

Interim Report: Coast Guard Efforts to Conceal the Operation Fouled Anchor Investigation from Congress and the Public

Chair Richard Blumenthal

Ranking Member Ron Johnson

December 20, 2024



Table of Contents

<i>EXECUTIVE SUMMARY</i>	<i>2</i>
<i>Part I: BACKGROUND ON OPERATION FOULED ANCHOR.....</i>	<i>4</i>
<i>Part II: FINDINGS.....</i>	<i>6</i>
A. Senior Coast Guard Officials Agreed In The Fall Of 2018 Not To Disclose Operation Fouled Anchor To Congress Or The Public	6
1. Preparation for Conclusion of Operation Fouled Anchor Began in 2018	6
2. As Coast Guard officials neared a decision on disclosure, Coast Guard personnel sought to understand what, if anything, Congress already knew about Operation Fouled Anchor	8
3. The Commandant of the Coast Guard decided in the fall of 2018 not to disclose Operation Fouled Anchor	10
4. Conclusion of Operation Fouled Anchor	14
B. A February 2019 Email Suggests That The Coast Guard Took Affirmative Steps To Remove References To Operation Fouled Anchor From Productions To Congress While The Investigation Was Ongoing	14
<i>CONCLUSION.....</i>	<i>16</i>

EXECUTIVE SUMMARY

On June 30, 2023, public reporting revealed that the United States Coast Guard (“the Coast Guard”) covered up one of the most wide-ranging investigations it had ever conducted into allegations of sexual misconduct at the United States Coast Guard Academy (“the Academy”).¹ That investigation, referred to as Operation Fouled Anchor, found that the Academy had failed to properly investigate and pursue allegations of sexual assault and harassment for decades.² The Coast Guard’s six-page final report on its six-year investigation was insufficient and did not effectively present the severity of the systemic issues plaguing the Academy.

On September 12, 2023, the Permanent Subcommittee on Investigations (“PSI” or “the Subcommittee”) initiated an inquiry into the mishandling of sexual assault and sexual harassment cases at the Academy, as well as the Coast Guard’s failure to notify Congress about the conclusion of Operation Fouled Anchor.³ As a part of this investigation, the Subcommittee has reviewed more than 18,000 pages of documents and interviewed fifteen former Coast Guard personnel who were in key roles during the Operation Fouled Anchor investigation. Since launching its inquiry, PSI has also received outreach from whistleblowers, the majority of whom are survivors of sexual assault or sexual harassment at the Academy and in the Coast Guard.

On August 7, 2024, the Subcommittee’s majority staff released a report sharing stories of survivors to highlight the Coast Guard’s systemic failure to address sexual assault and harassment.⁴ The Subcommittee has also held three hearings over the course of its investigation. On December 12, 2023, and August 8, 2024, survivors of sexual assault and harassment testified about their experiences and how the Coast Guard’s failure to properly handle their cases amplified their trauma.⁵ On June 11, 2024, Admiral Linda Fagan, the

¹ Blake Ellis, Melanie Hicken and Audrey Ash, *Criminal investigation into Coast Guard Academy revealed years of sexual assault cover-ups, but findings were kept secret*, CNN (June 30, 2023, 10:42 AM), <https://www.cnn.com/2023/06/30/politics/coast-guard-academy-secret-sexual-assault-investigation-invs/index.html>.

² Memorandum, “Fouled Anchor Investigation – Final Report,” Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

³ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant, U.S. Coast Guard (Sept. 12, 2023), <https://www.hsgac.senate.gov/wp-content/uploads/2023-09-12-Blumenthal-and-Johnson-Letter-to-USCG-re-Operation-Fouled-Anchor.pdf>.

⁴ Senate Permanent Subcommittee on Investigations, Majority Staff, *A Pervasive Problem: Voices of Coast Guard Sexual Assault and Harassment Survivors*, (Aug. 7, 2024), <https://www.hsgac.senate.gov/wp-content/uploads/2024.08.07-PSI-Majority-Staff-Report-Voices-of-Coast-Guard-Sexual-Assault-and-Harassment-Survivors.pdf>.

⁵ *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment, Hearing Before the Senate Permanent Subcommittee on Investigations*, 117th Cong. (Dec. 12, 2023), <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>; *Coast Guard Whistleblowers: Sexual Assault and Harassment, Hearing Before the Senate Permanent Subcommittee on Investigations*, 118th Cong. (Aug. 8, 2024),

current Commandant of the Coast Guard, testified about the Coast Guard's current approach and plan to prevent sexual misconduct, support victims, and hold perpetrators accountable.⁶

This interim report presents findings uncovered over the course of the Subcommittee's fifteen-month investigation.

To date, the Subcommittee's investigation has found:

- 1. Senior Coast Guard officials agreed in the fall of 2018 not to disclose Operation Fouled Anchor to Congress or the public:** An email obtained by the Subcommittee indicates that, while the investigation was ongoing in November 2018, then-Commandant of the Coast Guard Admiral Karl Schultz made the decision not to publicly disclose Operation Fouled Anchor, a decision recommended by a course of action plan from the Office of Governmental and Public Affairs and evaluated by then-Vice Commandant of the Coast Guard Admiral Charles Ray.⁷ In an interview, the then-Coast Guard Investigative Service ("CGIS") Director who wrote the email told the Subcommittee he was not aware of what Admiral Schultz decided to do with Congress, but the then-CGIS Director believed that Operation Fouled Anchor should be made public.⁸
- 2. A February 2019 email suggests that the Coast Guard took affirmative steps to remove references to Operation Fouled Anchor from productions to Congress while the investigation was ongoing:** According to a February 26, 2019 email, while identifying responsive records for a congressional request, a Coast Guard official wrote, "[a]cknowledging that [the Coast Guard is] still investigating Fouled Anchor, we believe it's prudent to spend today taking another round turn on the emails to make sure we don't inadvertently release information before it's [sic] time."⁹

<https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-whistleblowers-sexual-assault-and-harassment/>.

⁶ *Coast Guard Oversight: Sexual Assault and Harassment, Hearing Before the Senate Permanent Subcommittee on Investigations*, 118th Cong. (June 11, 2024),

<https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-oversight-sexual-assault-and-harassment/>.

⁷ See, e.g., Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant, U.S. Coast Guard (Feb. 14, 2023) at 12, https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-_Redacted.pdf; Email from Deputy General Counsel, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, et al., U.S. Coast Guard, Oct. 29, 2018, (Exhibit 1); Email from Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, to Admiral Charles Ray, U.S. Coast Guard, Nov. 2, 2018, (Exhibit 2); Email from Executive Assistant to the Commandant, U.S. Coast Guard, to Deputy Judge Advocate General, U.S. Coast Guard, Nov. 5, 2018, (Exhibit 3); Email from Director of U.S. Coast Guard Investigative Service to U.S. Coast Guard Investigative Service Agent, et al., Nov. 14, 2018, (Exhibit 4).

⁸ Interview with Former Coast Guard Investigative Services Director, Sept. 5, 2024, (on file with Subcommittee).

⁹ Email from Deputy Chief of the Office of Budget and Programs, U.S. Coast Guard, to Executive Assistant to the Commandant, U.S. Coast Guard, Feb. 26, 2019, (Exhibit 5); H.R. Committee on Oversight and Reform Committee on Homeland Security, Majority Staff, *Righting the Ship: The Coast Guard Must Improve its Processes for Addressing Harassment, Bullying, and Retaliation*, at 6 (Dec. 11, 2019), <https://democrats-homeland.house.gov/imo/media/doc/RTS%20Final%20Report.pdf>.

Part I: BACKGROUND ON OPERATION FOULED ANCHOR

On September 30, 2014, CGIS received a report of a sexual assault committed by a United States Air Force Lieutenant Colonel, Edzel Mangahas, that had allegedly occurred while he was a cadet at the Academy in the 1990s.¹⁰ The victim had reported the assault to Academy leadership contemporaneously, but the incident was not properly investigated or prosecuted at the time.¹¹ While re-investigating the case in 2014, CGIS discovered a pattern of similarly mishandled historical sexual assault cases at the Academy.¹² From September 2014 until June 2019, CGIS investigated more than 100 allegations of sexual assault that had taken place at the Academy between the early 1990s and 2006 and referred forty-three cases to the Coast Guard's Consolidated Disposition Authority.¹³ This investigation was named Operation Fouled Anchor.¹⁴ Emails obtained by the Subcommittee indicate that Coast Guard personnel briefed congressional committees on the Mangahas case in 2015.¹⁵ It is unclear from these records whether Congress was also made aware of the larger Operation Fouled Anchor investigation at the time.¹⁶

Throughout 2019 and January 2020, the Coast Guard drafted at least seventeen versions of a final report for Operation Fouled Anchor.¹⁷ The longest draft of a final report produced in camera to PSI was twenty-six pages and included information detailing the assaults at the

¹⁰ Memorandum, "Fouled Anchor Investigation – Final Report," Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

The alleged perpetrator in the September 2014 Academy report to CGIS, Lieutenant Colonel Edzel Mangahas, had become a commissioned officer in the United States Air Force (the "Air Force"). The Air Force charged Lt. Col. Mangahas with rape under Article 120 of the Uniform Code of Military Justice in 2015 for the alleged 1997 assault at the Academy. Lt. Col. Mangahas moved to dismiss the case on statute of limitations grounds. On February 16, 2018, the Court of Appeals for the Armed Forces held that the five-year statute of limitations on rape barred the prosecution. *United States v. Mangahas*, 77 M.J. 220 (C.A.A.F. 2018); Slide Deck, "Operation Fouled Anchor Case Brief Read-Ahead," June 29, 2015, (on file with the Subcommittee); Email from Director of U.S. Coast Guard Investigative Service, to Admiral Charles Ray, U.S. Coast Guard, at 2, Mar. 19, 2019, (on file with the Subcommittee).

¹¹ Memorandum, "Fouled Anchor Investigation – Final Report," Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

¹² *Id.* at 1-2.

¹³ *Id.* at 2. The Consolidated Disposition Authority for Operation Fouled Anchor was an "experienced flag officer and General Court-Martial Convening Authority to handle all disposition decisions and administrative actions arising from [the Operation Fouled Anchor] investigation." Memorandum, "Fouled Anchor Investigation – Final Report," Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

¹⁴ *Id.*

¹⁵ Email from Assistant Commandant for Resources/CFO, U.S. Coast Guard, to Deputy Judge Advocate General, U.S. Coast Guard, Oct. 16, 2018, (Exhibit 6); Email from Admiral Charles Ray, U.S. Coast Guard, to Director of Governmental & Public Affairs, U.S. Coast Guard, Oct. 3, 2018, (Exhibit 7).

¹⁶ Email from Admiral Charles Ray, U.S. Coast Guard, to Director of Governmental & Public Affairs, U.S. Coast Guard, Oct. 3, 2018, (Exhibit 7).

¹⁷ PSI in camera review of drafts of Fouled Anchor Report.

Academy.¹⁸ On January 31, 2020, the Coast Guard's then-Deputy Commandant for Mission Support signed and circulated to then-Vice Commandant Admiral Charles Ray a six-page final report that omitted much of the information contained in earlier drafts.¹⁹ According to the final report, of the forty-three cases considered by the Coast Guard for disposition, three were referred to other military services where perpetrators remained on active duty, two were addressed with administrative action, five had no action taken due to lack of evidence, and the remaining thirty-three cases had no action taken because they fell outside the relevant criminal statutes of limitations or the perpetrators were retired and thus no longer subject to Coast Guard administrative discipline.²⁰

¹⁸ *Id.*

¹⁹ Memorandum, "Fouled Anchor Investigation – Final Report," Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

²⁰ *Id.* at 2.

However, other branches have successfully held retired members administratively accountable. For example, in 2021, the United States Army reduced the rank of a retired major general to second lieutenant after he pleaded guilty to aggravated sexual battery in a civilian court. Todd South, *Retired Army major general reduced to second lieutenant for sex crime conviction*, ARMY TIMES (Jun. 7, 2021), <https://www.armytimes.com/news/your-army/2021/06/07/retired-army-major-general-reduced-to-second-lieutenant-for-sex-crime-conviction/>.

Part II: FINDINGS

A. Senior Coast Guard Officials Agreed In The Fall Of 2018 Not To Disclose Operation Fouled Anchor To Congress Or The Public

1. Preparation for Conclusion of Operation Fouled Anchor Began in 2018

On March 19, 2018, as CGIS was nearing the conclusion of its investigation, then-Vice Commandant Admiral Charles Michel issued a memorandum (“March 2018 Tasking Memo”) assigning a series of tasks to various entities, including CGIS, the Director of Governmental and Public Affairs, the Assistant Commandant for Human Resources, the Consolidated Disposition Authority, the Academy, and the Judge Advocate General, as part of the process of preparing a final report on the “results of the ‘Fouled Anchor’ investigation.”²¹ According to Admiral Michel, the purpose of the March 2018 Tasking Memo was to dispose of all the cases in the investigation and to communicate externally about the investigation.²² On April 20, 2018, the leaders of the offices assigned tasks in the March 2018 Tasking Memo began meeting to coordinate their work in response to the memo.²³

In mid-2018, there was a change in command in Coast Guard leadership. Admiral Paul Zukunft had been Commandant of the Coast Guard since May 2014, before the first Operation Fouled Anchor case was reported.²⁴ Admiral Zukunft was relieved by Admiral Karl Schultz in June 2018.²⁵ Admiral Michel, the Vice Commandant since August 2015, was relieved by Admiral Charles Ray in May 2018.²⁶ Both Admiral Schultz and Admiral Ray were briefed on Operation Fouled Anchor after assuming the positions of Commandant and Vice Commandant, respectively.²⁷ Admiral Zukunft and Admiral Michel both told the Subcommittee they conducted Operation Fouled Anchor with the intention of disclosing it to both Congress and the public and believed it would be so disclosed.²⁸

²¹ Email from Judge Advocate General, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, April 18, 2018, that includes Memorandum, “Report on the Results of ‘Fouled Anchor’ Investigation,” Mar. 19, 2018 (Exhibit 8).

²² Notes from Interview with Admiral Charles D. Michel (Ret.), former Vice Commandant, U.S. Coast Guard (Oct. 18, 2024) [hereinafter Michel Interview Notes (Oct. 18, 2024)].

²³ Email from Judge Advocate General, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, April 18, 2018, that includes Memorandum, “Report on the Results of ‘Fouled Anchor’ Investigation,” Mar. 19, 2018 (Exhibit 8).

²⁴ Terri Moon Cronk, *President Presides at Coast Guard Change-of-Command Ceremony*, U.S. DEPT. OF DEFENSE (JUNE 1, 2018), <https://www.defense.gov/News/News-Stories/Article/Article/1538251/president-presides-at-coast-guard-change-of-command-ceremony/>.

²⁵ *Id.*

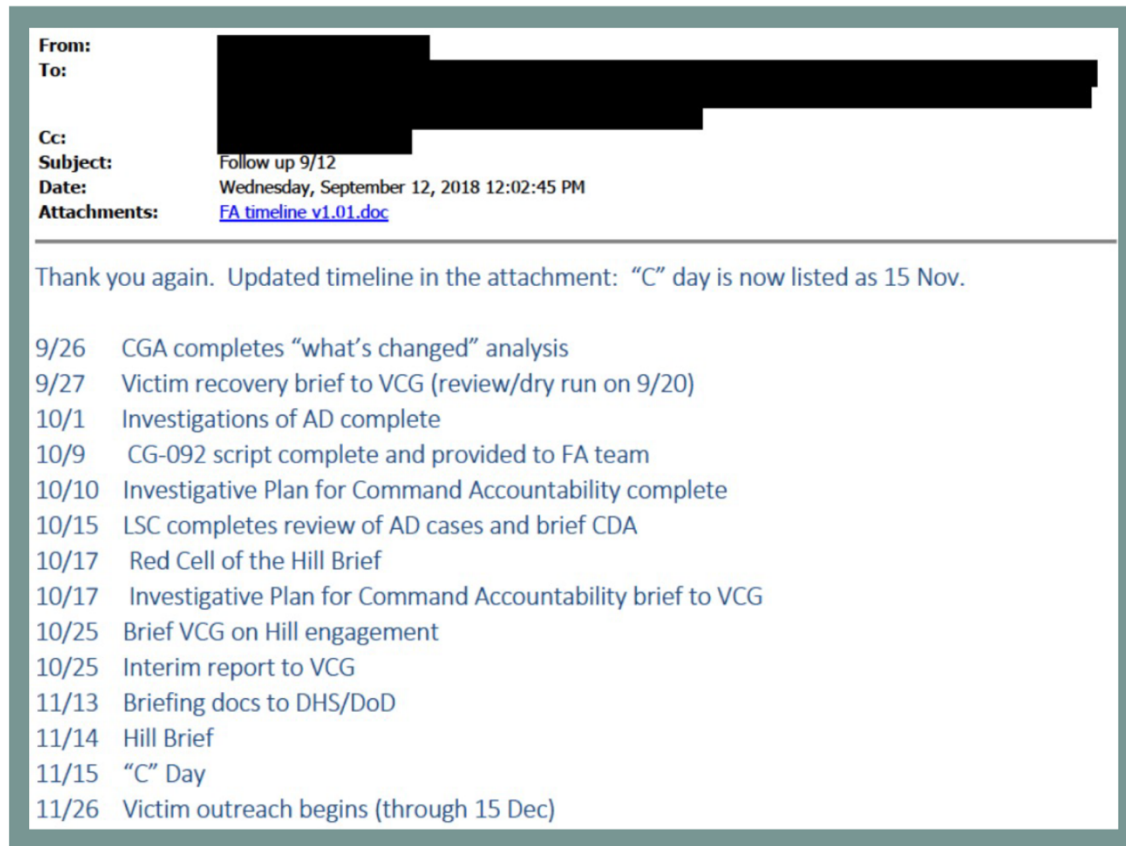
²⁶ *Change of Watch*, U.S. COAST GUARD (last visited December 19, 2024), <https://www.uscg.mil/changeofwatch/>; *Admiral Charles D. Michel*, U.S. COAST GUARD (last visited December 19, 2024), <https://www.history.uscg.mil/Browse-by-Topic/Notable-People/All/Article/1778350/admiral-charles-d-michel/>.

²⁷ Email from Director of U.S. Coast Guard Investigative Service to Assistant Commandant for Human Resources, et al., U.S. Coast Guard, Jul. 3, 2018, (on file with the Subcommittee).

²⁸ Admiral Zukunft told the Subcommittee that he had planned to brief the Department of Homeland Security, the Connecticut congressional delegation, and the congressional committees of jurisdiction about

On September 12, 2018, Coast Guard leaders who had been assigned responsibilities in the March 2018 Tasking Memo met and established the following timeline of action items for the conclusion of Operation Fouled Anchor:

**September 12, 2018 timeline for completion of
Operation Fouled Anchor.²⁹**



On October 23, 2018, then-Vice Commandant Admiral Ray issued an updated tasking memorandum ("October 2018 Tasking Memo") that superseded the March 2018 Tasking Memo.³⁰ While some specific tasks changed between the March 2018 Tasking Memo and the October 2018 Tasking Memo, the same entities were assigned responsibilities.³¹

Operation Fouled Anchor once it was completed. Interview with Admiral Paul F. Zukunft (Ret.), former Commandant, U.S. Coast Guard (Nov. 26, 2024) [hereinafter Zukunft Interview (Nov. 26, 2024)]. Admiral Michel told the Subcommittee it was inconceivable to him that Congress would not be briefed about Operation Fouled Anchor. Michel Interview Notes (Oct. 18, 2024).

²⁹ Email from Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, to Judge Advocate General, et al., U.S. Coast Guard, Sept. 12, 2018, (Exhibit 9).

³⁰ Email from the Judge Advocate General, U.S. Coast Guard, to Commanding Officer of Legal Services Command, U.S. Coast Guard, October 24, 2018, that includes Memorandum, "Report on the Results of 'Fouled Anchor' Investigation," Oct. 23, 2018 (Exhibit 10).

³¹ *Id.*

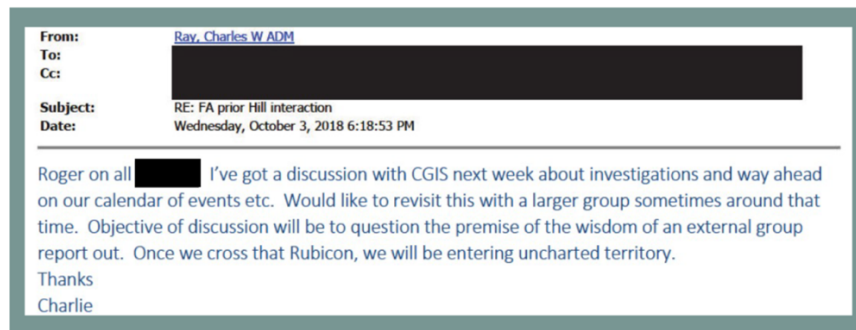
2. As Coast Guard officials neared a decision on disclosure, Coast Guard personnel sought to understand what, if anything, Congress already knew about Operation Fouled Anchor

As the Coast Guard neared a disclosure decision, senior Coast Guard officials who were involved in strategic decisions surrounding Operation Fouled Anchor attempted to determine whether Congress had previously been briefed about Operation Fouled Anchor and the Coast Guard's expansive sexual assault investigation.³²

On October 2, 2018, the Coast Guard's then-Judge Advocate General forwarded to the then-Director of Governmental and Public Affairs an email chain from 2016 detailing the Deputy Judge Advocate General's recollection of the congressional briefs about the Mangahas case in 2015.³³ In his October 4, 2016 email, he recalled that Congress had been informed of the existence of, but not specifics about, an investigation into sexual misconduct at the Academy and said that he believed that the Coast Guard was "on the hook" to notify Congress when the investigation was complete.³⁴ However, he followed up this email with another to say that the Chief of Congressional and Governmental Affairs at the time of the 2015 briefings believed that Congress was not told about the larger investigation.³⁵

On October 3, 2018, the then-Director of Governmental and Public Affairs wrote an email to then-Vice Commandant Admiral Ray with the subject line "FA prior Hill interaction" clarifying that congressional oversight committees "were notified in 2015 about Mangahas, but not about any other planned investigation."³⁶ In a response the same day, then-Vice Commandant Admiral Ray wrote:

October 3, 2018 email from Admiral Ray.³⁷



³² See, e.g., Email from Assistant Commandant for Resources/CFO, U.S. Coast Guard, to Deputy Judge Advocate General, U.S. Coast Guard, Oct. 16, 2018, (Exhibit 6); Email from Admiral Charles Ray, U.S. Coast Guard, to Director of Governmental and Public Affairs, U.S. Coast Guard, Oct. 3, 2018, (Exhibit 7); Email from Judge Advocate General, U.S. Coast Guard, to Director of Governmental and Public Affairs, U.S. Coast Guard, Oct. 2, 2018, (Exhibit 11).

³³ Email from Judge Advocate General, U.S. Coast Guard, to Director of Governmental and Public Affairs, U.S. Coast Guard, Oct. 2, 2018, (Exhibit 11).

³⁴ *Id.*

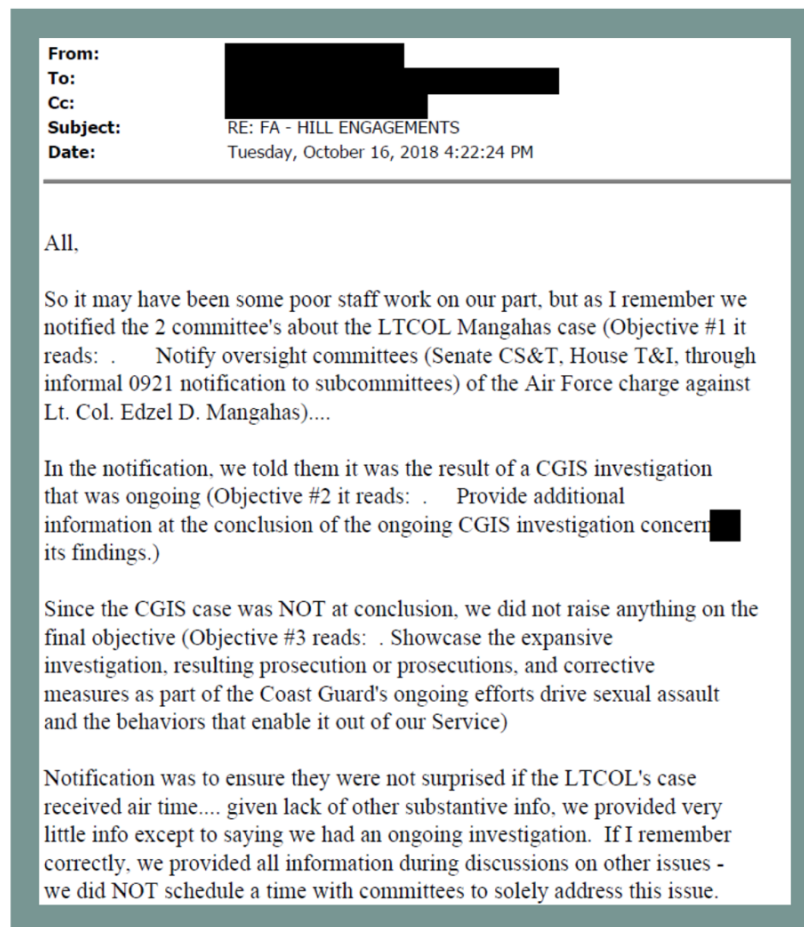
³⁵ *Id.*

³⁶ Email from Admiral Charles Ray, U.S. Coast Guard, to Director of Governmental and Public Affairs, U.S. Coast Guard, Oct. 3, 2018, (Exhibit 7).

³⁷ *Id.*

However, on October 16, 2018, the individual who was the Chief of Congressional and Governmental Affairs at the time of the 2015 Mangahas briefing wrote that, as part of the notification to Congress on the Mangahas case, Congress was told “it was the result of a CGIS investigation that was ongoing[.]”³⁸ There is an additional redaction contained in this communication and the Subcommittee was not provided the document referenced, making it unclear what information the Coast Guard provided to Congress.³⁹

Discussion of prior congressional Mangahas brief.⁴⁰



³⁸ Email from Assistant Commandant for Resources/CFO, U.S. Coast Guard, to Deputy Judge Advocate General, U.S. Coast Guard, Oct. 16, 2018, (Exhibit 6).

Mangahas was charged on October 28, 2015, meaning that the CGIS investigation into his case would likely have been completed before the congressional briefings in November 2015. It is, therefore, possible that the “investigation that was ongoing” that Allan recalls being briefed to Congress was the larger Operation Fouled Anchor investigation and not the Mangahas investigation specifically.

³⁹ Email from Assistant Commandant for Resources/CFO, U.S. Coast Guard, to Deputy Judge Advocate General, U.S. Coast Guard, Oct. 16, 2018, (Exhibit 6).

⁴⁰ *Id.*

3. The Commandant of the Coast Guard decided in the fall of 2018 not to disclose Operation Fouled Anchor

Documents obtained by the Subcommittee reveal that the Coast Guard considered multiple options for disclosing Operation Fouled Anchor in the fall of 2018.⁴¹ During this period, then-Vice Commandant Admiral Ray engaged in discussions regarding the “pros and cons of going external,” including a presentation on three potential disclosure scenarios.⁴² An email obtained by the Subcommittee suggests that, by November 14, 2018, then-Commandant Admiral Schultz decided against “an affirmative disclosure” while the investigation was ongoing.⁴³

On October 29, 2018, the Deputy Judge Advocate General informed other Coast Guard officials involved with Operation Fouled Anchor about a meeting scheduled for October 31, 2018, “to inform [the Vice Commandant] sufficiently so he can decide and recommend whether and to what extent any external engagement will occur.”⁴⁴ On October 31, 2018, an “external engagement discussion” was scheduled between then-Vice Commandant Admiral Ray and the then-Director of Governmental and Public Affairs.⁴⁵ As part of the briefing, records suggest that Admiral Ray was provided a detailed memo outlining options for external disclosure of Operation Fouled Anchor.⁴⁶ The memo, entitled “CGA Sexual Assault Investigations – Pre-2006 Communications COA’s,” provided three options for disclosure, as well as analysis of the drawbacks and benefits of each option.⁴⁷ The three options presented were:

Course of Action 1.⁴⁸

External Communication COA’s

COA 1 – RTQ only. Make Congressional & external notifications only on an RTQ basis.

RECOMMENDED

⁴¹ See, e.g., Email from Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, to Admiral Charles Ray, U.S. Coast Guard, Nov. 2, 2018, (Exhibit 2); Email from Executive Assistant to the Commandant, U.S. Coast Guard, to Deputy General Counsel, U.S. Coast Guard, Nov. 5, 2018, (Exhibit 3); Email from Director of U.S. Coast Guard Investigative Service, to U.S. Coast Guard Investigative Service Agent, et al., Nov. 14, 2018, (Exhibit 4).

⁴² CGA Sexual Assault Investigations – Pre-2006 Communications COA’s, Oct. 16, 2018 (available at <https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-Redacted.pdf>); Email from Deputy General Counsel, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, et al., U.S. Coast Guard, Oct. 29, 2018, (Exhibit 1); Email from Executive Assistant to the Commandant, U.S. Coast Guard, to Deputy General Counsel, U.S. Coast Guard, Nov. 5, 2018, (Exhibit 3).

⁴³ Email from Director of U.S. Coast Guard Investigative Service, to U.S. Coast Guard Investigative Service Agent, et al., Nov. 14, 2018, (Exhibit 4).

⁴⁴ Email from Deputy General Counsel, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, et al., U.S. Coast Guard, Oct. 29, 2018, (Exhibit 1).

⁴⁵ *Id.*

⁴⁶ CGA Sexual Assault Investigations – Pre-2006 Communications COA’s, Oct. 16, 2018 (available at <https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-Redacted.pdf>). “COA” stands for “Course of Action.”

⁴⁷ *Id.*

⁴⁸ *Id.*

Course of Action 2.⁴⁹

COA 2 – *Proactive with Congress* – communication of the current state of all the investigations and findings. Media posture to remain RTQ.

NOT RECOMMENDED

Course of Action 3.⁵⁰

COA 3 – *Hybrid* – Inform congressional staffs only about the cases in which the Coast Guard has taken action against current members.

NOT RECOMMENDED.

According to the memo, it was recommended that the Coast Guard not affirmatively disclose information regarding Operation Fouled Anchor, but instead only respond to queries from Congress about individual cases.⁵¹ As part of the scenario of proactively notifying Congress about Operation Fouled Anchor, which the memo recommended against, the memo stated, “any affirmative Congressional or external communication, especially if briefed under a singular investigatory moniker with a colorful title, vice separate investigations, will risk the initiation of comprehensive Congressional investigations, hearings, and media interest.”⁵²

The decision not to affirmatively disclose Operation Fouled Anchor apparently differed from usual Coast Guard practices. Admiral Zukunft, Commandant of the Coast Guard when Operation Fouled Anchor began, told the Subcommittee that he had never seen a communications document that recommended against providing information to Congress.⁵³ Admiral Michel, the Vice Commandant from 2015 to 2018, also told the Subcommittee he never saw a communications document with such a recommendation.⁵⁴

The Coast Guard confirmed that Admiral Ray created handwritten notes during the October 31, 2018 meeting that stated, “[p]roblem is one of the past” and included a pros and cons list.⁵⁵

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Id.*

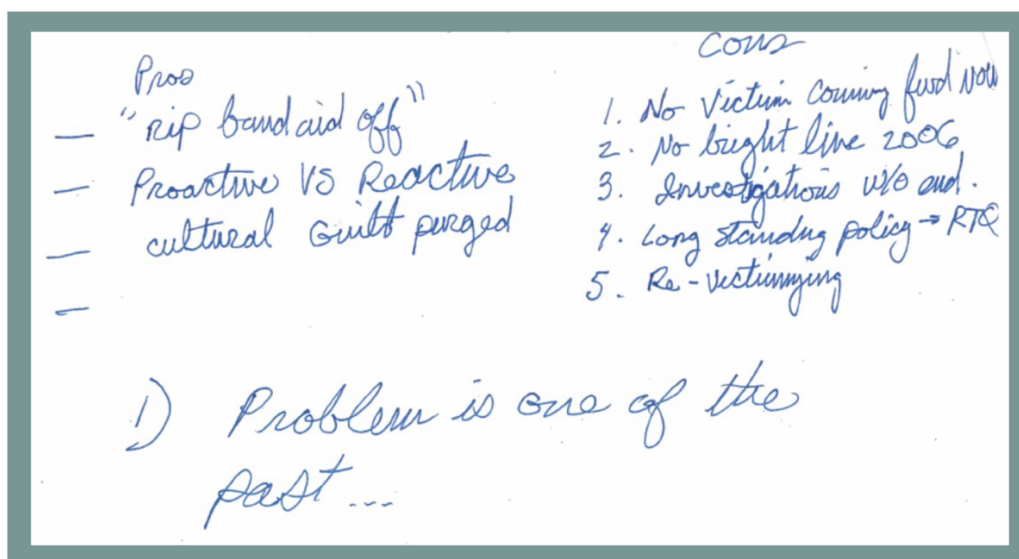
⁵² *Id.*

⁵³ Zukunft Interview (Nov. 26, 2024).

⁵⁴ Michel Interview Notes (Oct. 18, 2024); *Admiral Charles D. Michel*, U.S. COAST GUARD (last visited December 19, 2024), <https://www.history.uscg.mil/Browse-by-Topic/Notable-People/All/Article/1778350/admiral-charles-d-michel/>.

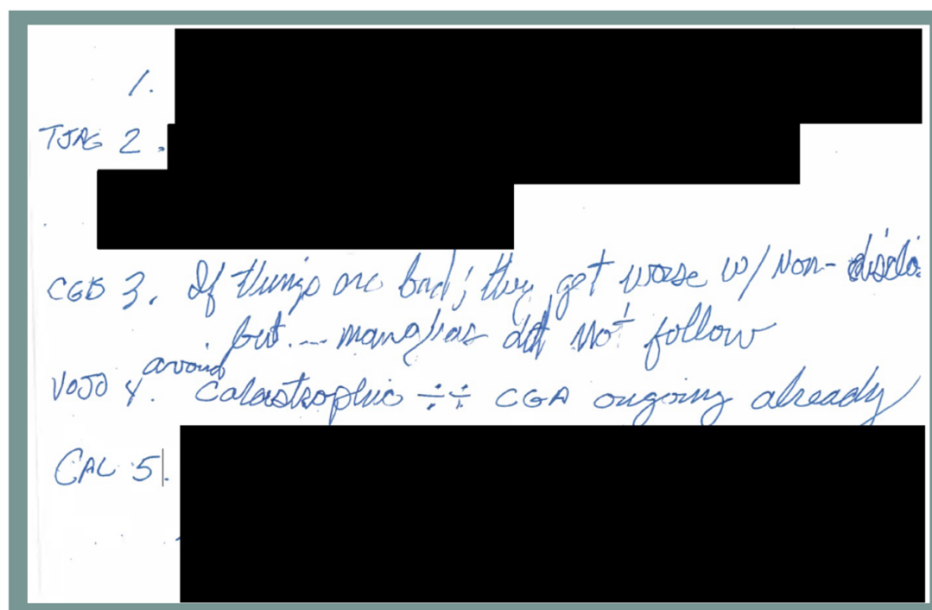
⁵⁵ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant, U.S. Coast Guard (Feb. 14, 2023) at 12, https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-_Redacted.pdf; Letter from Admiral Steven Poulin, Vice Commandant, U.S. Coast Guard, to Chair Richard Blumenthal, Permanent Subcommittee on Investigations, (Mar. 1, 2024), (on file with the Subcommittee).

Admiral Ray handwritten pro/con list.⁵⁶



Below the pros/cons list, there was another list in Admiral Ray's handwriting of apparent additional considerations:⁵⁷

Admiral Ray handwritten redacted list.⁵⁸



⁵⁶ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant, U.S. Coast Guard (Feb. 14, 2023) at 12, <https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-Redacted.pdf>; Letter from Admiral Steven Poulin, Vice Commandant, U.S. Coast Guard, to Chair Richard Blumenthal, Permanent Subcommittee on Investigations, (Mar. 1, 2024), (on file with the Subcommittee).

⁵⁷ *Id.*

⁵⁸ *Id.*

On November 2, 2018, as a follow up to that meeting, Admiral Ray received an email from the then-Deputy to the Deputy Commandant for Mission Support that said, “[the Director of Governmental and Public Affairs] will be ready to provide a product to DHS or DOD after the CCG decision about what will be discuss [sic] on the Hill.”⁵⁹

According to a November 5, 2018 email, sent from then-Vice Commandant Admiral Ray’s executive assistant to the Deputy Judge Advocate General, Admiral Ray requested “a one page paper outlining the pros and cons of going external as well as whether to aggregate or disaggregate the cases.”⁶⁰ According to Admiral Ray’s executive assistant, the one-pager was needed because “[then-Commandant Admiral Schultz and then-Vice Commandant Admiral Ray] would like to use this one pager during the [Coast Guard Leadership Council] to engage the members of the Leadership Council before making a decision.”⁶¹

On November 14, 2018, the day originally scheduled for a “Hill Brief” on Operation Fouled Anchor, the then-CGIS Director sent an email confirming that then-Commandant Admiral Schultz had made the decision not to inform Congress of the existence of Operation Fouled Anchor.⁶² It read, “FYI, the [Commandant] has decided NOT to move forward with an affirmative disclosure to either Congress or a public one based on the continuing nature of the investigation.”⁶³ At the time of this email, CGIS had not yet closed all of the investigations opened as part of Operation Fouled Anchor.⁶⁴ In an interview, the then-CGIS Director who wrote the November 14, 2018 email told the Subcommittee he was not aware of what Admiral Schultz decided to do with Congress, but the then-CGIS Director believed that Operation Fouled Anchor should be made public.⁶⁵

Although the Subcommittee has not yet interviewed former Commandant Admiral Schultz, a December 12, 2024 memorandum released by the House Committee on Oversight and Accountability appears to confirm that Admiral Schultz made the final decision not to disclose Operation Fouled Anchor.⁶⁶ According to the memorandum, in regards to the decision to withhold Operation Fouled Anchor from Congress, Admiral Schultz stated, “[t]hat was a

⁵⁹ Email from Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, to Admiral Charles Ray, U.S. Coast Guard, Nov. 2, 2018, (Exhibit 2).

⁶⁰ Email from Executive Assistant to the Commandant, U.S. Coast Guard, to Deputy General Counsel, U.S. Coast Guard, Nov. 5, 2018, (Exhibit 3).

⁶¹ *Id.*

The Leadership Council is the Coast Guard’s most senior decision-making and advisory body. Commandant Instruction 5420.40C, “Commandant’s Executive Decision Making (EDM) Process,” Aug. 10, 2021 (https://media.defense.gov/2021/Aug/16/2002831945/-1/-1/0/CI_5420_40C.PDF).

⁶² Email from Director of U.S. Coast Guard Investigative Service, to U.S. Coast Guard Investigative Service Agent, et al., Nov. 14, 2018, (Exhibit 4).

⁶³ *Id.*

⁶⁴ Memorandum, “Fouled Anchor Investigation – Final Report,” Jan. 31, 2020 (https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_A_ND_ENCLOSURE-508Compliant.pdf).

⁶⁵ Interview with Former Coast Guard Investigative Services Director, Sept. 5, 2024, (on file with Subcommittee).

⁶⁶ Memorandum from Committee on Oversight and Accountability Majority Staff to Committee on Oversight and Accountability Majority Members, Dec. 12, 2024, <https://oversight.house.gov/wp-content/uploads/2024/12/USCG-Staff-Update-for-Members-12.12.2454.pdf>.

decision by me to not make a notification. I own that exclusively, not Admiral Ray, not others. That is my decision.”⁶⁷

4. Conclusion of Operation Fouled Anchor

In early 2019, members of the Coast Guard conducted victim recovery meetings with twenty-four of the survivors of sexual misconduct whose cases were part of Operation Fouled Anchor.⁶⁸ In the summer of 2019, CGIS completed its investigations into individual cases under Operation Fouled Anchor and the Consolidated Disposition Authority completed its duties.⁶⁹ Leaders of offices assigned tasks under the October 2018 Tasking Memo continued to meet about Operation Fouled Anchor until mid-October 2019.⁷⁰ The Coast Guard’s final report on Operation Fouled Anchor was drafted throughout 2019 and January 2020.⁷¹

The Subcommittee found no evidence that the discussion about disclosure was revisited at any time before June 2023, including after Admiral Fagan assumed the position of Commandant.

B. A February 2019 Email Suggests That The Coast Guard Took Affirmative Steps To Remove References To Operation Fouled Anchor From Productions To Congress While The Investigation Was Ongoing

The Subcommittee found no evidence to indicate that Congress had been notified of the conclusion of the Operation Fouled Anchor investigation until mid-June 2023—press reports first revealing Operation Fouled Anchor were published on June 30, 2024.⁷²

In response to a 2019 congressional request for information on harassment, bullying, and retaliation involving the Academy, the Coast Guard identified about 4,600 emails that were

⁶⁷ *Id.* at 4.

⁶⁸ Memorandum, “Fouled Anchor Investigation – Final Report,” Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

⁶⁹ *Id.*; Memorandum, “Fouled Anchor Command Accountability Disposition Decision and Completion of Consolidated Disposition Authority Duties,” July 09, 2019, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

In this memorandum, the officer assigned to serve as the Consolidated Disposition Authority (“CDA”) for Operation Fouled Anchor wrote that he had made disposition decisions for 46 individuals. The Fouled Anchor Report instead states that the CDA made disposition decisions in 43 cases. The Subcommittee has been unable to determine whether this was in error.

⁷⁰ Email from Judge Advocate General, U.S. Coast Guard, to Deputy to the Deputy Commandant for Mission Support, U.S. Coast Guard, Oct. 17, 2019, (on file with the Subcommittee).

⁷¹ PSI in camera review of drafts of Fouled Anchor Report; Memorandum, “Fouled Anchor Investigation – Final Report,” Jan. 31, 2020, https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

⁷² Email from Acting Chief, Congressional and Governmental Affairs, U.S. Coast Guard, to Sen. Permanent Subcommittee on Investigations, May 20, 2024, (on file with the Subcommittee); Blake Ellis, Melanie Hicken, and Audrey Ash, *Criminal investigation into Coast Guard Academy revealed years of sexual assault cover-ups, but findings were kept secret*, CNN, June 30, 2023, <https://www.cnn.com/2023/06/30/politics/coast-guard-academy-secret-sexual-assault-investigation-invs/index.html>.

responsive.⁷³ However, the Coast Guard's Chief of the Office of Budget and Programs ("OBP Chief") emailed the executive assistants to the then-Commandant and then-Vice Commandant to inform them that several of the identified emails contained references to Operation Fouled Anchor.⁷⁴ Because the Operation Fouled Anchor investigation was ongoing, the OBP Chief stated he wanted to review the emails that were intended to be produced to Congress again, writing in a February 26, 2019 email, "[a]cknowledging that [the Coast Guard is] still investigating Fouled Anchor, we believe it's prudent to spend today taking another round turn on the emails to make sure we don't inadvertently release information before it's [sic] time."⁷⁵ In response to the OBP Chief's email, a Commander involved in the document review searched the documents for all references to Operation Fouled Anchor, saying "I CANNOT guarantee there is nothing about [Operation Fouled Anchor] in the 4,000+ emails, but we've done the best we can without putting human eyes on every single email."⁷⁶

The Subcommittee has not determined what specific information, if any, was removed from the February 2019 production or whether responsive information was withheld from the House committees investigating harassment, bullying, and retaliation in the Coast Guard as a result of the Coast Guard's apparent efforts to remove information related to Operation Fouled Anchor.

⁷³ H.R. Committee on Oversight and Reform Committee on Homeland Security, Majority Staff, *Righting the Ship: The Coast Guard Must Improve its Processes for Addressing Harassment, Bullying, and Retaliation*, at 3-4 (Dec. 11, 2019), <https://democrats-homeland.house.gov/imo/media/doc/RTS%20Final%20Report.pdf>; Email from Chief of the Office of Budget and Programs, U.S. Coast Guard, to Executive Assistant to the Commandant, U.S. Coast Guard, Feb. 26, 2019 (Exhibit 5).

⁷⁴ Email from Chief of the Office of Budget and Programs, U.S. Coast Guard, to Executive Assistant to the Commandant, U.S. Coast Guard, Feb. 26, 2019 (Exhibit 5).

⁷⁵ *Id.*

⁷⁶ *Id.*

CONCLUSION

With the decision to keep Operation Fouled Anchor from Congress and the public, the Coast Guard failed itself and its members who survived sexual assault and sexual harassment during their time in the service. The Subcommittee's investigation is ongoing. In addition to the failure to disclose Operation Fouled Anchor to Congress and the public, the Coast Guard's apparent removal of references to Operation Fouled Anchor in documents produced to Congress raises questions for further investigation.

The Coast Guard has repeatedly failed to comply with the Subcommittee's investigation. The Coast Guard has refused to produce responsive documents, aggressively redacted documents that it has produced, erroneously claimed privilege over responsive documents, and limited the Subcommittee's access to key documents.⁷⁷ In one case, the Coast Guard explicitly refused to produce a document it acknowledged was responsive and non-privileged on the grounds that it was "sensitive."⁷⁸ The Coast Guard's obstruction of the Subcommittee's oversight efforts is unacceptable.

⁷⁷ *Coast Guard Oversight: Sexual Assault and Harassment, Hearing Before the Senate Permanent Subcommittee on Investigations*, 118th Cong. (June 11, 2024), <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-oversight-sexual-assault-and-harassment/>; Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant, U.S. Coast Guard (Aug. 15, 2024), (on file with the Subcommittee).

⁷⁸ *Coast Guard Oversight: Sexual Assault and Harassment, Hearing Before the Senate Permanent Subcommittee on Investigations*, 118th Cong. (June 11, 2024), <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-oversight-sexual-assault-and-harassment/>.

Exhibit 1

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Operation Fouled Anchor
Date: Monday, October 29, 2018 3:07:51 PM
Attachments: [Plan of approach to the Command Cadre R3 .docx](#)
[Command Accountability Investigative Plan VCG Brief Oct 2018 R3.pptx](#)

I defer to RADM [REDACTED] for q's about the external engagement discussion, now sked at 1000 Wed w/ VCG, in which I believe 092 is principal briefer. Purpose of that discussion is to inform VCG sufficiently so he can decide and recommend whether and to what extent any external engagement will occur. My calendar still shows a bi-monthly w DCMS-D before that.

W/respect to CGA senior leadership interviews, I was under the impression that VCG only wanted to see the interview plan (the "how") before green lighting interviews. I'm surprised to hear that approval might be delayed pending discussion) of whether and to what extent external engagement may occur. I agree with Dir [REDACTED] that the two are unrelated. [REDACTED] perhaps you can pulse in w/VCG unless you have clarity on this (and buy back a couple of days so CGIS can launch).

Vr [REDACTED]

[REDACTED]
 Deputy Judge Advocate General
 U.S. Coast Guard

[REDACTED] (cell)

This message and any attachments may contain attorney-client communications, attorney work product, agency deliberative communications, or other information which may be privileged or otherwise not subject to disclosure outside the Coast Guard or to the public. Please consult with CGJAG before disclosing any information contained in this email.

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

From: [REDACTED]
Sent: Monday, October 29, 2018 2:23 PM
To: [REDACTED]; [REDACTED]
Subject: Operation Fouled Anchor
Importance: High

So, I have been trying to determine whether we have been given the go ahead on the command accountability portion of this investigation.

Here is what I know:

1. We briefed the VCG on the shape of the investigation, the need for it, and how we had limited it to the truly relevant persons (see attached ppt).
2. SAC [REDACTED] then worked with Mr. [REDACTED] and presented to Admiral [REDACTED] a

plan of how the interviews were to go. This was edited further following comments from the steering committee. (see attached).

3. CGIS has an op plan to execute these interviews within 14 days, if possible, by throwing a series of teams into this investigation. If given the "go" signal soon, we would be in the range projected still (second week November).

Per Captain [REDACTED] the VCG has NOT given the go. Per Captain [REDACTED] the VCG wants to hear about the other elements of the planning, specifically the external communications plan.

There has been a meeting scheduled by the VCG for this coming Wednesday. It is NOT clear to me who is part of this briefing to the VCG as CGIS has not been invited.

So I am concerned because:

1. The unified team approach appears to be slipping.
2. The question of an affirmative disclosure to congress/public should not define the command accountability investigation. The only connection that I see is if the command accountability investigation were to somehow trigger a public or congressional discussion and I see that as having a low probability of happening---especially since we have already interviewed a number of the command officials and there was no leaks or public outcry.

Perhaps we need to meet prior to the Wednesday scheduled bi-monthly meeting? Or has that been canceled for the briefing with the VCG? And whom is doing the briefing for the VCG on external comms and whom is invited to that meeting?

Thanks,

[REDACTED]

Exhibit 2

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FA Timeline
Date: Friday, November 2, 2018 4:42:41 PM
Attachments: [FA Completion Timeline \(1 Nov 18\).pptx](#)

VCG,

Per follow up to the meeting earlier this week, attached is an updated timeline for FA.

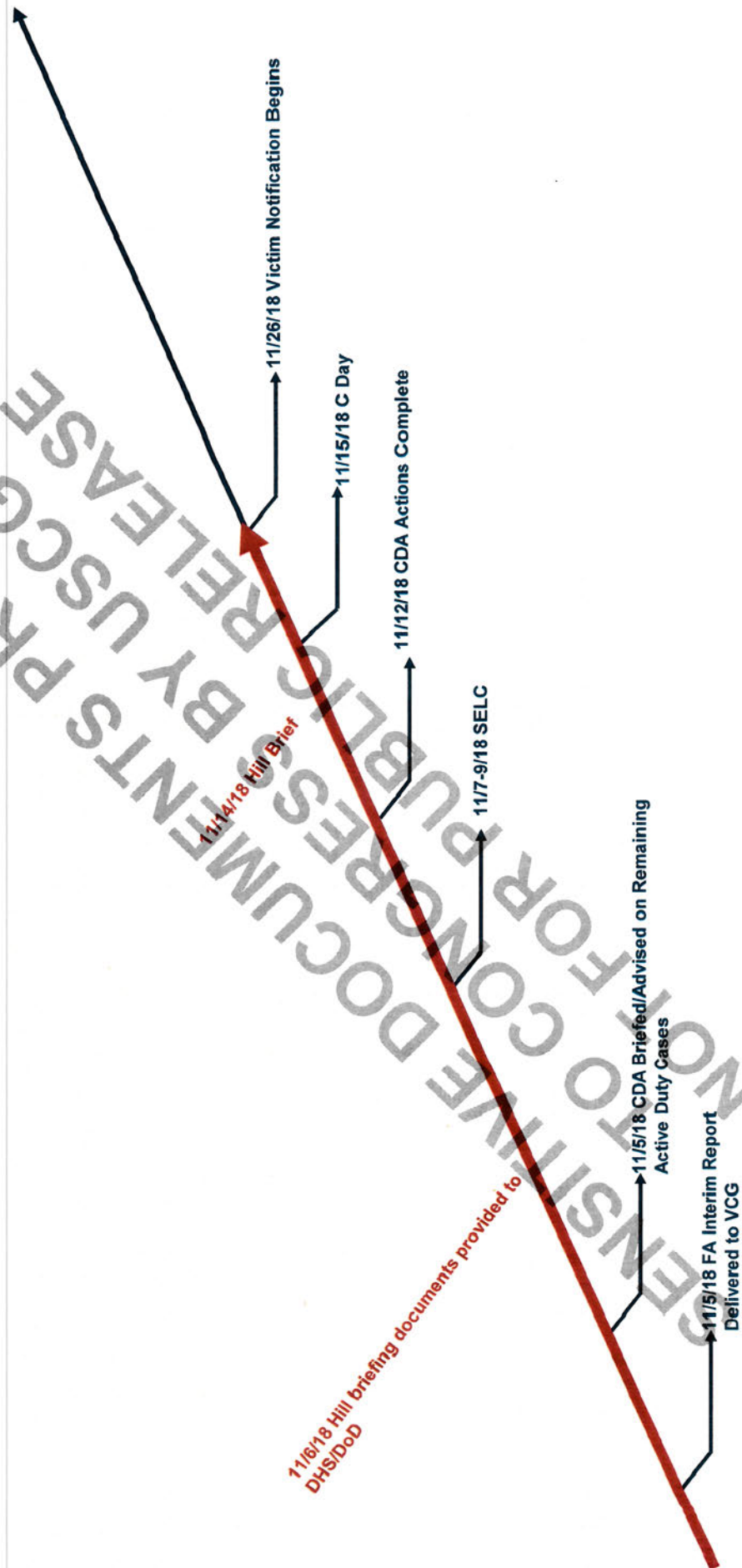
CG-092 will be ready to provide a product to DHS or DOD after the CCG decision about what will be discuss on the Hill, including the approach for interviewing past leadership during that timeframe. External products were to be submitted on 06 Nov. All other activities support a "C" day of 15 Nov (no change).

Vr, [REDACTED]

RADM [REDACTED]
Deputy for Mission Support (DCMS-DMR)
[REDACTED]

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

Fouled Anchor Completion Timeline



September 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					CG-1/PSC LSC/CDA TJAG, CGIS CG-092 CGA, CG-11	1
2	3 Labor Day	4	5	6	7	8
9	10	11 Draft update for VCG tasking memo for review	12 ^{FA Bi-monthly} (Review VCG memo & timeline) ✓	13 update meeting with VCG	14	15
16	17	18	19	20 Victim Recovery review (team)	21	22
23	24 TODAY	25	26 ^{FA Bi-monthly} CGA completes "what's-changed analysis"	27 Victim recovery brief to VCG	28	29 C-47
30						

October 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Investigations AD suspects are complete Victim Recovery dry run	2	3	4 Victim recovery brief to VCG	5 CGA completes "what's changed analysis"	6 C-40
7	8 Columbus Day	9 CG-092 Plan Brief. Who What... Brief	10 FA Bi-monthly finish Investigate Plan CMD Accountability	11	12	13 C-33
14	15 LSC completes review of AD cases	16	17 Red Cell Hill Brief; deliver Investigate Plan to VCG	18	19	20 C-26
21	22	23	24 FA Bi- monthly	25 Hill engagement brief dry run to VCG	26	27 C-19
28	29	30	31	(25) Interim report to VCG		

November 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 CDA unofficially complete	2	3 C-12
4	5	6	7 SELC CGHQ	8 SELC CGHQ	9 SELC CGHQ	10 C-5
11 Veterans Day	12	13 Briefing Docs provided to DHS/DoD	14 Hill Brief; CDA officially complete	15 "C" Day Notification of accountability	16	17
18	19	20	21	22	23	24
25	26 Victim Out-reach begins (through 15 Dec)	27	28	29	30	

December 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	Christmas				

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

Exhibit 3

From: [REDACTED]
To: [REDACTED]
Subject: RE: VCG Request Related to FA
Date: Monday, November 5, 2018 2:21:26 PM

Hmmm - VCG called me and told me you were building the paper -- :) happy to do it though....

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

From: [REDACTED]
Sent: Monday, November 5, 2018 12:32 PM
To: [REDACTED]
Subject: VCG Request Related to FA

[REDACTED]

Good afternoon. Following upon the last week's FA communications brief and VCG's sync with CCG this morning, VCG asked that I reach out to you requesting a one page paper outlining the pros and cons of going external as well as whether to aggregate or disaggregate the cases. CCG and VCG would like to use this one pager tomorrow during the LC to engage the members of the Leadership Council before making a decision. This would be similar to what RDML [REDACTED] provided last week, but focused on the pros and cons of these potential COAs and abbreviated to one page. Please let me know if you have any questions.

v/r,

[REDACTED]
Executive Assistant to the Vice Commandant
[REDACTED] (office)
[REDACTED] (cell)

Exhibit 4

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Bcc: [REDACTED]
Subject: Operation Fouled Anchor Sensitive
Date: Wednesday, November 14, 2018 8:08:00 PM
Attachments: [CGIS document - CCG review.docx](#)

Good evening.

WE have now received the go ahead for the Command Accountability aspect of the investigation.

I have spoken with Admiral [REDACTED] and explained that 1) we will move quickly but we will not proceed with the same haste as we had originally planned. That plan was based on getting everything done by 15 Nov, a date which is obviously OBE.

Further, I explained that I will leave to the investigators discretion, but it is likely that we will not start next week due to the holiday. All of which was acknowledged and accepted.

So, [REDACTED] you are weapons free. Please make sure to get with Mr. [REDACTED] and provide a plan of action before you launch.

FYI, the CCG has decided NOT to move forward with an affirmative disclosure to either Congress or a public one based on the continuing nature of the investigation. So all of the rules of engagement and the nature of the investigation (sensitive, close hold) remain in effect.

Thank you for your patience and your attention to these sensitive matters.

Best,

[REDACTED]

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

From: [REDACTED]
Sent: Wednesday, November 14, 2018 6:02 PM
To: [REDACTED]
Cc: [REDACTED]

Subject: FW: CGIS Investigation

[REDACTED] please proceed with the interviews of CGA command cadre per the attached document.

Please keep [REDACTED] updated on progress and any key issues and let me know if you have any questions or concerns.

Thanks,

VADM [REDACTED]
Deputy Commandant for Mission Support
U.S. Coast Guard

EVER8620

[REDACTED]

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

From: Ray, Charles W ADM

Sent: Wednesday, November 14, 2018 4:25 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: CGIS Investigation

[REDACTED]

As per our discussion this afternoon; please move the interviews to the execution stage using the attached guidance. Advise of any significant events associated therewith.

Thanks

Charlie

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

Exhibit 5

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Update 1: CGA Email Sitrep
Date: Tuesday, February 26, 2019 12:38:51 PM
Attachments: [TPs -- CGA Document & Email Discovery \(w encls\).pdf](#)

CAPT [REDACTED]

Sir, as discussed- we have crashed last night and this morning and completed a range of additional electronic searches for references to Fouled Anchor. I CANNOT guarantee there is nothing about FA in the 4,000+ emails, but we've done the best we can without putting human eyes on every single email.

We've put the attached together for CCG/VCG so they have a sense for what is about to be released. From CAPT [REDACTED] email below, this will be Traunches 1, 2, and 3.

We have a simple cover letter that we'll have RDML [REDACTED] sign to accompany the CDs.

Pending your approval, I'm headed to the Hill at 1330 and can deliver today's submission.

V/R,
[REDACTED]

From: [REDACTED]
Sent: Tuesday, February 26, 2019 11:15 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Update 1: CGA Email Sitrep

Thanks [REDACTED] I informed CCG of same...he's comfortable.

I would like to know how are submission is received by [REDACTED] upon delivery today.

Thanks.

CAPT [REDACTED]
Executive Assistant to the Commandant
[REDACTED] (office)
[REDACTED] (cell)

From: [REDACTED]
Sent: Tuesday, February 26, 2019 8:17 AM
To: [REDACTED]

Gents,

[REDACTED]

 $V/r,$

From: [REDACTED]

Sent: Wednesday, February 20, 2019 5:35 PM

To: [REDACTED]

Cc:

Subject: Email Sitrep

[REDACTED]

[REDACTED]

[REDACTED]

Exhibit 6

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FA - HILL ENGAGEMENTS
Date: Tuesday, October 16, 2018 4:22:24 PM

All,

So it may have been some poor staff work on our part, but as I remember we notified the 2 committee's about the LTCOL Mangahas case (Objective #1 it reads: . Notify oversight committees (Senate CS&T, House T&I, through informal 0921 notification to subcommittees) of the Air Force charge against Lt. Col. Edzel D. Mangahas)....

In the notification, we told them it was the result of a CGIS investigation that was ongoing (Objective #2 it reads: . Provide additional information at the conclusion of the ongoing CGIS investigation concerning its findings.)

Since the CGIS case was NOT at conclusion, we did not raise anything on the final objective (Objective #3 reads: . Showcase the expansive investigation, resulting prosecution or prosecutions, and corrective measures as part of the Coast Guard's ongoing efforts drive sexual assault and the behaviors that enable it out of our Service)

Notification was to ensure they were not surprised if the LTCOL's case received air time.... given lack of other substantive info, we provided very little info except to saying we had an ongoing investigation. If I remember correctly, we provided all information during discussions on other issues - we did NOT schedule a time with committees to solely address this issue.

Hope that helps.

v/r-
[REDACTED]

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

From: [REDACTED]
Sent: Tuesday, October 16, 2018 11:26 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FA - HILL ENGAGEMENTS

[REDACTED] At FA coord meeting yesterday you mentioned that [REDACTED] reported that 0921 did not mention the larger FA investigation or commit to any get backs unrelated to Mangahas in the course of the Hill engagements in Nov 2015. Defer to his firsthand knowledge but FYI the final CAP included some info on larger invx and a get back (see attached and highlighted language in case you haven't seen before). I've also attached only relevant email traffic I have from that time, which is consistent, but all of that preceded the actual engagements.

[REDACTED]
Deputy Judge Advocate General

U.S. Coast Guard

[REDACTED] (cell)

This message and any attachments may contain attorney-client communications, attorney work product, agency deliberative communications, or other information which may be privileged or otherwise not subject to disclosure outside the Coast Guard or to the public. Please consult with CGJAG before disclosing any information contained in this email.

From: [REDACTED]
Sent: Saturday, November 7, 2015 8:24 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: US v Mangahas-CLOSEHOLD

[REDACTED]
Even better. Thanks!
VR
[REDACTED]

Sent with Good (www.good.com)

From: [REDACTED]
Sent: Saturday, November 07, 2015 1:17:32 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: US v Mangahas-CLOSEHOLD
Suggested change

Sent with Good (www.good.com)

From: [REDACTED]
Sent: Saturday, November 07, 2015 9:42:06 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: US v Mangahas-CLOSEHOLD
Sir

Addresses everything from 0921 perspective. Thanks for opportunity to review.

V/r-

CAPT [REDACTED]

Sent with Good (www.good.com)

From: [REDACTED]
Sent: Friday, November 06, 2015 7:15:31 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: US v Mangahas-CLOSEHOLD

Colleagues: This is the document we propose to forward to CCG (VCG reviewed an intervening draft but I made additional changes afterward). Please advise any concerns by 1800 Saturday. I'll forward to CAPT [REDACTED] after that.

VR [REDACTED]

[REDACTED]
Deputy Judge Advocate General
U.S. Coast Guard

[REDACTED] (cell)

This message and any attachments may contain attorney-client communications, attorney work product, agency deliberative communications, or other information which may be privileged or otherwise not subject to disclosure outside the Coast Guard or to the public. Please consult with CCGJAG before disclosing any information contained in this email.

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

From: [REDACTED]
Sent: Friday, November 06, 2015 6:17 PM
To: [REDACTED]

Subject: US v Mangahas
Importance: High

All

[REDACTED] and I just left the VCG who has signed off on our proposed way ahead -- he had one small edit to the PAG and [REDACTED] is working that in --

VCG is out of town Sunday through Tuesday so we would not have been able to meet with him until Thursday -- thus the quick meeting tonight

VCG has agreed to the plan -- but asked us to brief the CCG Monday -- [REDACTED] is providing CAPT [REDACTED] the edited paperwork and [REDACTED] and I have a tentative meeting with the CCG on Monday at 10:45 if necessary -- (CAPT [REDACTED] will pre-brief and we'll see if the CCG wants to meet.)

Bottom line -- CAPT [REDACTED] -- you will be able to read in the Senate and House Liaisons for the purposes of informing T&I and CS&T on the talking points we agreed to for this specific case. I would ask that you wait until we have the meeting with the CCG on Monday just in case there are any changes -- VCG understands that you will try to meet with the Hill on Thursday.

[REDACTED] will distribute the edited version.

Have a great weekend -- thanks to everyone for the extra effort

VR

[REDACTED]

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

Exhibit 7

From: Ray, Charles W ADM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FA prior Hill interaction
Date: Wednesday, October 3, 2018 6:18:53 PM

Roger on all [REDACTED] I've got a discussion with CGIS next week about investigations and way ahead on our calendar of events etc. Would like to revisit this with a larger group sometimes around that time. Objective of discussion will be to question the premise of the wisdom of an external group report out. Once we cross that Rubicon, we will be entering uncharted territory.

Thanks
Charlie

From: [REDACTED]
Sent: Wednesday, October 3, 2018 8:25 AM
To: Ray, Charles W ADM [REDACTED]
[REDACTED]

Subject: FA prior Hill interaction

Sir,
We have had some confusion about who in Congress was told what re FA. Confirmed with [REDACTED] that CGMT and OAFCG staff were notified in 2015 about Mangahas, but not about any other planned investigation. At the time they did not express significant interest. We did not follow up.
[REDACTED]

Rear Admiral [REDACTED]
Director, Governmental and Public Affairs
U.S. Coast Guard

w: [REDACTED]

c: [REDACTED]

Exhibit 8

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Agenda for Friday's meeting
Date: Wednesday, April 18, 2018 12:55:00 PM
Attachments: [1058347155_032018_135359.pdf](#)
[Fouled Anchor Report 20 Apr Agenda.docx](#)

[REDACTED] - attached is a proposed agenda for our principal's meeting on Friday. I've shared with [REDACTED]

If you're ok with this framework, I can send to principals unless you prefer otherwise.

v/r [REDACTED]

RADM [REDACTED] USCG
Judge Advocate General
[REDACTED]

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

LIMITED DISTRIBUTION

U.S. Department of
Homeland SecurityUnited States
Coast GuardCommandant
United States Coast Guard2703 Martin Luther King Jr. Ave., SE
Stop 7213
Washington, DC 20593-7213
Staff Symbol: CG-094
Phone: [REDACTED]

5800

MAR 19 2018

MEMORANDUM

From: C. D. Michel, ADM
VCGReply to: VCG-ea
Attn of: CAPT [REDACTED]

To: DCMS

Subj: REPORT ON THE RESULTS OF THE "FOULED ANCHOR" INVESTIGATION

Ref: (a) CCG memo 5810 dated 4 Oct 2016

This document is pre-decisional in nature and qualifies as an inter-agency/intra-agency document containing deliberative process material. Under exemption 5 of section (b) of 5 U.S.C. § 552 (Freedom of Information Act), this material is EXEMPT FROM RELEASE TO THE PUBLIC.

1. You shall assemble for my review and approval a report that assesses the organizational results and lessons from the Fouled Anchor investigation. The purpose of the report is to provide our Service with a comprehensive summary of the actions already taken or those actions necessary to: address the allegations, assist the victims, identify root causes, and engage internally and externally. The report will summarize completed actions as well as state intentions and recommendations for future actions. The report will consolidate and include inputs from the Coast Guard Investigative Service (CGIS), the Consolidated Disposition Authority, the Coast Guard Academy, CG-1, CG-092, and CG-094. Those entities will provide their input as set forth below and no later than 45 days after CGIS completes its investigation. Some actions, such as disposition decisions and victim recovery, may extend well past the deadline for this report.
2. Background. In 2014, CGIS began an investigation into an allegation of sexual assault within the Corps of Cadets from the 1990s. The investigation expanded to other allegations from the same period, and mostly from the Corps of Cadets, that were not previously reported to CGIS. The name Fouled Anchor was adopted for the overarching investigative effort. In reference (a), the Commandant designated FORCECOM as the Consolidated Disposition Authority for all matters arising out of the Fouled Anchor investigation.
3. Coast Guard Investigative Service. CGIS shall provide you with an overview of its investigation efforts to include a summary of its investigative plan, the level of investigative efforts, and the number of victims and subjects identified.
4. Consolidated Disposition Authority. FORCECOM shall provide you with a summary of dispositions and outcomes. The summary will include, to the extent possible, the general nature of alleged offenses and the status of victim notifications, where applicable. FORCECOM will also consider whether any actions should be taken related to the advisors and decision makers at

LIMITED DISTRIBUTION

LIMITED DISTRIBUTION

Subj: REPORT ON THE RESULTS OF THE "FOULED
ANCHOR" INVESTIGATION

5800

the Coast Guard Academy during the 1990s. FORCECOM shall continue to exercise its independent judgment in the disposition of all Fouled Anchor cases per reference (a).

5. Coast Guard Academy. The CGA shall provide you with a summary of the changes in Coast Guard and Academy policy made since the time of the matters contained in the Fouled Anchor investigation. The summary will: address initial reporting, the investigation process, and disposition of allegations of sexual assault at the Academy; include policies implemented since the Fouled Anchor period that have improved (or hampered) the Academy's prevention and response to sexual assault and sexual harassment; and propose any process improvements either recently identified or not yet implemented. Submit this summary to DCMS by 31 May 2018.

6. Assistant Commandant for Human Resources. CG-1 shall provide you with a description of the victim response and recovery actions that are being, or will be, taken for those victims identified in the Fouled Anchor investigation. Submit this description to DCMS by 31 May 2018.

7. Director of Governmental and Public Affairs. CG-092 shall provide you with an internal and external communications plan for my approval.

8. The Judge Advocate General. CG-094 shall provide you with recommendations as to any follow on actions that may be warranted by the Fouled Anchor investigation. Further, CG-094 will provide you with drafting assistance for the overall report.

9. Omit PII from the submissions above in order to protect victims and those individuals who remain presumed innocent, but were subject of an allegation. Further, all parties will coordinate to ensure consistent and accurate terminology in their submissions. Finally, the submissions above should include any process or systemic recommendations.

10. Please contact my Executive Assistant, CAPT [REDACTED] at [REDACTED] or [REDACTED] if you have any questions.

#

Copy: CGIS
FORCECOM
CGA
CG-1
CG-092
CG-094

LIMITED DISTRIBUTION

Fouled Anchor Report
Principal's Meeting - 20 April

1. Review tasking – VCG memo of 19 March
2. Establish expectations – CGIS, FORCECOM, CGA, CG-1, CG-092, CG-094
Outcome: Agree on expectations and deliverables - answer follow up questions.
 - a. DCMSd to lead overall effort; each principal is responsible to deliver a report in narrative format with metrics where appropriate
 - b. Due 31 May
 - CGA – then/now and recommendations
 - CG-1 – response and recovery action plan
 - CG-092 – internal/external comms plan thru DCMS for VCG approval
 - *Interim reports from CGIS and FORCECOM*
 - c. Due at Completion + 45
 - CGIS – summary of investigative plan and efforts
 - FORCECOM – summary of dispositions/outcomes
 - 094 – summary of follow on actions
 - d. Final Report – CG 094 initial draft 30 June
3. Access requirements
Outcome: develop list of those who need to be read in to FA, either fully or partially, in order to accomplish tasking.
 - a. What are the minimum requirements for access, and how/when will access be granted/briefed?
 - b. CGIS to seek VCG approval
 - c. Non-disclosure forms
4. Next steps.
Outcome: determine timing for future meetings, coordination, and issue resolution
 - a. Frequency of meetings... principal/AO
 - b. Updates/status
 - c. Consistent terminology
 - d. Issue resolution
5. Concerns

Exhibit 9

[REDACTED]

9/26 CGA completes “what’s changed” analysis
9/27 Victim recovery brief to VCG (review/dry run on 9/20)
10/1 Investigations of AD complete
10/9 CG-092 script complete and provided to FA team
10/10 Investigative Plan for Command Accountability complete
10/15 LSC completes review of AD cases and brief CDA
10/17 Red Cell of the Hill Brief
10/17 Investigative Plan for Command Accountability brief to VCG
10/25 Brief VCG on Hill engagement
10/25 Interim report to VCG
11/13 Briefing docs to DHS/DoD
11/14 Hill Brief
11/15 “C” Day
11/26 Victim outreach begins (through 15 Dec)

To: [REDACTED]; [REDACTED]
[REDACTED] > [REDACTED]
[REDACTED]; [REDACTED] > [REDACTED]
[REDACTED] > [REDACTED] < [REDACTED];
[REDACTED] > [REDACTED]
< [REDACTED] | > [REDACTED] < [REDACTED] >

All: Thank you for your work and responsiveness. We have a bi-monthly meeting on Wed. At this meeting I would like to review the timeline to competition and the draft updated VCG task memo (will provide you a draft tomorrow). I plan to talk about both items with VCG on Thursday if I can schedule a meeting with him.

9/27 Victim recovery brief to VCG (review/dry run on 9/20)

9/27 Investigative Plan brief to VCG

10/1 Investigations of AD complete

10/3 CGA completes “what’s changed” analysis

10/10 Staff brief External Outreach plan – what will be briefed on “C” day and what will the prepped material look like

10/15 LSC completes review of AD cases and brief CDA

10/17 Red Cell of the Hill Brief

10/25 Brief VCG on Hill engagement

10/25 Interim report to VCG

10/29 Briefing docs to DHS/DoD

11/1 Hill Brief

11/2 “C” Day

11/5 Victim outreach begins

We are 53 days away from a proposed “C” day.

RADM [REDACTED]
Deputy for Mission Support (DCMS-D)

From: [REDACTED]

To: [REDACTED] [REDACTED] > [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

Cc: [REDACTED] [REDACTED]

Importance: High

Colleagues: below is a short summary of our meeting last week along with action items necessary to accelerate our planning in order to be prepared for discrete Fouled Anchor outcomes/cases, and so that senior leaders can make fully informed decisions.

Summary: CCG received an info brief on the status and proposed way ahead for one specific FA case. The discussion expanded into FA generally, and the many associated considerations, risks, equities. CCG reiterated his confidence in the decisions of the Consolidated Disposition Authority (CDA) and his desire to not influence that process. Separately, it became clear that more organizational preparation is needed to identify and plan for the potential outcomes of specific CDA decisions. We have some homework to quickly turn around, ideally so that our work can be considered by the LC.

Each element that has a role in processing or acting upon CDA decisions, as well as each element tasked in the VCG memo of 19 Mar, must conduct an in-depth review of the milestone event for which they are responsible. This includes preparation and COAs for proactive measures that may be necessary in response to CDA decisions. For the case we discussed last week, the critical date around which all actions/events should be sequenced will likely be the issuance of a Page 7 – which we'll call "C-day" for reference purposes. The format we will use is a Word document that contains:

- the known, expected, or possible milestone action/event
- the timing of the action/event in relation to "C" day... e.g. C-5, or C+10
- a description of the action/event (who/what/when/where/how)
- risks associated with the action/event
- when/if leadership approval is needed

In addition to the items above, please include the following in your review - (non-exhaustive list):

CGIS

- number of active duty FA cases and estimate of when ROIs will be complete for those cases
- number of other FA sex assault cases and estimate to completion
- level of investigative effort so far, including QA piece
- overall number of victims/subjects/witnesses - reconcile those numbers with the number of "cases"
- initial plan/recommendation on how to approach phase of FA that will consider actions of CGA officials
- release-ability of completed ROIs
- work with CCG EA and 094 to deliver a refresher FA brief to CCG

092

- external engagement/comms plan - hill, DHS, media - that considers sequenced proactive engagement as well as RTQ, to include the "what would we do if..." for possible scenarios
- what is our message to whichever group may feel that justice was not served by the result in a specific case
- release-ability of relevant documents

094/LSC

- revised summary of dispositions so far, and completed ROIs that are pending disposition
- (w/ CGIS) initial plan/recommendation on how to approach phase of FA that will consider actions of CGA officials
- assessment of legal/adversarial actions that an active duty FA subject may pursue (e.g. Art 138, PRRB, BCMR, EEO, media engagement, etc.)
- info on DOD legal practices for other cases with dated SA allegations – a la Mangahas case. IOW - what have other services done to hold members accountable for SA allegations that arose from Academy/ROTC time.
- legal/policy for release-ability of relevant documents
- work with CCG EA and CGIS to deliver a refresher FA brief to CCG

CG-1

- past administrative/HR practices for holding officers accountable for cadet conduct
- distinctions between special board and 3-board process, and pros/cons of sequencing
- info on DOD admin/HR practices for dated SA allegations, and particularly those arising from Academy or ROTC time
- identification of relevant documents and release-ability of said documents,
- victim recovery plans

CGA

- the what's changed analysis
- stats on how cadets have been held accountable for SA allegations since 2006

What is missing?

There is a lot here and I know a lot has been completed. Please provide what you have my COB Wed... perhaps we might have enough to inform the LC discussion on Thursday.

Thank you.

Vr, [REDACTED]

RADM [REDACTED]

Deputy for Mission Support (DCMS-D)

[REDACTED]

September 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					CG-1/PSC LSC/CDA TJAG, CGIS CG-092 CGA	1
2	3 Labor Day	4	5	6	7	8
9	10	11 Draft update for VCG tasking memo for review	12 TODAY FA Bi-monthly (Review VCG memo & timeline)	13 update meeting with VCG	14	15 C-48
16	17	18	19	20 Victim Recovery review (team)	21	22 C-41
23	24	25	26 FA Bi- monthly	27 Victim recovery brief to VCG	28	29 C-34
30				(27) Investigativ e Plan Brief to VCG		

October 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Investigations AD suspects are complete	2	3 CGA completes “what’s changed analysis”	4	5	6 C-27
7	8 Columbus Day	9 Schedule a Hill Brief	10 FA Bi- monthly CG- 092 Plan Brief. Who What...	11	12	13 C-20
14	15 LSC completes review of AD cases	16	17 Red Cell Hill Brief	18	19	20 C-13
21	22	23	24 FA Bi- monthly	25 Hill engagement brief dry run to VCG	26	27 C-6
28	29 Briefing Docs provided to DHS/DoD	30	31	(25) Interim report to VCG		

November 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 Hill Brief; CDA officially complete	2 "C" Day Notification of accountability	3
4	5 Victim Out-reach begins	6	7 SELC CGHQ	8 SELC CGHQ	9 SELC CGHQ	10
11 Veterans Day	12	13	14	15	16	17
18	19	20	21	22 Thanksgiving Day	23	24
25	26	27	28	29	30	

December 2018						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25 Christmas	26	27	28	29
30	31					

E DOCUMENTS PROVIDED
NGRESS BY USCG
PUBLIC RELEASE

S

Exhibit 10

Sent with BlackBerry Work
(www.blackberry.com)

Captain [REDACTED]
Executive Assistant to the Vice Commandant
[REDACTED] (office)
[REDACTED] (cell)

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

2703 Martin Luther King Jr. Ave., SE
Stop 7213
Washington, DC 20593-7213
Staff Symbol: CG-09
Phone: [REDACTED]

5800
OCT 24 2018

MEMORANDUM

From: C. W. Ray, ADM
VCG

Reply to: VCG-ea
Attn of: CAPT [REDACTED]

To: DCMS

Subj: REPORT ON THE RESULTS OF THE "FOULED ANCHOR" INVESTIGATION

Ref: (a) ADM Michel memo 5800 of 19 Mar 18
(b) CCG memo 5810 dated 16 Aug 2018

This document is pre-decisional in nature and qualifies as an inter-agency/intra-agency document containing deliberative process material. Under exemption 5 of section (b) of 5 U.S.C. § 552 (Freedom of Information Act), this material is EXEMPT FROM RELEASE TO THE PUBLIC.

1. This updates and supersedes the direction provided in reference (a). You shall assemble for my review a report that assesses the results and lessons from the Fouled Anchor investigation. The purpose of the report is to provide a comprehensive summary of the actions already taken or those actions still necessary to: address the allegations, assist the victims, identify root causes, and, engage internally and externally.

- a. The report will consolidate and include inputs from the Coast Guard Investigative Service (CGIS), the Consolidated Disposition Authority (CDA), the Coast Guard Academy (CGA), CG-1, CG-092, and CG-094, as noted below.
- b. An initial report shall be submitted to me by 15 November 2018. The initial report shall summarize the actions already taken and include a sequenced timeline of the actions that remain to be taken.
- c. The final report shall be submitted no later than 60 days after CGIS completes its entire investigation. Some actions, such as disposition decisions and victim recovery, may extend past the deadline for the report.

2. Background. In 2014 CGIS began an investigation into an allegation of sexual assault within the Corps of Cadets from the 1990s. The investigation expanded to other allegations from the same period, and mostly from the Corps of Cadets, that were not previously reported to CGIS. The name Fouled Anchor was adopted for the overarching investigative effort. In reference (b), the Commandant designated RADM Keith Smith as the CDA for all matters arising out of the Fouled Anchor investigation, continuing his earlier designation as CDA on 4 October 2016 and coinciding with his transfer between billets designated as an Officer Exercising General Court-Martial Jurisdiction.

3. Coast Guard Investigative Service. CGIS shall provide you with an overview of its investigation efforts to include a summary of its investigative plan, the level of investigative efforts, and the number of victims and subjects identified. Further, by 31 October 2018, CGIS will present for my approval an investigative plan and timeline for inquiry into actions of advisors and decision makers at CGA during the 1990s, not already interviewed, related to the sexual assault allegations.
4. Consolidated Disposition Authority. The Commanding Officer, Legal Service Command, as the Staff Judge Advocate for RADM Smith in this matter, shall provide you with a summary of dispositions and outcomes. The summary will include, to the extent possible, the general nature of alleged offenses and the status of disposition notifications to victims, where applicable. This summary will also consider whether any actions should be taken related to the advisors and decision makers at CGA during the 1990s. RADM Smith shall continue to exercise his independent judgment in the disposition of all Fouled Anchor cases per reference (b).
5. Coast Guard Academy. The CGA shall provide you with a summary of the changes in Coast Guard and Academy policy made since the time of the matters contained in the Fouled Anchor investigation. The summary will: address initial reporting, the investigation process, and disposition of allegations of sexual assault at the Academy; include policies implemented since the Fouled Anchor period that have improved (or hampered) the Academy's prevention and response to sexual assault and sexual harassment; and propose any process improvements either recently identified or not yet implemented. Further, CGA will submit statistics on cadet accountability for sexual assault allegations since 2006. Complete the summary and submit this information to DCMS by 31 October 2018.
6. Assistant Commandant for Human Resources. CG-1 shall provide you with a description of the victim response and recovery actions that will be taken for those victims identified in the Fouled Anchor investigation. Submit this description for my approval prior to the interim report.
7. Director of Governmental and Public Affairs. CG-092 shall provide you with, and execute, a comprehensive and sequenced internal and external communications plan that I approve. This plan shall be submitted for my approval prior to the interim report.
8. Judge Advocate General. CG-094 shall provide timely legal advice and counsel on the items above and provide you with recommendations as to any follow on actions that may be warranted by the Fouled Anchor investigation. CG-094 shall also propose a detailed process for how to engage decision makers at CGA during the 1990s. CG-094 shall also identify, to the extent possible, the practices of other services for holding officers accountable for cadet misconduct. Further, CG-094 will provide you with drafting assistance for the interim and final report.
9. All of the entities above shall consider whether the relevant documents subject to their control, are releasable outside the Coast Guard, and include a recommendation on release. This information shall be incorporated into the external communications plan.
10. Omit PII from the submissions above in order to protect victims and those individuals who remain presumed innocent, but were subject of an allegation. Further, all parties will coordinate

Subj: REPORT ON THE RESULTS OF THE "FOULED
ANCHOR" INVESTIGATION

5800

to ensure consistent and accurate terminology in their submissions. Finally, the submissions above should include any process or systemic recommendations.

11. Contact my Executive Assistant, CAPT [REDACTED] at [REDACTED] or [REDACTED] if you have questions.

#

Copy: CGIS
RADM Smith
CGA
CG-1
CG-092
CG-094

SENSITIVE DOCUMENTS PROVIDED
TO CONGRESS BY USCG
NOT FOR PUBLIC RELEASE

Exhibit 11

From: [REDACTED]
To: [REDACTED]
Subject: FW: Fouled Anchor - Hill Interactions
Date: Tuesday, October 2, 2018 6:29:00 PM
Attachments: [US v Mangahas CAP 151106.doc](#)

As discussed [REDACTED] Got this from [REDACTED] about two years ago.

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

From: [REDACTED]
Sent: Tuesday, October 4, 2016 5:36 PM
To: [REDACTED]
Subject: FW: Fouled Anchor - Hill Interactions

BUT [REDACTED] confirms what [REDACTED] told [REDACTED] (and he said in his note sent before mine): CGMT and OAFCD were notified about Mangahas but 0921 said nothing about the pending Fouled Anchor invx.

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

From: [REDACTED]
Sent: Tuesday, October 04, 2016 5:23 PM
To: [REDACTED]
Subject: Fouled Anchor - Hill Interactions

I think state of play in Nov 2015 was to notify CGMT and OAFCD of preferal/Art 32 in Mangahas and that a CGIS invx pended into sexual misconduct at CGA but that no information could be provided - CG would notify when invx ended (estimated late Spring 16) and provide additional information about invx as desired. I vaguely recollect that the notification occurred without significant interest at the time. I don't recall whether we notified Hill again when Mangahas charges dismissed. I think we are on the hook to advise that the invx is done. Vr [REDACTED]

[REDACTED]
Deputy Judge Advocate General
U.S. Coast Guard

[REDACTED] (cell)

This message and any attachments are from a Coast Guard attorney. They are FOR OFFICIAL USE ONLY (FOUO) and are intended for the sole use of the addressees and their organizations. Further, they may contain pre-decisional or deliberative information that may be exempt from public release under the Freedom of Information Act (5 U.S.C 552). They may also contain information that is an attorney-client communication, attorney work product, or otherwise privileged or exempt from disclosure outside the Coast Guard or to the public. Consult the sender or CGJAG before any further disclosure to others. If you are not the intended recipient, notify the sender and delete this e-mail and any attachments.