



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF MANAGEMENT

Office of the Chief Privacy Officer

May 3, 2018

William Marshall
Judicial Watch
425 Third St., S.W., Ste. 800
Washington, D.C. 20024

RE: FOIA Request No. 18-01171-F

Dear Mr. Marshall:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated February 26, 2018 and received in this office on February 28, 2018. Your request was forwarded to the appropriate offices to search for documents that may be responsive to your request: Office of the Inspector General (OIG) and the Office of Management (OM).

You requested the following:

- Any and all SF50s and SF52s for former DOE official William Mendoza, Executive Director of the White House Initiative on American Indian and Alaska Native Education,
- Any and all records relating to bonuses and awards received by William Mendoza, and
- Any and all DOE Inspector General's reports relating to its investigation of the conduct of William Mendoza.

The time frame for the requested records is 2011 through the present.

On March 28, 2018, the Office of the Inspector General (OIG) sent a final response to you totaling seven pages that were responsive to your request. This response concerns records that were located in the Office of Management (OM). Attached to this e-mail are 21 pages of documents responsive to your request. The documents provided are:

- Notification of Personnel Action for William M. Mendoza,
- Closing Report of Investigation for William M. Mendoza, and
- Criminal Docket No. 2016 CF2 19133 for William M. Mendoza.

However, certain information has been withheld according to FOIA exemptions (b)(6) and (b)(7)(c), as specified below:

- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. §552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.
- Records or portions of records relating to personal information that was compiled for a law enforcement purpose is exempt pursuant 5 U.S.C. §552 (b)(7)(c) of the FOIA. Disclosure of this information would constitute an unwarranted invasion of personal privacy.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of a “news media requester.” However, the Department has provided you with this information at no charge since you have been granted a fee waiver. This does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department.

Also, you have the right to seek assistance and/or dispute resolution services from the Department’s FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Chief Privacy Officer U.S. Department of Education 400 Maryland Ave., SW, LBJ 2W218-58 Washington, DC 20202-4536	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

Lastly, you have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at
www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Chief Privacy Officer
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 2E320
Washington, DC 20202-4536

Sincerely,

Arthur Caliguiran

Arthur Caliguiran
FOIA Analyst
FOIA Service Center

Enclosure

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION		2. Social Security Number (b)(6) SECOND ACTION	3. Date of Birth (b)(6)	4. Effective Date 11/25/16
5-A. Code 317	5-B. Nature Of Action RESIGNATION	6-A. Code	6-B. Nature of Action	
5-C. Code RPM	5-D. Legal Authority REG 715.202	6-C Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252						15. TO: Position Title and Number									
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 04	12. Total Salary \$140892	13. Pay Basis PA	16. Pay Plan	17. Occ. Code	18. Grade/Level	19. Step/Rate	20. Total Salary/Award	21. Pay Basis				
12A. Basic Pay \$112912		12B. Locality Adj. \$ 27980		12C. Adj. Basic Pay \$140892		12D. Other Pay \$ 0		20A. Basic Pay		20B. Locality Adj.		20C. Adj. Basic Pay		20D. Other Pay	
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC EMPLOYEE DATA						22. Name and Location of Position's Organization									

23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b)(6)	
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0	
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period	
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLC 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	
45. Remarks FORWARDING ADDRESS: (b)(6) (b)(6)									

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official CASSANDRA CUFFEE-GRAVES CHIEF, HUMAN CAPITAL OFFICER 162358301	
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 11/25/16		

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M.					2. Social Security Number (b)(6)		3. Date of Birth (b)(6)		4. Effective Date 01/10/16		
FIRST ACTION					SECOND ACTION						
5-A. Code 894		5-B. Nature Of Action GEN ADJ			6-A. Code		6-B. Nature of Action				
5-C. Code QWM		5-D. Legal Authority REG 531.207			6-C. Code		6-D. Legal Authority				
5-E. Code ZLM		5-F. Legal Authority E.O. 13715 DATED 12/18/15			6-E. Code		6-F. Legal Authority				
7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252					15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252						
8. Pay Plan GS		9. Occ. Code 0301		10. Grade/Level 15		11. Step/Rate 04		12. Total Salary \$138871		13. Pay Basis PA	
12A. Basic Pay \$111794		12B. Locality Adj. \$ 27077		12C. Adj. Basic Pay \$138871		12D. Other Pay \$ 0		16. Pay Plan GS		17. Occ. Code 0301	
								18. Grade/Level 15		19. Step/Rate 04	
								20. Total Salary/Award \$140892		21. Pay Basis PA	
20A. Basic Pay \$112912		20B. Locality Adj. \$ 27980		20C. Adj. Basic Pay \$140892		20D. Other Pay \$ 0					
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC					22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC						
23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%					24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b)(6)		
27. FEGLI (b)(6)					28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0				
30. Retirement Plan (b)(6)					31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period		
POSITION DATA											
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved					35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888		
38. Duty Station Code 11-0010-001					39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA						
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK			
45. Remarks SALARY INCLUDES A GENERAL INCREASE OF 1 PERCENT AND, IF APPLICABLE, A LOCALITY PAYMENT/SUPPLEMENTAL RATE (OR OTHER GEOGRAPHIC ADJUSTMENT) FOR THIS AREA.											

46. Employing Department or Agency

ED - OFC OF THE UNDER SECY

47. Agency Code

EDEE

48. Personnel Office ID

1306

49. Approval Date

01/10/16

50. Signature/Authentication and Title of Approving Official

AUTHORIZING OFFICIAL**160223923**

2 - OPF Copy - Long-Term Record - DO NOT DESTROY

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M.					2. Social Security Number (b)(6)		3. Date of Birth (b)(6)		4. Effective Date 01/11/15														
FIRST ACTION					SECOND ACTION																		
5-A. Code 894		5-B. Nature Of Action GEN ADJ			6-A. Code		6-B. Nature of Action																
5-C. Code QWM		5-D. Legal Authority REG 531.207			6-C. Code		6-D. Legal Authority																
5-E. Code ZLM		5-F. Legal Authority E.O. 13686 DATED 12/19/14			6-E. Code		6-F. Legal Authority																
7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252					15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252																		
8. Pay Plan GS		9. Occ. Code 0301		10. Grade/Level 15		11. Step/Rate 04		12. Total Salary \$137494		13. Pay Basis PA		16. Pay Plan GS		17. Occ. Code 0301		18. Grade/Level 15		19. Step/Rate 04		20. Total Salary/Award \$138871		21. Pay Basis PA	
12A. Basic Pay \$110686		12B. Locality Adj. \$ 26808		12C. Adj. Basic Pay \$137494		12D. Other Pay \$ 0		20A. Basic Pay \$111794		20B. Locality Adj. \$ 27077		20C. Adj. Basic Pay \$138871		20D. Other Pay \$ 0									
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC					22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC																		
23. Veterans Preference (b)(6)					24. Tenure 3 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite					25. Agency Use		26. Veterans Preference for RIF (b)(6)											
27. FEGLI (b)(6)					28. Annuitant Indicator 9 NOT APPLICABLE					29. Part-Time Hours Per Biweekly Pay Period 0													
30. Retirement Plan (b)(6)					31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period														
POSITION DATA					34. Position Occupied 2 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved					35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888									
38. Duty Station Code 11-0010-001					39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA																		
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK															
45. Remarks SALARY INCLUDES A GENERAL INCREASE OF 1 PERCENT AND, IF APPLICABLE, A LOCALITY PAYMENT/SUPPLEMENTAL RATE (OR OTHER GEOGRAPHIC ADJUSTMENT) FOR THIS AREA.																							

46. Employing Department or Agency

ED - OFC OF THE UNDER SECY

47. Agency Code

EDEE

48. Personnel Office ID

1306

49. Approval Date

01/11/15

50. Signature/Authentication and Title of Approving Official

AUTHORIZING OFFICIAL
150213270

2 - OPF Copy - Long-Term Record - DO NOT DESTROY

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION		2. Social Security Number (b)(6) SECOND ACTION	3. Date of Birth (b)(6)	4. Effective Date 12/28/14
5-A. Code 893	5-B. Nature Of Action REG WRI	6-A. Code	6-B. Nature of Action	
5-C. Code Q7M	5-D. Legal Authority REG 531.404	6-C Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252						15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252							
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 03	12. Total Salary \$133328	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 15	19. Step/Rate 04	20. Total Salary/Award \$137494	21. Pay Basis PA		
12A. Basic Pay \$107332		12B. Locality Adj. \$ 25996		12C. Adj. Basic Pay \$133328		20A. Basic Pay \$110686		20B. Locality Adj. \$ 26808		20C. Adj. Basic Pay \$137494		20D. Other Pay \$ 0	
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC						22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC							

23. Veterans Preference (b) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use	26. Veterans Preference for RIF (b)(6)		
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0			
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period	
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	

45. Remarks
DATE OF LAST EQUIVALENT INCREASE 12/29/13.
WORK PERFORMANCE IS AT AN ACCEPTABLE LEVEL OF COMPETENCE.

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official CASSANDRA CUFFEE-GRAVES DIR, EXECUTIVE RESOURCES 142280925		
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 01/06/15			

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION				2. Social Security Number (b)(6) SECOND ACTION		3. Date of Birth (b)(6)		4. Effective Date 04/06/14			
5-A. Code 790		5-B. Nature Of Action REALIGNMENT		6-A. Code		6-B. Nature of Action					
5-C. Code UNM		5-D. Legal Authority SEE MEMO DATED 3/21/2002		6-C Code		6-D. Legal Authority					
5-E. Code		5-F. Legal Authority		6-E. Code		6-F. Legal Authority					
7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252				15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE8 EDU0252							
8. Pay Plan GS		9. Occ. Code 0301		10. Grade/Level 15		11. Step/Rate 03		12. Total Salary \$133328		13. Pay Basis PA	
12A. Basic Pay \$107332		12B. Locality Adj. \$ 25996		12C. Adj. Basic Pay \$133328		12D. Other Pay \$ 0		20A. Basic Pay \$107332		20B. Locality Adj. \$ 25996	
				20C. Adj. Basic Pay \$133328		20D. Other Pay \$ 0					
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC EMPLOYEE DATA				22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WHI EDU EXCEL AMRICN INDN & ALSKA NAT WASHINGTON, DC							
23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b)(6)			
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0					
30. Retirement Plan (b)(6) POSITION DATA				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period			
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888			
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA							
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK			
45. Remarks											

46. Employing Department or Agency

ED - OFC OF THE UNDER SECY

47. Agency Code

EDEE

48. Personnel Office ID

1306

49. Approval Date

05/22/14

50. Signature/Authentication and Title of Approving Official

**ANDREA BURCKMAN
DIR, EXECUTIVE RESOURCES
140923365**

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION		2. Social Security Number (b)(6) SECOND ACTION	3. Date of Birth (b)(6)	4. Effective Date 01/12/14
5-A. Code 894	5-B. Nature Of Action GEN ADJ	6-A. Code	6-B. Nature of Action	
5-C. Code QWM	5-D. Legal Authority REG 531.207	6-C. Code	6-D. Legal Authority	
5-E. Code ZLM	5-F. Legal Authority E.O. 13655 DATED 12/23/13	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252						15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252							
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 03	12. Total Salary \$132009	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 15	19. Step/Rate 03	20. Total Salary/Award \$133328	21. Pay Basis PA		
12A. Basic Pay \$106270		12B. Locality Adj. \$ 25739		12C. Adj. Basic Pay \$132009		20A. Basic Pay \$107332		20B. Locality Adj. \$ 25996		20C. Adj. Basic Pay \$133328		20D. Other Pay \$ 0	
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC EMPLOYEE DATA						22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC							

23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use	26. Veterans Preference for RIF (b)(6)		
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0			
30. Retirement Plan (b)(6)		31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period			
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved		35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888			
38. Duty Station Code 11-0010-001		39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA							
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	

45. Remarks
SALARY INCLUDES A GENERAL INCREASE OF 1 PERCENT AND, IF APPLICABLE, A LOCALITY PAYMENT/SUPPLEMENTAL RATE (OR OTHER GEOGRAPHIC ADJUSTMENT) FOR THIS AREA.

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 140174946		
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 01/12/14			

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M.		2. Social Security Number (b)(6)	3. Date of Birth (b)(6)	4. Effective Date 12/29/13
FIRST ACTION		SECOND ACTION		
5-A. Code 893	5-B. Nature Of Action REG WRI	6-A. Code	6-B. Nature of Action	
5-C. Code Q7M	5-D. Legal Authority REG 531.404	6-C Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252						15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252							
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 02	12. Total Salary \$127883	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 15	19. Step/Rate 03	20. Total Salary/Award \$132009	21. Pay Basis PA		
12A. Basic Pay \$102949		12B. Locality Adj. \$ 24934		12C. Adj. Basic Pay \$127883		20A. Basic Pay \$106270		20B. Locality Adj. \$ 25739		20C. Adj. Basic Pay \$132009		20D. Other Pay \$ 0	
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC						22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC							

23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b)(6)	
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0	
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38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	

45. Remarks
DATE OF LAST EQUIVALENT INCREASE 12/30/12.
WORK PERFORMANCE IS AT AN ACCEPTABLE LEVEL OF COMPETENCE.

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 140001937	
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 12/27/13		

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION		2. Social Security Number (b)(6) SECOND ACTION	3. Date of Birth (b)(6)	4. Effective Date 12/30/12
5-A. Code 893	5-B. Nature Of Action REG WRI	6-A. Code	6-B. Nature of Action	
5-C. Code Q7M	5-D. Legal Authority REG 531.404	6-C Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252						15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252							
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 01	12. Total Salary \$123758	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 15	19. Step/Rate 02	20. Total Salary/Award \$127883	21. Pay Basis PA		
12A. Basic Pay \$ 99628		12B. Locality Adj. \$ 24130		12C. Adj. Basic Pay \$123758		20A. Basic Pay \$102949		20B. Locality Adj. \$ 24934		20C. Adj. Basic Pay \$127883		20D. Other Pay \$ 0	
14. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC EMPLOYEE DATA						22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC							

23. Veterans Preference (b)(6) 1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point Compensable 5 - 10-Point Other 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite		25. Agency Use	26. Veterans Preference for RIF (b)(6)		
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE		33. Part-Time Hours Per Biweekly Pay Period 0			
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME			
34. Position Occupied 2 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	

45. Remarks
DATE OF LAST EQUIVALENT INCREASE 10/09/11.
WORK PERFORMANCE IS AT AN ACCEPTABLE LEVEL OF COMPETENCE.

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 130038911	
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 01/29/13		

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION		2. Social Security Number (b)(6) SECOND ACTION	3. Date of Birth (b)(6)	4. Effective Date 05/20/12
5-A. Code 721	5-B. Nature Of Action REASSIGNMENT	6-A. Code	6-B. Nature of Action	
5-C. Code Y7M	5-D. Legal Authority SCH C, 213.3317	6-C Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number EXECUTIVE DIRECTOR, WHIAINAE EAG EDU0531						15. TO: Position Title and Number DIRECTOR, OF THE WHIAIANE EE EDU0252							
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 15	11. Step/Rate 01	12. Total Salary \$123758	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 15	19. Step/Rate 01	20. Total Salary/Award \$123758	21. Pay Basis PA		
12A. Basic Pay \$ 99628		12B. Locality Adj. \$ 24130		12C. Adj. Basic Pay \$123758		20A. Basic Pay \$ 99628		20B. Locality Adj. \$ 24130		20C. Adj. Basic Pay \$123758		20D. Other Pay \$ 0	
14. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC EMPLOYEE DATA						22. Name and Location of Position's Organization OFC OF THE UNDER SECRETARY WASHINGTON, DC							

23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use	26. Veterans Preference for RIF (b)(6)		
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE		29. Pay Rate Determinant 0			
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period	
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK	

45. Remarks
DATE OF LAST EQUIVALENT INCREASE 10/09/11.

46. Employing Department or Agency ED - OFC OF THE UNDER SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 120523728	
47. Agency Code EDEE	48. Personnel Office ID 1306	49. Approval Date 05/23/12		

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION				2. Social Security Number (b)(6) SECOND ACTION		3. Date of Birth (b)(6)		4. Effective Date 01/01/12			
5-A. Code 702		5-B. Nature Of Action PROMOTION		6-A. Code		6-B. Nature of Action					
5-C. Code Y7M		5-D. Legal Authority SCH C, 213.3317		6-C. Code		6-D. Legal Authority					
5-E. Code		5-F. Legal Authority		6-E. Code		6-F. Legal Authority					
7. FROM: Position Title and Number DEP DIR WH INITIATIVE ON TRIBAL C&U EAG EDU0247				15. TO: Position Title and Number EXECUTIVE DIRECTOR, WHIAINAE EAG EDU0531							
8. Pay Plan GS		9. Occ. Code 0301		10. Grade/Level 14		11. Step/Rate 01		12. Total Salary \$105211		13. Pay Basis PA	
12A. Basic Pay \$ 84697		12B. Locality Adj. \$ 20514		12C. Adj. Basic Pay \$105211		12D. Other Pay \$ 0		16. Pay Plan GS		17. Occ. Code 0301	
								18. Grade/Level 15		19. Step/Rate 01	
								20. Total Salary/Award \$123758		21. Pay Basis PA	
20A. Basic Pay \$ 99628		20B. Locality Adj. \$ 24130		20C. Adj. Basic Pay \$123758		20D. Other Pay \$ 0					
14. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC EMPLOYEE DATA				22. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC							
23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite				25. Agency Use		26. Veterans Preference for RIF (b)(6)	
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0			
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11				32. Work Schedule F FULL-TIME			
33. Part-Time Hours Per Biweekly Pay Period											
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt				36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA							
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK			
45. Remarks DATE OF LAST EQUIVALENT INCREASE 10/09/11.											

46. Employing Department or Agency ED - IMMEDIATE OF OF SECY			50. Signature/Authentication and Title of Approving Official ANDREA BURCKMAN DIR, EXECUTIVE RESOURCES 112176935		
47. Agency Code EDEA		48. Personnel Office ID 1306		49. Approval Date 01/03/12	

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M. FIRST ACTION				2. Social Security Number (b)(6) SECOND ACTION		3. Date of Birth (b)(6)		4. Effective Date 10/09/11			
5-A. Code 702		5-B. Nature Of Action PROMOTION		6-A. Code		6-B. Nature of Action					
5-C. Code Y7M		5-D. Legal Authority SCH C, 213.33.		6-C. Code		6-D. Legal Authority					
5-E. Code		5-F. Legal Authority		6-E. Code		6-F. Legal Authority					
7. FROM: Position Title and Number SPECIAL ASSISTANT EAG EDU0247				15. TO: Position Title and Number DEP DIR WH INTIATIVE ON TRIBAL C&U EAG EDU0247							
8. Pay Plan GS		9. Occ. Code 0301		10. Grade/Level 13		11. Step/Rate 01		12. Total Salary \$ 89033		13. Pay Basis PA	
12A. Basic Pay \$ 71674		12B. Locality Adj. \$ 17359		12C. Adj. Basic Pay \$ 89033		12D. Other Pay \$ 0		16. Pay Plan GS		17. Occ. Code 0301	
								18. Grade/Level 14		19. Step/Rate 01	
								20. Total Salary/Award \$105211		21. Pay Basis PA	
20A. Basic Pay \$ 84697		20B. Locality Adj. \$ 20514		20C. Adj. Basic Pay \$105211		20D. Other Pay \$ 0					
14. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC EMPLOYEE DATA				22. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC							
23. Veterans Preference (b) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite				25. Agency Use		26. Veterans Preference for RIF (b)(6)	
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0			
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period			
POSITION DATA											
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888			
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA							
40. Agency Data CLS 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 4		44. POSITION SENSITIVITY MODERATE RISK			
45. Remarks DATE OF LAST EQUIVALENT INCREASE 10/09/11.											

46. Employing Department or Agency ED - IMMEDIATE OF OF SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 111399609		
47. Agency Code EDEA		48. Personnel Office ID 1306		49. Approval Date 10/13/11	

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MENDOZA, WILLIAM M.		2. Social Security Number (b)(6)	3. Date of Birth (b)(6)	4. Effective Date 01/31/11
FIRST ACTION		SECOND ACTION		
5-A. Code 170	5-B. Nature Of Action EXC APPT	6-A. Code	6-B. Nature of Action	
5-C. Code Y7M	5-D. Legal Authority SCH C, 213.3317	6-C. Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	

7. FROM: Position Title and Number						15. TO: Position Title and Number SPECIAL ASSISTANT EAG EDU0247						
8. Pay Plan GS	9. Occ. Code 0301	10. Grade/Level 13	11. Step/Rate 01	12. Total Salary \$ 89033	13. Pay Basis PA	16. Pay Plan GS	17. Occ. Code 0301	18. Grade/Level 13	19. Step/Rate 01	20. Total Salary/Award \$ 89033	21. Pay Basis PA	
12A. Basic Pay \$ 71674		12B. Locality Adj.		12C. Adj. Basic Pay		20A. Basic Pay \$ 71674		20B. Locality Adj. \$ 17359		20C. Adj. Basic Pay \$ 89033		20D. Other Pay \$ 0
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization OFFICE OF THE SECRETARY WH INITIATV TRIBAL COLL & UNIV WASHINGTON, DC						

EMPLOYEE DATA

23. Veterans Preference (b)(6) 1 - None 3 - 10-Point/Disability 5 - 10-Point Other 2 - 5-Point 4 - 10-Point Compensable 6 - 10-Point/Compensable/30%				24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b)(6)	
27. FEGLI (b)(6)				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0	
30. Retirement Plan (b)(6)				31. Service Comp. Date (Leave) 01/31/11		32. Work Schedule F FULL-TIME		33. Part-Time Hours Per Biweekly Pay Period	
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code		37. Bargaining Unit Status 8888	
38. Duty Station Code 11-0010-001				39. Duty Station (City - County - State or Overseas Location) WASHINGTON, DISTRICT OF COLUMBIA					
40. Agency Data CLC 00		41. VET-STAT (b)(6)		42. EDUC LVL 13		43. SUPV STAT 5		44. POSITION SENSITIVITY MODERATE RISK	

45. Remarks
APPOINTMENT AFFIDAVIT EXECUTED 01/31/11.
CREDITABLE MILITARY SERVICE: **(b)(6)**
PREVIOUS RETIREMENT COVERAGE
FROZEN SERVICE NONE
EMPLOYEE IS AUTOMATICALLY COVERED UNDER FERS.
DATE OF LAST EQUIVALENT INCREASE 01/31/11.

46. Employing Department or Agency ED - IMMEDIATE OF OF SECY			50. Signature/Authentication and Title of Approving Official AUTHORIZING OFFICIAL 110208784	
47. Agency Code EDEA	48. Personnel Office ID 1306	49. Approval Date 02/08/11		



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL



CLOSING
REPORT OF INVESTIGATION

WILLIAM MENDOZA (EMPLOYEE CASE)

16-000756

OCTOBER 24, 2017

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Report by:

(b)(6) (b)(7)(c)

Assistant Special Agent in Charge

Approved by:

GEOFFREY WOOD

Special Agent in Charge

Digitally signed by Geoffrey Wood
DN: cn=U.S. Government,
ou=U.S. Department of Education,
cn=Geoffrey Wood,
o=U.S. Department of Education,
c=US
Date: 2017.10.24 14:17:55 -0400

Distribution:

File

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CLOSING
REPORT OF INVESTIGATION
WILLIAM MENDOZA (EMPLOYEE CASE)

SUMMARY

The OIG was contacted by the Washington Metro Area Transit Authority Police Department, Criminal Investigative Division (WMATA) regarding potential criminal activity by a U.S. Department of Education (ED) employee while utilizing government SmarTrip benefits. WMATA alleged that William Mendoza, then ED's Executive Director of the White House Initiative on American Indian and Alaska Native Education, was taking, or attempting to take, photographs/video under the skirts of women with a type of smart phone while utilizing the Metro Transit system. The OIG investigation revealed that Mendoza engaged in criminal conduct while on government work time and/or while utilizing government transit benefits. Prior to the resolution of the OIG's investigation, Mendoza resigned from ED.

VIOLATIONS

The activities identified in this report are violations of:

- 22 D.C. Code §§ 3531(d), 1803 (2001 ed.) – Attempted Voyeurism
- 31 USC 1349 – Misuse of Government Property
- ED Code of Conduct Violations

PREDICATION

On August 8, 2016, the OIG was contacted by WMATA regarding potential criminal activity by an ED employee while utilizing government SmarTrip benefits. Through victim/witness accounts, SmarTrip account data and video footage, WMATA's investigation developed information that William Mendoza, then ED's Executive Director of the White House Initiative on American Indian and Alaska Native Education, was taking or attempting to take, photographs/video under the skirts of women with a type of smart phone while utilizing the Metro Transit system.

NARRATIVE

The OIG initiated an investigation into potential administrative violation(s) committed by Mendoza including misuse of government property and government time, conduct prejudicial

to the federal government, conduct unbecoming a federal employee and inappropriate behavior of a sexual nature.

On November 21, 2016, WMATA obtained and executed an arrest warrant on Mendoza for attempted voyeurism, DC Code § 22-3531. Search warrants for Mendoza's electronic devices were also obtained and executed. At the time of his arrest, in Mendoza possessed his ED issued iPhone and computer, which were transferred to the OIG's possession the following day.

On November 22, 2016, Mendoza submitted a resignation letter to ED, which became effective on November 25, 2016.

The OIG acquired Mendoza's, relevant time and attendance records (webTA) and his assigned SmarTrip transit benefits account number to compare them to the dates and times when Mendoza was engaging in or attempting, voyeuristic acts/potential criminal conduct. Mendoza's ed.gov email account and his ED issued computer were also examined.

When the work hours claimed and the SmarTrip transit benefit account number assigned to Mendoza were scrutinized, in relation to Mendoza's actions reported and/or captured on video, it was evident that Mendoza was engaging in or attempting voyeuristic acts/criminal conduct while utilizing government benefits and/or on scheduled/claimed work time.

On at least four occasions, while in a work status and/or using his SmarTrip benefits, between July 1, 2016 and July 8, 2016, Mendoza engaged in (or attempted to engage in) what appeared to be voyeuristic acts by recording video or taking photographs up unknowing/non-consenting women's skirts.

PROSECUTIVE/ADMINISTRATIVE STATUS

Prior to the resolution of the OIG investigation and subsequent administrative referral to ED, Mendoza resigned on November 25, 2016.

On January 13, 2017, Mendoza pleaded guilty to attempted voyeurism in violation of 22 D.C. Code §§ 3531(d), 1803 (2001 ed.) in the Superior Court of the District of Columbia and was sentenced to ninety days incarceration (suspended), one year of supervised probation and a \$100 dollar assessment for the Victims of Violent Crime Act.

On April 14, 2017, the OIG requested that the ED Office of Personnel Security seek debarment of Mendoza from federal employment due to suitability through the Office of Personnel Management.

On August 10, 2017, the OIG, in compliance with the National Defense Authorization Act for Fiscal Year 2017, Sec. 2, Division A, Title XI, Subtitle C, § 1140 (Pub. L. No.114-328)(codified at 5 U.S.C. § 3322), sent forth a notification of a completed OIG investigation, along with a Report of

Investigation to the ED Chief Human Capital Officer, (b)(6) (b)(7)(c). The aforementioned statute mandates that ED make a permanent notation in the official personnel file of an employee who resigns prior to the resolution of a personnel investigation, which results in an adverse finding. On October 4, 2017, (b)(6) (b)(7)(c) ED Director of Workforce Relations Division, Office of Human Resources, advised that a notation was made in Mendoza's official personnel file regarding this matter.

SUBJECT OF INVESTIGATION

Name: WILLIAM MENDOZA; Last Known Address: (b)(6) (b)(7)(c)
Last Known Telephone: (b)(6) (b)(7)(c) Date of Birth: (b)(6) (b)(7)(c) SSN: (b)(6) (b)(7)(c)

EXHIBITS

1. Referral Memo/Administrative ROI



UNITED STATES DEPARTMENT OF EDUCATION



DATE OF ACTIVITY: July 31, 2017
ACTIVITY BY: ASAC (b)(6) (b)(7)(c)
CASE NUMBER: 16-000756
CASE NAME: William Mendoza (Employee)
REFERENCE: Investigative Comparison

This memorandum will serve as documentation of the Mendoza's relevant time and attendance records (webTA), his assigned Smartrip transit benefits account number and how both align with the timing of when Mendoza was engaging in, or attempting thereto, voyeuristic acts/potential criminal conduct.

When Mendoza's time card (webTA/T&A Summary) was acquired for pay period 15 in 2016, it revealed the following hours claimed:

- July 5, 2017 – Start Time 9:00AM; Stop Time 5:30PM; Meal Time .5 hours
- July 6, 2017 – Start Time 9:00AM; Stop Time 5:30PM; Meal Time .5 hours
- July 7, 2017 – Start Time 9:00AM; Stop Time 5:30PM; Meal Time .5 hours
- July 8, 2017 – Start Time 9:00AM; Stop Time 5:30PM; Meal Time .5 hours

When Mendoza's Smartrip transit benefit assigned account number was requested, it returned a card number of (b)(6) (b)(7)(c).

On November 30, 2016, Detective (b)(6) (b)(7)(c), Metro Transit Police Department, served as the affiant on a search warrant application with the Superior Court for the District of Columbia for items, which included a Department of Education (ED) Dell laptop computer bearing EDU613266 (Mendoza's assigned laptop computer). Detective (b)(6) (b)(7)(c) did secure the aforementioned search warrant to execute a search for evidence of voyeurism in violation of 22 DC Code § 3531. In his recitation of probable cause, Detective (b)(6) (b)(7)(c) provided the following facts:

- A victim/witness (VW-1) reported to the Metro Transit PD, that on July 7, 2016, at approximately 9:35AM, she was exiting the Washington, DC Metro system at McPherson Square Metro station (1400 I Street NW) While on the escalator, VW-1 heard a male voice yell "stop!" VW-1 observed a man (later identified by Detective (b)(6) (b)(7)(c) as Mendoza) run past her carrying a cell phone and a bag over one shoulder. The individual who yelled "stop" approached VW-1 and advised her that Mendoza was taking pictures of VW-1's undergarments by placing his cellular phone under her skirt.
- A review of video footage revealed Mendoza exiting the paid area of the subject Metro station, waiting for VW-1 to pass him and him following her onto, and up, the escalator with an illuminated cell phone pointed in the direction of VW-1's dress. At the top of the

escalator, the video footage displayed Mendoza stepping around VW-1 and running from the scene.

Detective (b)(6) (b)(7)(c) was able to discern that Mendoza was using a Smartrip card with a number of (b)(6) (b)(7)(c). The phone number associated with the aforementioned account and various open source searches, led Detective (b)(6) (b)(7)(c) to identify the unknown man in all of the above and below referenced video footage as Mendoza. After querying Smartrip card activity bearing said number, Detective (b)(6) (b)(7)(c) found additional conduct/similar offenses captured on digital video surveillance footage on the following dates:

July 5, 2016, approximately 2:09PM, Mendoza departed a train at the Union Station Metro (800 1st Street NE) followed VW-2, who wore a short jean skirt, onto two different escalators with his illuminated cell phone in his hand in positions in close proximity to the bottom of VW-2's skirt.

July 5, 2016, approximately 2:31PM, Mendoza exited Metro Center metro (607 13th St NW). Mendoza followed VW-3, who was wearing extremely short cut black shorts, onto the escalator leading to the street and placed an illuminated cell phone in close proximity to the bottom of VW-3's shorts.

July 7, 2016, approximately 8:23AM, Mendoza exited McPherson Square Metro, followed VW-4 towards the escalators, stepped onto the escalator behind VW-4 with an illuminated cell phone in his hand and placed the phone in close proximity to VW-4's dress. VW-4 is observed pulling her skirt close to her legs. VW-4 was contacted by Detective (b)(6) (b)(7)(c) and VW-4 indicated she knew why Detective (b)(6) (b)(7)(c) was contacting her. VW-4 acknowledged the incident and provided that the same male (described as taller white or Latino man with glasses and a pony tail), two weeks prior, used his cell phone to film her underwear while she rode the train.

July 7, 2016, approximately 6:19PM, Mendoza was at the Virginia Square Metro station (3600 Fairfax Drive, Arlington, VA) standing directly below a video surveillance camera wherein he unlocks a cell phone and accesses a stored video, which depicted the lower half of a woman's body with her undergarments visible from underneath a white skirt. The video appeared to have been surreptitiously filmed in a store's dressing room.

July 8, 2016, approximately 9:25AM, Mendoza exited the paid area of Farragut West Metro (837 17th Street NW) followed VW-5, who wore a maroon dress, onto the escalators where he placed an illuminated cell phone near the bottom of her dress while immediately behind her. After completion of this action, Mendoza turned around, walked down the escalator at Farragut West and returned to the unpaid area of the station. Mendoza waited in this area for approximately 1 minute before following VW-6 as she exited the station via escalator. VW-6 wore a blue dress. Mendoza stood behind VW-6 on the escalator and placed an illuminated cell phone near the bottom of her skirt and a bright light appeared which was consistent with a "flash" associated with a camera.

When examining the above listed hours claimed and the Smartrip transit benefit account number assigned to Mendoza in relation to Mendoza's actions reported and/or captured on video, it is evident that Mendoza was engaging in or attempting voyeuristic acts/potential criminal conduct while utilizing government benefits and/or on scheduled/claimed work time.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

United States of America
Vs.

JUDGMENT IN A CRIMINAL CASE
(Probation)

WILLIAM M MENDOZA

DOB: (b)(6) (b)(7)

Case No. 2016 CF2 019133

PDID: 718138

DCDC No:

THE DEFENDANT HAVING BEEN FOUND GUILTY ON THE FOLLOWING COUNT(S) AS INDICATED BELOW:

Count	Court Finding	
1	Found Guilty - Plea	Attempted Voyeurism - Privacy - Misdemeanor

SENTENCE OF THE COURT

Count 1 Attempted Voyeurism - Privacy Misdemeanor. Sentenced to 90 day(s) incarceration, execution of sentence suspended as to all, *Supervised Probation for 1 year(s), \$100.00 VVCA, VVCA Due Date 02/10/2017

Defendant is hereby ordered placed on probation - See-Page 2 of this Order for Conditions of Probation; *upon release from either the courtroom or incarceration, Defendant must report to 300 Indiana Avenue, NW, Room 2070, Washington, DC, by the next business day after release from jail or prison.*

Total costs in the aggregate amount of \$ 100.00 have been assessed under the Victims of Violent Crime Compensation Act of 1996, and ☐ have ☒ have not been paid. ☐ Appeal Rights Given ☐ Gun Offender Registry Order Issued
☐ Sex Offender Registration Notice Given ☐ Domestic violence notice given prohibiting possession/purchase of firearm or ammunition
☐ In addition to any condition of probation, restitution is made part of the sentence and judgment pursuant to D.C. Code § 16-711.

1/13/2017

Date

Entered by Clerk pursuant to Criminal Rule 32(f)

1/13/2017

Date



Handwritten signature of Marisa J. Demeo.

MARISA J DEMEO

Judge

Handwritten signature of Veda Rasheed.

Veda Rasheed

Deputy Clerk

Case: 2016 CF2 019133



Doc#: CRRJCO

CASE NUMBER: 2016 CF2 019133
DEFENDANT: WILLIAM M MENDOZA



The Defendant is hereby placed on *Supervised Probation for a term of 1 year(s).

GENERAL CONDITIONS OF PROBATION

1. Obey all laws, ordinances, and regulations.
2. Report to CSOSA today and then for all appointments scheduled by your Community Supervision Officer (CSO).
3. Permit your CSO to visit your place of residence.
4. Notify your CSO within one business day of (A) an arrest or questioning by a law enforcement officer, (B) a change in your residence, or (C) a change in your employment.
5. Obtain the permission of your CSO before you relocate from the District of Columbia.
6. Do not illegally possess or use a controlled substance or any paraphernalia related to such substances (you may take lawfully prescribed medication). You must not frequent a place where you know a controlled substance is illegally used or distributed.
7. You must drug test at the discretion of CSOSA. In the event of illicit drug use or other violation of conditions of probation, participate as directed by your CSO in a program of graduated sanctions that may include periods of residential placement or services.
8. Participate in and complete CSOSA's employment/academic program, if directed by your CSO.
9. Participate in and complete other CSOSA's programs as identified through CSOSA's risk and needs assessment.
10. Satisfy all court imposed financial obligation(s) (fines, restitution, Victim of Violent Crime Act assessments, etc.) to which you are subject. You must provide financial information relevant to the payment of such a financial obligation that is requested by your CSO. A payment plan will be established by your CSO so that you will be in a position to pay your court imposed financial obligation(s) within 90 days prior to the termination of your probation.

SPECIAL CONDITIONS OF PROBATION

1. Cooperate in seeking and accepting medical, psychological or psychiatric treatment in accordance with written notice from your CSO.
2. Restitution of \$ _____ in monthly installments of \$ _____ beginning _____
☐ The Court will distribute monies to: _____
3. ☐ You are to stay away from the person(s) and or address(es) listed below:

☐ You are to stay away from the following places or area (s): _____

You are not to have contact with any of the persons named above. You must remain at least 100 yards away from them, their home, and/or their places of employment. You are not to communicate, or attempt to communicate with any of these persons, either directly or through any other person, by telephone, written message, electronic message, pager, or otherwise, except through your lawyer.

4. **Other Special Conditions:** The court is permitting the defendant to live in Montana or South Dakota. The defendant shall submit to CSOSA by either fax or email regular updates of reports of sessions with a mental health expert professional with expertise in sexual behavior issues.

**SUPERIOR COURT
OF THE
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

CRIMINAL NO.: 2016 CF2 19133

v.

JUDGE DEMEO

WILLIAM MENDOZA

INFORMATION

1. On or about July 7, 2016, within the District of Columbia, the defendant, William Martin Mendoza, attempted to intentionally capture an image of a private area of (b)(6) (b)(7)(C) under circumstances in which (b)(6) (b)(7)(C) had a reasonable expectation of privacy, without her express or informed consent. (Attempted Voyeurism) in violation of 22 D.C. Code, Sections 3531(d) and 1803 (2001 ed.)).

Respectfully submitted,

CHANNING D. PHILLIPS
UNITED STATES ATTORNEY

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

Assistant United States Attorney

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