her subordinates to start and stop the weekly order several times throughout the year, and directed that the SMA to terminate the weekly order on March 11, 2018. These tasks were Ms. White’s personal choice, not required as part of her job, paid for with Ms. White’s own money, and were not part of her subordinate’s official duties.

Regarding ordering flowers for a funeral, we also disagree with the attorney's description that this was "a single occasion where the EA spent a few minutes ordering flowers" and that it had "a *de minimis* impact on the government." In fact, this was just one of numerous examples in Ms. White's overall course of conduct to direct her subordinates to conduct impermissible personal services for her benefit. This task, when combined with all the other impermissible unofficial personal tasks, greatly exceeds any notion of *de minimis* impact on Ms. White's subordinates and the Government.

With regard to ordering personal stationery, in her capacity as the head of the Public Affairs office, Ms. White was authorized official DoD stationery for her official duties. However, Ms. White directed her EA to purchase separate personal notecards, using Ms. White's personal credit card, and had the cards sent to her personal residence. This task was personal in nature and not related to either her or her subordinates' official duties.

Ms. White also demonstrated a consistent pattern of tasking her subordinates to perform other impermissible personal services beyond the scope of their duties. For example, Ms. White tasked her EA and SMA to schedule medical appointments and pick up medical prescriptions. Her EA also established Ms. White's online medical insurance account. While the Military Assistant and Executive Office Handbook states that it is permissible for assistants to schedule medical appointments for Ms. White, the additional tasks exceeded the permissible assignments, as reflected in guidance in the Handbook.

In another of example, Ms. White directed her subordinates to conduct a series of personal financial tasks. For instance, the EA was designated a "Trusted Agent" for Ms. White's OGE Form 278, accessed Ms. White's computer, logged into her MyPay account, changed her federal withholding exemptions, printed her W-2s, and helped Ms. White send the forms to her CPA. While it is permissible for subordinates to provide assistance in filling out an OGE Form 278, the other personal financial tasks are impermissible.

In yet another example of Ms. White tasking her subordinates for personal services beyond the scope of their official duties involved her purchasing an exercise bike. The SMA told us that Ms. White asked her to research information for an exercise bike and that the SMA "found the cheapest price for one." The Military Assistant and Executive Office Handbook states that it is impermissible for assistants to conduct personal shopping. The SMA researching exercise bike information for Ms. White directly supported Ms. White's personal purchase and therefore was an impermissible personal service.

We also disagree with the attorney's assertion that it was "incumbent for her staff and those in management" to advise Ms. White of "all applicable rules and regulations" and identified one of her subordinates, a DoD Public Affairs Manager, as having failed to provide her "the needed guidance." This is not correct. It is Ms. White's personal responsibility, particularly as a high-level DoD official, to understand ethical obligations applicable to all Government employees, and to seek advice from an ethics counselor if she does not.

We also disagree with the attorney's assertion that Ms. White's actions were made in good-faith to comply with applicable ethical requirements. Ms. White's ethics training included a slide with the statement that: "The Government ethics rules can get complicated and are not always intuitive; consult your ethics counselor with questions before acting." However, even after a DoD OGC attorney advised in August 2017 that she could not use appropriated funds to obtain the services of a makeup artist, Ms. White directed her EA to schedule weekly sessions with her makeup artist in the Pentagon and had

her EA arrange for parking and escort the makeup artist in and out of the Pentagon. These tasks continued until May 2018, when complaints of personal services were raised to Mr. Rhodes just before the start of this investigation.

Similarly, in the morning of January 4, 2018, after Ms. White received a ride to work from her EA, the Manager told Ms. White that same day that she could not ask her staff to drive her to and from work. However, Ms. White took no action to consult with a DoD SOCO ethics counselor until months later, after one of her subordinates raised a complaint to Mr. Rhodes on May 2, 2018, and Mr. Rhodes discussed “a couple of generalities about personal services” with Ms. White. Only after that discussion did Ms. White consult with an ethics counselor and then took action on May 8, 2018, to reimburse two of her subordinates for using their personal vehicles to drive her from her residence to her work at the Pentagon and to an official function.

The suggestion by the attorney that this was Ms. White’s first job in the Federal Government contradicts Ms. White’s public LinkedIn profile which lists her past Government jobs, including one with the DoD.

The JER states that “an employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation.” Yet, Ms. White repeatedly tasked her subordinates to conduct the personal tasks described above.

We also disagree with the attorney’s assertion that Ms. White’s conduct should be excused because she routinely paid “out-of-pocket” for items that she thought would benefit the DoD. The purpose of the tasks described above were personal and for the specific benefit of Ms. White. Also, the tasks were not related to the subordinate’s official duties. Finally, we reiterate the DoD guidance that subordinates may not perform unofficial personal tasks, even if doing so would give Ms. White more time to focus on official business.

In sum, we disagree with the attorney’s assertions and stand by our conclusions. Ms. White regularly and repeatedly directed her subordinates to perform numerous personal services and also accepted personal services from them. We found that Ms. White engaged in an overall course of conduct that encouraged, required, or allowed her subordinates to perform a variety of services that were personal in nature and not related to her subordinates’ official duties. Additionally, Ms. White accepted gifts from her subordinates. Such conduct violates the JER.

B. MS. WHITE – TREATING SUBORDINATES WITH RESPECT

The complaint also alleged that Ms. White verbally yelled at or “dressed down” both the SMA and EA on three occasions, discussed above: (1) when office telephones were left unattended while the EA picked up Ms. White’s dry cleaning; (2) when the SMA or EA failed to schedule a makeup artist prior to an on-camera briefing; and (3) when flowers for a funeral were not delivered on time.

With regard to the office telephones issue, the EA told us that in May 2017, on one particularly busy day when the Pentagon dry cleaners was almost closed for the day, Ms. White verbally told him to pick up her dry cleaning from the Pentagon dry cleaners. When he returned to the office, Ms. White yelled at him because the Secretary of Defense’s office called for her and no one was there to answer

the telephone. The subordinate told us Ms. White yelled at him for leaving the office phones unattended. The EA told us Ms. White yelled at him, "someone needs to be in the office" and "the office needs to be manned."

With regard to the makeup artists, the EA also told us that Ms. White routinely directed him to schedule her makeup appointments and escort the makeup artist into and out of the Pentagon before her on-camera briefings, and "if there wasn't a makeup artist [available for her], she would get very, very, upset." He told us if a makeup artist was not scheduled in advance, Ms. White would "verbally yell" at him. When asked to clarify his concerns of Ms. White yelling at him, he told us that Ms. White's voice while "yelling" was about a five or six on a scale of one to 10, and that her normal voice was about a three on the same scale.

With regard to the flower incident, the EA told us that Ms. White had requested he order flowers to be sent to a funeral. He told us that he placed the order; however, by the time she told him to order the flowers, the funeral was over and he received an e-mail from the florist that the flowers were not delivered. The EA told us that Ms. White told him that the flowers not being delivered on time was "unacceptable" and he described her demeanor as "belittling and a little aggressive." The EA said this made him "feel like [he] wasn't doing a good job."

The SMA told us that, in her position, she provided Ms. White with advice or counsel and that they had a good close working relationship. She described Ms. White as being "under so much pressure" every day. She said that even though she and Ms. White worked closely together, many times "the people you are closest to . . . take things out on [you]." The SMA added that she felt she was "very well respected" by Ms. White.

The SMA told us that Ms. White did not "cuss" or "scream" and that Ms. White "actually never yelled." She said Ms. White would give a look of disappointment. The SMA told us Ms. White was impatient and "didn't like things to move as slow as they did." The SMA told us she did not recall an occasion where Ms. White yelled at anyone for a late flower delivery.

Three other witnesses who worked in the Public Affairs office and worked closely with Ms. White told us that they never heard Ms. White yell and that they had no knowledge of Ms. White yelling at anyone. Mr. Summers told us that he never heard or witnessed Ms. White raise her voice or yell at anyone.

We asked Ms. White to respond to the allegation that she verbally yelled at or dressed down her SMA and EA. Ms. White told us that yelling at her EA relative to retrieving her dry cleaning was "not true." We also asked Ms. White to respond to the complaint that she verbally yelled at the SMA and EA for a late flower delivery to which she responded, "no." Ms. White told us she understood the term "dressed down" and had never dressed anyone down or yelled at anyone, including her EA.

Conclusions on Ms. White Treating Subordinates with Respect

We did not substantiate the allegation that Ms. White failed to treat subordinates with respect. Section 4 of the JER, "Ethical Values," states that ethics are standards by which one should act based on values. These values include accountability, fairness, caring, and respect. The JER states respect involves treating people with dignity.

We concluded that Ms. White's behavior on these occasions did not violate the JER. The EA told us that Ms. White yelled at him on three occasions. He told us that Ms. White's voice while "yelling" was about a 5 or 6 on a scale of 1 to 10, and that her normal voice was about a 3 on the same scale. The EA said that Ms. White yelled, "It's unacceptable" at him when a flower delivery was late for a funeral. The EA told us Ms. White yelled at him when a makeup artist showed up late, and when he left the office phones unattended, she yelled "Someone needs to be in the office" and "The office needs to be manned." He told us that her demeanor was belittling and a little aggressive and it made him feel like he wasn't doing a good job.

However, the EA also told us that Ms. White did not curse or publically berate him, and she never told him that he "wasn't doing a good job." Other witnesses told us they never saw Ms. White yell or dress down any of her subordinates. The SMA told us that Ms. White did not yell at her. Ms. White told us she never yelled at or dressed down her subordinates.

While we cannot be certain what happened during these three incidents, the evidence does not show that Ms. White repeatedly yelled at subordinates or treated them disrespectfully. Based on all the evidence, we did not substantiate the allegation.

C. MR. SUMMERS - ACTING ON SUBORDINATES' COMPLAINTS

The complaint alleged that Mr. Summers failed to take action after DoD Public Affairs personnel told him about Ms. White's alleged misconduct. The complaint alleged that Mr. Summers was not responsive to his complaints.

Table 5 lists significant events relating to Mr. Summers not acting on subordinates' complaints.

Table 5. Chronology of Events of Subordinates Complaining to Mr. Summers

Date	Event
Apr. 11, 2018	The EA e-mails Ms. White, "Due to ethical guidelines, I am unable to purchase a train ticket for you."
Apr. 11, 2018	Based on the EA's April 11, 2018 e-mail, Ms. White e-mails the Manager, and courtesy copies Mr. Summers, requesting "all documents regarding ethics" for her to review.
Apr. 30, 2018	The EA reports to the Manager his concerns of performing personal services for Ms. White.
Apr. 30, 2018	The Manager tells Mr. Summers that Ms. White "berated" the SMA and EA because a makeup artist arrived late at Ms. White's residence before the April 28, 2018, White House Correspondents' Dinner.
Apr. 30, 2018	The EA tells Mr. Summers that he is performing personal services for Ms. White.
April 30 - May 4, 2018	Mr. Summers tells Ms. White about the Manager's concerns of using subordinates to perform personal services.
May 4, 2018	Ms. White contacts an ethics counselor about her being driven to and from work.
May 7, 2018	Ms. White gives Thank You cards to the EA and SMA.
May 11, 2018	DoD OIG receives undated memo from Ms. White referencing "Travel Reimbursement" to subordinates.

Mr. Summers told us that prior to April 11, 2018, he did not witness, and was not told about, Ms. White's subordinates performing personal services for Ms. White. Mr. Summers told us he first became aware of Ms. White's subordinates' concerns about performing personal services on or about April 11, 2018, when the Manager brought her concerns to him about Ms. White's subordinates performing personal services.

The EA told us that on April 11, 2018, Ms. White asked him to purchase a personal train ticket for her to New York City. He said that instead of purchasing the ticket, he informed the Manager and the SMA that he no longer "felt comfortable" purchasing Ms. White's personal train tickets. The EA said that he then collected the ethics guidelines relating to personal services and provided them to the Manager. He said the Manager took the guidelines to Mr. Summers and advised him that Ms. White could not request that her staff perform personal services for her.

On April 11, 2018, the EA e-mailed Ms. White, "Due to ethical guidelines, I am unable to purchase a train ticket for you." Ms. White then e-mailed the Manager, courtesy copied Mr. Summers, and requested the Manager provide her with written ethics guidance. The Manager provided Ms. White and Mr. Summers all of the requested ethics documentation.

Mr. Summers told us the Manager first brought her concerns to him, on or about April 11, 2018, about Ms. White's subordinates performing personal services. Specifically, Mr. Summers said the Manager informed him that Ms. White's subordinates were getting train tickets, and assisting with mortgage and adoption paperwork.

Mr. Summers told us that it was his understanding the Manager had talked to Ms. White about the EA purchasing train tickets and that the Manager told Ms. White that she could not ask her subordinates to purchase her train tickets. He added that the Manager did not ask him to talk to Ms. White but rather informed him that she had talked to Ms. White. Mr. Summers told us that based on the Manager talking to Ms. White about the EA purchasing train tickets for her, he considered the matter closed. However, he added that he confirmed with Ms. White that the Manager had told Ms. White that she could not have the EA purchase train tickets for her. Mr. Summers told us he did not recall giving the Manager any advice concerning the EA purchasing train tickets for Ms. White, or telling the Manager about his conversation with Ms. White regarding subordinates purchasing her train tickets.

Mr. Summers was courtesy copied on the April 11, 2018, e-mail from Ms. White with the subject "Reply Train Tickets." In that e-mail, Ms. White requested a meeting to review position descriptions and ethics documents. Mr. Summers told us that he did not recall if the meeting took place.

Mr. Summers told us that, also on or about April 11, 2018, the Manager gave him additional examples of Ms. White's subordinates performing personal services such as completing her mortgage paperwork and assisting with her attempt to adopt a child. Mr. Summers told us it was difficult for him to believe Ms. White had her subordinates performing such very detailed tasks.

Mr. Summers told us that the Manager mentioned to him, on more than one occasion, beginning in April 2018 and continuing into May of 2018, that Ms. White's subordinates were performing personal services for her. He said it was his understanding that both the Manager and the EA had addressed these issues directly with Ms. White. Mr. Summers told us that after talking to Ms. White about the mortgage and adoption paperwork, he understood that it was a "one-time occurrence and it didn't happen again." Both Ms. White and Mr. Summers said they could not recall the date of their conversation but both put the conversation in the April or May 2018 timeframe. Ms. White and Mr. Summers recounted the substance of their conversation differently. Ms. White said she recalled her conversation with Mr. Summers focusing on not having the EA schedule her makeup appointments. Mr. Summers said he recalled talking with Ms. White about Ms. White's subordinates purchasing train tickets and filling out mortgage paperwork.

The EA told us that on April 30, 2018, he discussed his concerns about performing personal services in preparation for the April 28, 2018, White House Correspondents' Dinner with the Manager. He told us the Manager was supportive of his concerns and that she was going to address it with Mr. Summers.

The Manager told us that on April 30, 2018, after the EA informed her that he was required to perform personal services for Ms. White in preparation for the Dinner, she asked Mr. Summers if he had discussed with Ms. White the ethical guidance she provided to him on April 11, 2018. She said Mr. Summers "insisted they had had that conversation." The Manager told us she replied to Mr. Summers, "Well, she [Ms. White] apparently didn't understand because this is what happened over the weekend." The Manager told us Mr. Summers said he would speak to Ms. White again; however, the Manager did not know whether he did. The Manager told us she never spoke to Ms. White about the EA performing personal services for Ms. White in preparation for the Dinner.

The EA told us that the Manager told him she had discussed the issue with Mr. Summers and that Mr. Summers was not listening to her. The EA told us after the Manager spoke with Mr. Summers,

the EA met with Mr. Summers on April 30, 2018, to discuss his personal services concerns related to the White House Correspondents' Dinner. The EA told us he tried to get Mr. Summers to address his concerns with Ms. White, but nothing happened. The EA said Mr. Summers told him, "There was nothing he could do" and that he "shouldn't make a big deal about it" about him performing personal services for Ms. White.

Mr. Summers told us he did not recall the Manager or the EA meeting with him on April 30, 2018, to discuss the EA's personal services concerns related to the White House Correspondents' Dinner. However, Mr. Summers told us that the Manager mentioned to him, on more than one occasion, beginning in April 2018 and continuing into May of 2018, that Ms. White's subordinates were performing personal services for her.

The EA told us after his conversation with Mr. Summers on April 30, 2018, Ms. White was "very stand-offish and things were getting a little weird." The EA told us he felt that either Ms. White was going to "get rid of him" or he needed to "step up these personal services and do a better job with them." He said this prompted him to meet with Mr. Summers a second time.

The EA told us that on May 1, 2018, he again met with Mr. Summers concerning performing personal services for Ms. White and Mr. Summers told him, "it's not a big f***ing deal." The EA said he did not know if Mr. Summers ever addressed his concerns with Ms. White.

Mr. Summers told us he did not recall the EA meeting with him on May 1, 2018, to discuss the EA's concerns about conducting personal services for Ms. White. Mr. Summers told us he did not remember ever telling the EA "to get over it" and "it wasn't that big of a deal" or words to that effect during his conversation with the EA about performing personal services for Ms. White.

The SMA told us she knew the EA had conversations with Mr. Summers about having to perform personal services for Ms. White, but the SMA said she never spoke directly to Mr. Summers on the matter. The SMA told us she was not aware that the EA had talked to Mr. Summers about performing personal services for Ms. White until after the White House Correspondents' Dinner.

Ms. White told us Mr. Summers made her aware that it was inappropriate for the EA to schedule makeup appointments but that she could not remember the date of their conversation; she did remember that it was during the months of April or May 2018. Ms. White said Mr. Summers told her:

[Mr. Summers] told me that -- about the makeup. He said, "[The Manager] has said that you can't use [the EA] to make your makeup appointments," and I said, "Okay. Got it," and then I told [the EA] not to make the appointments anymore.

Ms. White told us her conversation with Mr. Summers was private and while he did not tell her to take any specific actions, she decided to tell the EA, "Don't make any more makeup appointments for me."

Mr. Summers told us that he did not recall discussing the makeup appointments with Ms. White.

Conclusions on Mr. Summers - Acting on Subordinates' Complaints

We did not substantiate the allegation that Mr. Summers failed to take action regarding Ms. White's alleged misconduct.

We found that on April 11, 2018, the EA e-mailed Ms. White to inform her that due to ethical guidelines, he could not purchase a train ticket for her. Ms. White then e-mailed another DoD employee, courtesy copied Mr. Summers, and requested written ethics guidance. Ms. White and Mr. Summers received the requested ethics guidance. Mr. Summers told us that because one of the DoD Public Affairs employees had also directly discussed the allegations with Ms. White, he considered the matter closed.

From April 30, 2018, through May 4, 2018, the Manager and the EA approached Mr. Summers and told him that Ms. White was misusing her subordinates' time to perform personal services. Mr. Summers spoke with Ms. White within several days of receiving the reported allegations. Ms. White then contacted the appropriate DoD ethics counselor. Mr. Summers said that after he spoke to Ms. White, he was satisfied that she understood that her use of the subordinates was inappropriate and that it would not happen again.

While Mr. Summers could have done more, based on all of the evidence, we did not substantiate the allegation that Mr. Summers failed to take action on subordinates' complaints.

IV. OVERALL CONCLUSIONS

Ms. White repeatedly misused her subordinates' time to conduct personal services for her and accepted gifts from her subordinates.

Ms. White did not fail to treat subordinates with respect.

Mr. Summers did not fail to act on subordinates' complaints.

V. RECOMMENDATION

Because Ms. White is no longer employed by the DoD, a personnel action regarding these substantiated allegations cannot be taken. However, we are notifying the Director of the Office of Personnel Management of the substantiated allegations so that a record of it will be contained in her personnel file.

Appendix A - Standards

A. APPLICABLE STANDARDS – ALLEGATION A – MISUSE OF SUBORDINATE

DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 30, 1993, including changes 1-7 (November 17, 2011)

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees. Chapter 2 of the JER, "Standards of Ethical Conduct," incorporates Title 5, Code of Federal Regulations (CFR), Part 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," in its entirety.

Subpart G, "Misuse of Position," Section 2635.705b, "Use of a subordinate's time"

Section 2635.705b states that an employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation. The JER provides an example: An employee of the Department of Housing and Urban Development may not ask his secretary to type his personal correspondence during duty hours. Further, directing or coercing a subordinate to perform such activities during nonduty hours constitutes an improper use of public office for private gain in violation of Section 2635.702.

Chapter 3, "Activities with Non-Federal Entities"

Paragraph 3-303, "Use of Federal Government Resources"

Paragraph 3-303 states that "Because of the potential for significant cost to the Federal Government, and the potential for abuse, DoD employees, such as secretaries, clerks, and military aides, may not be used to support the unofficial activity of another DoD employee in support of non-Federal entities, nor for any other non-Federal purposes, except as provided in subsections 3-211 and 3-300.b. of this Regulation, above."

Chapter 12, "Ethical Conduct"

Section 401, "Primary Ethical Values"

Section 401d, "Accountability," states that DoD employees are required to accept responsibility for their decisions and the resulting consequences. This includes avoiding even the appearance of impropriety because appearances affect public confidence. Accountability promotes careful, well thought-out decision-making and limits thoughtless action.

DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 23, 1993, including changes 1-7 (November 17, 2011)

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees. Chapter 2, "Standards of Ethical Conduct," incorporates Title 5, Code of Federal Regulations (CFR), Part 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," in its entirety.

Subpart A, "General Provisions," Section 2635.101, "Basic obligation of public service," states in paragraph (b) (1) that public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain; and in paragraph (b) (14) that employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Section 2635.302(b), "Gifts from employees receiving less pay," prohibits an employee from, directly or indirectly, accepting a gift from an employee receiving less pay than himself unless the two employees are not in a subordinate-official superior relationship, and there is a personal relationship between the two employees that would justify the gift.

B. APPLICABLE STANDARDS – ALLEGATION B – RESPECT

DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 30, 1993, including changes 1-7 (November 17, 2011)

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees. Chapter 2 of the JER, "Standards of Ethical Conduct," incorporates Title 5, Code of Federal Regulations (CFR), Part 2635, "Standards of Ethical Conduct for Employees of the Executive Branch," in its entirety.

Subpart A, "General Provisions," Section 2635.101, "Basic obligation of public service," states in paragraph (b)(8) that employees shall act impartially and not give preferential treatment to any private organization or individual.

Chapter 12, "Ethical Conduct:"

Section 4 of the JER, "Ethical Values," states that ethics are standards by which one should act based on values. Values are core beliefs such as duty, honor, and integrity that motivate attitudes and actions. Ethical values relate to what is right and wrong and thus take precedence over non-ethical values when making ethical decisions. DoD employees should carefully consider ethical values when making decisions as part of official duties. These values include accountability, fairness, caring, and respect.

Section 4, Paragraph 12-401, "Primary Ethical Values," elaborates on those characteristics as follows.

- Accountability includes avoiding even the appearance of impropriety because appearances affect public confidence.

- Fairness requires that individuals be treated equally and with tolerance.
- Caring demands courtesy and kindness, both to those we serve and to those we work with, to help ensure that individuals are not treated solely as a means to an end. Caring for others is the counterbalance against the temptation to pursue the mission at any cost.
- Respect involves treating people with dignity, honoring privacy and allowing self-determination. Respect is critical in a government of diverse people. Lack of respect leads to a breakdown of loyalty and honesty within a government and brings chaos to the international community.

C. APPLICABLE STANDARDS – ALLEGATION C – FAILURE TO ACT

Title 5 of the Code of Federal Regulations (CFR) Administrative Personnel Ch. XVI Office of Government Ethics (1–1–12 Edition), Subchapter B - Government Ethics, Subpart A—General Provisions

§ 2635.101 Basic obligation of public service.

(a) *Public service is a public trust.* Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) *General principles.* The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(b)(11) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

(b)(14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

DoD 5500.07-R, "Joint Ethics Regulation (JER)," August 30, 1993, including changes 1-7 (November 17, 2011)

The JER provides a single source of standards of ethical conduct and ethics guidance for DoD employees. Chapter 1 of the JER, "General Information," incorporates Executive Order 12764, "Principles of Ethical Conduct for Government Officers and Employees," April 12, 1989, as amended, in its entirety.

Section 4. General Responsibilities

1-415. Each DoD Employee shall:

c. Report suspected violations of ethics regulations in accordance with subsection 10-200 of this Regulation;

Chapter 10 Enforcement

Section 1. Enforcement of the provisions of the Joint Ethics Regulation

10-100. Penalties

a. This Chapter sets out the requirements for reporting and inquiry to ensure that ethics-related laws and regulations are properly enforced and that appropriate administrative or disciplinary action is taken.

Section 2. Reporting Procedures

10-200. Reporting Suspected Violations. With the exception of the provisions of 41 U.S.C. 2103-2107 that are addressed in subsection 10-202 of the JER, below, DoD employees who suspect that a violation of this Regulation has occurred shall report the matter to any of the following:

- a. The DoD employee's Agency Designee;
- b. The suspected violator's Agency Designee;
- c. The head of the DoD Component command or organization;
- d. Any Ethics Counselor;
- e. The DoD Component's IG;
- f. The DoD Component's criminal investigative office; or
- g. The DoD hotline or DoD Component hotline.

Appendix B – Other Matters

The complaint stated that Ms. White misused subordinates' time at other events. Based on our review of witness statements and documents, we determined that these events were part of Ms. White's official duties or were events that she did not attend, and that subordinates performed no personal services for her related to these events. We did not address these matters in the body of this report.

Table 6 lists the events we did not address in the body of this report.

Table 6. Summary of Events not Addressed in the Body of this Report

Event	Personal Services Performed
<u><i>Embassy of Japan Invitation:</i></u> Ms. White received an invitation based on her official position and it was within the scope of the EA's duties to reply to the invitation and to schedule her attendance. Ms. White did not attend the event.	No
<u><i>World Values Network Gala Invitation:</i></u> Ms. White was invited to this official event, as verified through witness interviews, but did not attend because of a conflict with her schedule. Ms. White made a video appearance instead of attending.	No
<u><i>Call to Fort Meyer Commander:</i></u> Ms. White tasked her SMA to set up a call in her official capacity as "Head of Public Affairs."	No
<u><i>Residential Wiring Work:</i></u> A SIPRnet line was installed in Ms. White's residence as an official requirement.	No
<u><i>Trip to Normandy, France:</i></u> The trip was determined to be non-official and, therefore, Ms. White decided not to attend. Also, the subordinates did not perform any personal services regarding this trip.	No
<u><i>Motor Pool Support:</i></u> Ms. White is authorized motor pool support, and the EA and SMA were both authorized to make Ms. White's motor pool arrangements.	No
<u><i>Escort to DMV in the Pentagon:</i></u> The EA told us that following the towing of Ms. White's vehicle from Fort Meyer for expired vehicle license plates, he asked if he could walk her to the Department of Motor Vehicles office in the Pentagon to renew her "tags" and he did so.	No
<u><i>Personal Travel Reimbursements:</i></u> Subordinates were not involved in obtaining reimbursements for certain cancelled personal travel for Ms. White. These reimbursements were automatically credited to Ms. White's Amtrak account without any action required by the EA.	No
<u><i>"Off the Books" Makeup Appointment Payments:</i></u> The EA told us Ms. White was paying her makeup artist "off the books." We found no evidence to support this allegation	No
<u><i>Ms. White Napping During the Duty Day:</i></u> Ms. White told us she has "rested" in her office as a result of her migraine headaches two or three times but never "napped."	No

Whistleblower Protection

U.S. DEPARTMENT OF DEFENSE

Whistleblower Protection safeguards DoD employees against retaliation for protected disclosures that expose possible waste, fraud, and abuse in government programs. For more information, please visit the Whistleblower webpage at <http://www.dodig.mil/Components/Administrative-Investigations/Whistleblower-Reprisal-Investigations/Whistleblower-Reprisal/> or contact the Whistleblower Protection Coordinator at Whistleblowerprotectioncoordinator@dodig.mil

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