



BRIEFING TO REPRESENTATIVE LURIA

TOXICITY WITHIN THE DEFENSE ATTACHÉ SERVICE (DAS) AND THE RESULTANT THREAT TO NATIONAL SECURITY

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8 APRIL 2022

OVERVIEW

- Introduction to the DIA Toxic Cycle
- Intel Oversight and Privacy Act Violations
- Abuse of Authorities
- Failed Avenues of Recourse
- Results / Impacts
- Analysis / Recommendations

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INTRODUCTION

- The civilian leadership in the Defense Attaché Service (DAS) has inserted itself into military operational control (OPCON) lines of authority, beyond the bounds of its mandate.
- The DAS has a documented history of hostile work environment including systematic suppression of whistleblowers.
- DAS leadership supports a culture of fear, caused by the pervasive and consistent acts of reprisal against those who report fraud, waste, abuse, questionable intelligence activities, and discrimination; all with little to no oversight.
- Avenues of recourse within DIA (IG, service representatives, chain of command) have consistently failed to curb the above-listed issues.

DIA'S TOXIC CYCLE

Leaders abuse their power, act outside Article 92 authorities

Effects

- Mission degradation
- Personal/professional trauma to the individual member
- Breakdown of good order and discipline
- Loss of faith/trust in the system

→ Threat to national security

Toxic environment including reprisal, harassment, discrimination, abuse is perpetuated

Avenues of recourse, redress (IG, service reps, chain of command) fail to protect members

MARCH 2022 REPORT - WRONGDOINGS IN THE DAS

65 witnesses cited 158 allegations of wrongdoing within the Defense Intelligence Agency's (DIA) Defense Attaché Service (DAS) highlighting the need for an independent inquiry into multiple wrongdoings to include allegations of:

- Violations of Executive Order 12333
- Violations of The Privacy Act
- Violations of 10 USC 1034
- Violations of The Uniform Code of Military Justice (UCMJ)
- Abuses of Authority
- Discrimination and harassment, including sexual harassment

CURRENT DAS CLIMATE

48%

of the workforce had witnessed a hostile act

32%

of the workforce described their workplace as hostile

30%

of the workforce felt discriminated against

-- Document 56 (DAS Climate Assessment, 79 respondents)

OVERVIEW

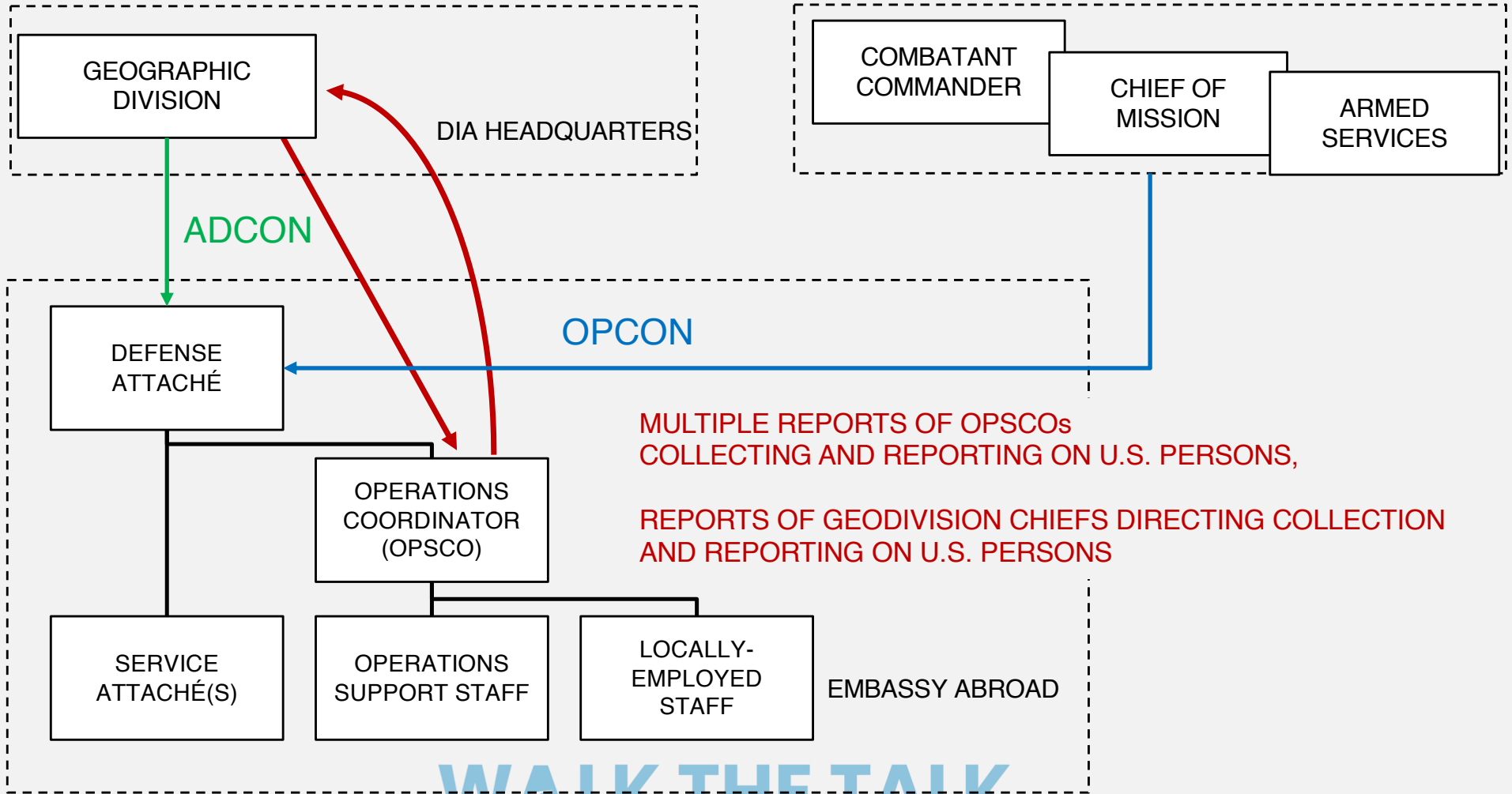
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INTEL OVERSIGHT AND PRIVACY ACT VIOLATIONS

Collecting and reporting on attachés to DIA:

- Violated E.O. 12333, part 2.3 (collection and reporting on U.S. persons) in that it did not meet the requirements of Section 2.3 (j) Information necessary for administrative purposes
- Violated Privacy Act (i)(1) for abuse of material in a system of records, and (i)(2) if a system of records was maintained willfully without the notice requirement of subsection (e)(4) publication on the Federal Register requirement 5 U.S.C. § 552a (g)(1)(C) and (D), as well as (i)(1) and (2)
- Countered good order and discipline by intentionally subverting the chain of command
- Significantly eroded trust within the DAS

INTEL OVERSIGHT AND PRIVACY ACT VIOLATIONS



INTEL OVERSIGHT AND PRIVACY ACT VIOLATIONS

“In 2020, a Geographic Division Chief directed that all OPSCOs worked for him and that they were to circumvent the chain of command and report directly to HQ.”

-- Documents 44 and 47

“As a defense attaché in a foreign country, I should not have to spend a large portion of time looking over my shoulder for someone nefarious from DIA; there are plenty of other foreign threats for me to worry about.”

-- Document 37

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ABUSE OF AUTHORITIES

- Civilians within the DAS with no command authority have inserted themselves into the military OPCON chain, assuming authorities outside their mandate
- Civilians within the DAS with no command authority have improperly inserted themselves into military performance rating chains
- Civilians within the DAS have carried out malicious and capricious punishments with impunity

ABUSE OF AUTHORITIES

“...As the [senior member of the DAS], I often sat in on senior DAS leadership meetings where leadership often expressed openly their contempt for service members who served in the DASs around the world. I saw and heard them laugh and make jokes of peoples personal and medical issues. Many times they talked about these issues without regard considerations of HIPPA [sic] or PII.”

-- Document 51

“The [DAS Geographic Division Chief] recalled the member to D.C., then made veiled threats such as “this {letter of counseling} can go back in the drawer at any time” and “I can return you to service at any time.””

-- Document 35

ABUSE OF AUTHORITIES

“Though the responsibility of review could not be delegated, caustic intermediate {DAS} managers inserted themselves into the process authoring a Fitness Report that ended my career.”

-- Document 50

“The [DAS Geographic Division Chief] recalled him to D.C. with little concern to the gravity of his mental state. After exhibiting suicidal ideations, he was kept separated from his family for months while tallying up an astronomical hotel bill.”

-- Document 45

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FAILED AVENUES OF RECOURSE

- Inspector General
 - Lack of integrity and efficiency in investigative process
 - Applies incorrect standards of proof and fails to adhere to their foundational legal authorities
- Individual Service Representatives
 - Inadequate provide protection/advocacy for service members
- Chain of command
 - Military has relinquished military OPCON to civilian cabal
 - Throughout report, scores of references to widespread reprisal, retribution for whistleblowers from chain of command

FAILED AVENUES OF RECOURSE

“I was harassed in my office and when I requested assistance in filing a report with my DAS desk officer, she explained that it likely wouldn’t go anywhere because the attaché was a ‘high producer.’”

-- Document 57

“After being sexually harassed, I filed a formal complaint. In the end, though everything was founded, MDW and DAS ultimately decided not to punish the [subject] and instead moved him.”

-- Document 59

FAILED AVENUES OF RECOURSE

“In 444 days, the IG failed to interview any witnesses and, instead of referring non-reprisal allegations to command for immediate action, forfeit over a year of time in a fruitless and lackluster investigation. In non-substantiating one of the reprisal allegations the DIA/IG even purported to be able to predict the future and used that as the basis for their findings.”

-- Document 60

“My {reprisal} case was open for over two years. The WSJ called the IG to inquire as to the status thereof and the next day it was closed, all allegations not substantiated.”

-- Document 32

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IMPACTS OF DAS DYSFUNCTION

DAS toxicity and abuses of authority endangers national security by discouraging:

- Proper and timely reporting of intelligence tailored to consumer
- Reporting of misuse and abuse of taxpayer funded resources
- Reporting of sexual assault and harassment
- Reporting of counterintelligence and threat information
- Proper following of intelligence laws, regulations, procedures and reporting of intelligence oversight issues

END RESULT

The toxic and abusive culture within DIA is a threat to national security because the civilian cabal within the DAS, and likely in other places throughout DIA, is achieving the very effects that our adversaries aim to achieve: [alienating and disenfranchising our intelligence personnel while disrupting and degrading operations.](#)

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ROOT CAUSE ANALYSIS CONCLUSIONS

The Agency is ill-equipped to self-correct when significant issues arise because avenues of redress have failed:

- **Chain of command:** Military no longer in control of the DAS
- **Inspector General:** Most witnesses expressed little to no faith in IG's ability to carrying out timely and equitable investigations
- **Individual Armed Services:** Inadequate protection of members assigned to DAS
- **Defense Attachés:** Inadequately trained for unique leadership role

WHY AN INDEPENDENT INQUIRY IS NEEDED

- Aforementioned wrongdoings reported for years with no substantive remedies
- Lack of integrity, efficiency within DIA/IG
- Lack of congruity in DIA leadership's efforts:

 (Military Leadership)	 (Civilian leadership)
Express concern	Proclaims “no toxicity in the DAS” to JMAS class
Acknowledge issues	Slanders WSJ piece as “work of disgruntled former attachés”
Explore afflictions in the organization	Counter-accuse, deny

WHY AN INDEPENDENT INQUIRY IS NEEDED

"I recently returned from a fairly sizable DIA conference. The WSJ article was raised by DAS leadership...they painted the complaints as the work of 'disgruntled former attachés'"

-- Defense Attaché, 20 March 2022

"The Director of [REDACTED] spoke at the JMAS all-call today and said "there's no toxicity in the DAS!"

-- Defense Attaché, 22 February 2022 (the business day following the publication of the WSJ article)

DIA's current messaging translated:

"All the witnesses, victims, documents, and climate assessments attesting to toxicity are lies."

ISSUES → RECOMMENDATIONS

- DAS leaders have repeatedly abused their authorities → Realign Defense Attaché Office chains of command, removing DAS civilians from all OPCON/TACON responsibilities
- Defense Attachés not adequately trained → Develop enhanced training program for Defense Attachés, improve JMAS
- Servicemembers not protected/advocated for → Bolster Senior Service Representative presence/roles in DIA
- Entrenched toxicity due to lack of turnover in DAS HQ → Increase military presence / limit assignment length
- DIA members have no faith in their IG → Initiate independent investigation into DIA/IG practices



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