

## Morter, John S CIV USSOCOM HQ

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**From:** Morter, John S CIV USSOCOM HQ  
**Sent:** Monday, May 12, 2014 2:06 PM  
**To:** Simpson, MSG Dion M  
**Subject:** RE: IG Concerns  
**Signed By:** morterj@socom.mil

MSG Simpson,

Thank you for the prompt reply and your willingness to assist me in filing a formal Inspector General Complaint in regards to my current situation.

1. On October 7th, 2013, I was informed that my TS/SCI security clearance was suspended by USSOCOM leadership. Although the DIA Central Adjudication Facility has continued to grant me unrestricted access to TS/SCI, SOCOM debriefed me, gave me a SECRET badge and assigned me outside the SCIF in the HQ Commandant's Office. My accesses to JWICS and SIPRnet were also revoked.
2. Absent due process (written notice, right to grieve, right to appeal), I was verbally informed by the USSOCOM SSO that "due to my inability to successfully complete the Counterintelligence Scope Polygraph (CSP), the Command has taken an action to limit my access as it determines the correct course of action to take". Meanwhile, I've been assigned for the past seven months to the HQ Commandant's Office in a "casual" status, waiting for something to happen.
3. Although I have not yet received anything in writing, I just learned this afternoon that SOCOM leadership has ruled that by not successfully passing the CSP, I will not be working any longer at USSOCOM. I've been instructed that someone from DIA personnel will contact me to arrange for my reassignment. To reiterate, DIA/CAF continues to hold my clearance as TS/SCI.
4. Therefore, I feel that in clear violation of DoD Regulations and policies, US Special Operations Command leadership has:
  - a) Obstructed my opportunities for employment
  - b) Weakened my capability for professional advancement
  - c) Damaged my reputation
  - d) Caused extensive emotional distress and mental anguish
5. To bolster this complaint, I reference DoD 5210.91 - Polygraph and Credibility Assessment (PCS) Procedures:

Encl. 3, Para 2. g. PCA examinations are a supplement to, not a substitute for, other methods of screening or investigation. No unfavorable administrative action (to include access, employment, assignment, and detail determinations) shall be taken solely on the basis of either a refusal to

undergo a Personnel Security Screening (PSS) examination or an unresolved PSS examination, except as provided in sections 6 and 7 of Enclosure 4.

Encl. 4, Sec. 6. REFUSAL TO TAKE OR COMPLETE A PSS. DoD-affiliated personnel who refuse to take or complete a polygraph examination, and are in positions designated as requiring a PSS polygraph examination as part of determining initial eligibility for access to Top Secret, SAP, or other sensitive intelligence or operational information or for initial assignment or detail to the CIA or other IC elements, may be denied access, assignment, or detail.

Encl. 4, Sec 7. FAILURE TO RESOLVE A PSS. DoD-affiliated personnel in positions cited in section 6 of this enclosure who are unable to resolve all relevant questions of a PSS shall be so advised. The results of the examination shall be forwarded to the requesting agency.

a. If, after reviewing the examination results, the requesting agency determines that they raise a significant question relevant to the individual's eligibility for a security clearance or continued access, the individual shall be given an opportunity to undergo additional examination.

b. If the additional examination fails to resolve all relevant questions, the Head of the DoD Component may initiate a CI investigation in accordance with DoD policy.

c. Additionally, the Head of the relevant DoD Component may temporarily suspend an individual's access to controlled information and deny the individual assignment or detail that is contingent on such access, based upon a written finding that, considering the results of the examination and the extreme sensitivity of the classified information involved, access under the circumstances poses an unacceptable risk to the national security. Such temporary suspension of access may not form the part of any basis for an adverse administrative action or an adverse personnel action.

d. The individual shall be advised in writing of the determination, that the determination may be appealed to the Head of the relevant DoD Component, and that his or her final determination is conclusive.

6. Please advise on how I should proceed from here and what, if any, recourse exists.

Thank you,

V/r,

John "Sam" Morter, GG-13

-----Original Message-----

From: Simpson, MSG Dion M [mailto:Dion.Simpson@dodiis.mil]  
Sent: Monday, May 12, 2014 1:41 PM  
To: Morter, John S CIV USSOCOM HQ  
Subject: IG Concerns

Mr. Morter,

Good Afternoon. I am sending you a follow up email per our phone conversation today@1520 in reference to your concerns. Please provide a quick follow up summary to ensure that I can address all of your concerns.

Respectfully,

MSG Dion M. Simpson

Workforce Assistance Investigator

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Insight - help good people do things better

Oversight - promote accountability of resources and performances

Foresight - look/point to the horizon - living the VISION 2020 and beyond