



DEPARTMENT OF THE NAVY
COMMANDER
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVENUE SUITE 250
NORFOLK VA 23551-2487

5800
Ser CDA/159
6 Jul 17

From: Commander, United States Fleet Forces Command
To: (b)(7)(A) USN

Subj: REQUEST FOR INFORMATION

1. The Glenn Defense Marine Asia (GDMA) Consolidated Disposition Authority (CDA) Legal Staff has reviewed credible evidence that, while serving as (b)(7)(A)

(b)(7)(A) you:

a. Engaged in inappropriate behavior by accepting the gift of a hotel room from GDMA and/or Leonard Francis, a prohibited source, from on or about 6 August 1998 to on or about 9 August 1998, at Kota Kinabalu, Malaysia; and

b. Engaged in inappropriate behavior by accepting the gift of dinner, drinks, a golf outing, and entertainment, from GDMA and/or Leonard Francis, a prohibited source, from on or about 6 August 1998 to on or about 9 August 1998, at Kota Kinabalu, Malaysia.

2. This serves as your opportunity to provide any desired input regarding these allegations or interactions. Any comments, additional information, or necessary context for these interactions will be considered by the GDMA CDA before reaching any final conclusions about the matters listed above.

3. Please provide any response no later than 21 July 2017. Should you have any questions or need additional time, please contact (b)(6), (b)(7)(C) or

(b)(6), (b)(7)(C) [@navy.mil](mailto: @navy.mil).

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)



DEPARTMENT OF THE NAVY
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1562 MITSCHER AVENUE SUITE 250
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5800
Ser CDA/193
18 Aug 17

From: Commander, United States Fleet Forces Command
To: Chief of Naval Personnel
Naval Inspector General

Subj: ADVERSE INFORMATION ICO [REDACTED] (b)(7)(A) USN

Ref: (a) SECNAV CDA Memo dtd 30 Sep 15
(b) VCNO ltr 5800 Ser N09D/16U112936 of 29 Aug 16
(c) 5 C.F.R. § 2635
(d) DoD Instruction 1320.04

1. As the Consolidated Disposition Authority (CDA) for the Glenn Defense Marine Asia (GDMA) matter per references (a) and (b), I reviewed evidence of possible misconduct against [REDACTED] (b)(7)(A) USN, while she was serving as [REDACTED] (b)(7)(A) USS SALVOR (ARS 52), deployed in the Western Pacific in 1998. Based on a preponderance of the evidence, I substantiated three of five misconduct allegations against [REDACTED] (b)(7)(A). The substantiated misconduct allegations occurred during a port-visit in Kota Kinabalu, Malaysia, in 1998. As set forth below, I found that [REDACTED] (b)(7)(A) wrongfully accepted the improper gifts of a free hotel room, dinner, drinks, entertainment, and a golf-outing, in excess of ethical limits, from Leonard Francis and Glenn Defense Marine Asia (GDMA), a prohibited source. Notwithstanding the substantiated allegations, [REDACTED] (b)(7)(A) has had an exemplary career in the 19 years since they occurred and I find this incident is not reflective of her otherwise superior service to the nation.

2. In relation to the unsubstantiated allegations:

a. On or about 7 August 1998, Leonard Francis, a prohibited source, allegedly took [REDACTED] (b)(7)(A) on a shopping trip and purchased several items for her. [REDACTED] (b)(7)(A) denies this allegation and there is insufficient evidence that she received this gift. The preponderance of the evidence does not support a violation of reference (c).

b. On or about 9 August 1998, Leonard Francis, a prohibited source, allegedly gave [REDACTED] (b)(7)(A) [REDACTED] (b)(7)(A) denies this allegation and there is insufficient evidence that she received this gift. The preponderance of the evidence does not support a violation of reference (c).

c. Based on all the facts and circumstances known to me for these two allegations, I determined that there was insufficient evidence corroborating these allegations. Accordingly, I did not substantiate misconduct for the above allegations against [REDACTED] (b)(7)(A).

3. In relation to the substantiated allegations:

a. Between 6-9 August 1998, [REDACTED] (b)(7)(A) wrongfully accepted the improper gift of a free hotel room from Leonard Francis and GDMA. Information forwarded by the Department of Justice and the Defense Criminal Investigative Service revealed that Leonard Francis paid for hotel rooms for [REDACTED] (b)(7)(A) and other SALVOR Sailors in the [REDACTED] (b)(7)(A). [REDACTED] (b)(7)(A) I determined that none of the gift exceptions within reference (c) apply.

b. On or about 6 August 1998, [REDACTED] (b)(7)(A) wrongfully accepted the improper gift of dinner drinks and entertainment from Leonard Francis and GDMA. Information forwarded by the Department of Justice and the Defense Criminal Investigative Service revealed that Leonard Francis hosted [REDACTED] (b)(7)(A) along with several other SALVOR Sailors for dinner, drinks, and entertainment at the [REDACTED] (b)(7)(A). The preponderance of the evidence supports that Mr. Francis paid for this event. I determined that none of the gift exceptions within reference (c) apply.

c. On or about 6 August 1998, [REDACTED] (b)(7)(A) wrongfully accepted the improper gift of a golfing from Leonard Francis and GDMA. Information forwarded by the Department of Justice and Defense Criminal Investigative Service revealed that Leonard Francis coordinated a golfing for [REDACTED] (b)(7)(A) in Kota Kinabalu, Malaysia, which she accepted. The preponderance of the evidence supports that Mr. Francis paid for this event. I determined that none of the gift exceptions within reference (c) apply.

4. The substantiated findings above constitute adverse information in accordance with reference (d). While substantiated, it is important to understand the context of the events. For example, while we are now aware of the extent of Leonard Francis' criminal enterprise against the United States, there is no evidence that [REDACTED] (b)(7)(A) was aware, at the time of the event, of Leonard Francis' criminal activities. In addition, there is no evidence that [REDACTED] (b)(7)(A) took or was requested to take any action to benefit GDMA, or that she solicited gifts in any way. I determined that there are other significant mitigating factors, including:

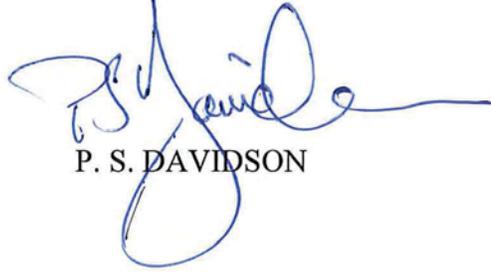
[REDACTED] (b)(7)(A)

5. I personally addressed this with [REDACTED] (b)(7)(A) through administrative action and consider this matter closed. I considered all potential and appropriate remedies consistent with the evidence and findings of fact, including restitution and reimbursement. The CDA does not have the legal authority to require reimbursement or restitution for the value of gifts received.

Subj: ADVERSE INFORMATION ICO [REDACTED] (b)(7)(A) USN

6. I do not recommend that [REDACTED] (b)(6), (b)(7)(C) be required to show cause for retention in the naval service. [REDACTED] (b)(7)(A) continues to be a significant contributor and valued leader in the Navy, therefore I recommend that she be permitted to remain in command.

7. My point of contact for this matter is [REDACTED] (b)(6), (b)(7)(C) may be reached at [REDACTED] (b)(6), (b)(7)(C) or [REDACTED] (b)(6), (b)(7)(C) @navy.mil.



P. S. DAVIDSON

Copy to:
VCNO (N09D)
CNP ([REDACTED])
NCIS ([REDACTED] (b)(6), (b)(7)(C))
DCIS ([REDACTED])