

TRANSPORTATION SECURITY ADMINISTRATION
GUIDELINES ON USING THE TABLE OF OFFENSES AND PENALTIES FOR APPROPRIATE DISCIPLINE FOR COMMON OFFENSES

1. The Table of Offenses and Penalties is intended to provide **guidance** for determining appropriate corrective, disciplinary, or adverse actions for some common offenses. It does not replace supervisory judgment for determining appropriate penalties in individual cases. These guidelines apply only to matters involving misconduct; they do not cover performance based management actions.
2. These guidelines should be used in conjunction with TSA MD 1100.75-3, *Addressing Unacceptable Performance and Conduct, related Handbook, and all other applicable TSA policies*.
3. The language used in the “Nature of Offenses” column provides a general description of certain types of misconduct. The offenses listed below do not cover all possible offenses. Offenses not covered in this guide can be separately identified and may become the basis of disciplinary action as long as there is a nexus between the misconduct and the efficiency of the service. The offenses listed should be considered as general categories of offenses and should not necessarily be used as the specific language for a charge. A list of possible charges for the listed offenses has been added to the Table of Offenses as additional guidance. The possible charges are only suggestions. The selection of a charge label should be made based on the specific facts of each matter.
4. Proposing and Deciding Officials always need to consider applicable mitigating and aggravating factors in determining an appropriate penalty. Such factors can determine whether a penalty should be at the upper or lower end of the guideline range provided in the “Recommended Penalty Range” column. In some cases, the mitigating or aggravating factors may be strong enough to warrant using the “Mitigated Penalty Range” or “Aggravated Penalty Range” column.
5. Examples of mitigating factors include: self-reporting; efforts to remedy wrongdoing; timely acknowledgment of wrongdoing; and long period with no prior discipline. Examples of aggravating factors include: type of position (for example, supervisors and law enforcement officers are held to a higher standard); prior disciplinary record; prior warning/advisement not to commit misconduct; notoriety and impact on reputation of agency; public awareness; and failure to report. See TSA MD 1100.75-3, *Addressing Unacceptable Performance and Conduct*, for additional guidance.
6. Management officials have the discretion to go outside the ranges listed in this guide if they determine that circumstances warrant. Although TSA policy favors progressive discipline, where appropriate, if the misconduct is egregious enough or is accompanied by sufficiently aggravating circumstances, progressive discipline may be inappropriate and removal or other severe action would be warranted on the first offense.
7. Where indicated, certain offenses require removal. Appendix A of the Handbook to TSA MD 1100.75-3, *Addressing Unacceptable Performance and Conduct*, contains offenses for which TSOs must or may be removed on the first incident.
8. A demotion may always be considered as an option when the applicable penalty range includes removal. Demotion may also be considered in appropriate circumstances when the applicable penalty range does not include removal.

9. For second and/or successive offenses, the penalty should generally fall within the “Aggravated Penalty Range” column, and may often include removal. In addition, an employee may be charged with several offenses none of which alone would result in removal, but when combined may support such a penalty.
10. In cases where an employee commits more than one offense, the appropriate penalty should generally be in the “Aggravated Penalty Range” column corresponding to the most serious offense being charged.
11. These guidelines do not apply to actions taken under TSA MD 1100.31-1, Trial Periods, including terminating employees during their basic trial period.
12. Some offenses may result in a denial or revocation of a security clearance. Such denial/revocation procedures are separate from corrective, disciplinary or adverse actions, and are not covered by these guidelines.
13. Senior officials and law enforcement officials are held to a higher standard of conduct.
14. For off-duty misconduct, there must be a nexus between the conduct and the TSA mission and/or effective operation of the agency.
15. Management officials may consider use of “In Lieu of Reprimand” in situations where a suspension would not be practical, such as unexcused or excessive absences. See TSA MD Handbook to 1100.75-3, Section A (9).

Below are the standard timelines for the stages of the disciplinary process:

- When warranted, the Office of Inspection will complete the investigation and issue the Report of Investigation (ROI) within 120 calendar days of receiving the allegation and initiating the investigation.
- The Penalty Factors from the relevant component are due to OPR within 14 calendar days from receipt of ROI. OPR then has 16 calendar days to issue a notice of proposal or a letter of closure.
- Unless an extension has been granted, the employee will be provided 7 calendar days upon receipt of the notice of proposal to reply.
- OPR will issue the Decision letter within 21 calendar days from the date of employee reply.

(Note this is the standard for a typical case. However, on occasion a case may entail complexities that would require additional time at any one stage of this process, or throughout all stages.)

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	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
A	Attendance and Leave					
1	Unexcused absences; tardy	Tardy; Unauthorized Absence from Duty	These are brief periods of unauthorized absence for which AWOL is not charged against pay, e.g., taking excessively long breaks, overdue return after absence from the worksite for official business. See TSA MD 1100.63-1, Handbook Section B.2 and B.8 for additional guidance.	Letter of Reprimand (LOR)	Letter of Counseling (LOC)	1-day to 5-day suspension
2	AWOL of one workday or less	AWOL; Unauthorized Absence from Duty	TSA MD 1100.63-1, Handbook Section L. The absences need not be consecutive.	LOR to a 2-day suspension	LOC	3-day suspension to removal
3	AWOL from than 1 to 5 workdays	AWOL; Unauthorized Absence from Duty	TSA MD 1100.63-1, Handbook Section L	2-day to 5-day suspension	LOR to 1-day suspension	7-day to removal
4	AWOL for a period of more than 5 workdays	AWOL; Unauthorized Absence from Duty	TSA MD 1100.63-1, Handbook Section L	7-day to 10-day suspension	2-day to 6-day suspension	11-day suspension to removal
5	Failure to follow established leave procedures	Failure to Follow Leave Procedures	TSA MD 1100.63-1, Handbook Section B. When on leave restriction, penalties may be in Aggravated Penalty Range	2-day to 10-day suspension	LOC to 1-day suspension	11-day suspension to removal

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6	Improper use of sick leave or other leave programs	Improper Use of Sick Leave; Abuse of Leave; Falsification of T&A; Inappropriate Conduct; Violation of Leave Policy; Lack of Candor; Failure to Follow Leave Procedures	TSA MD 1100.63-1 For example, calling in “sick” when not “sick.”	LOR to 5-day suspension	LOC	6-day to removal
7	Excessive unscheduled absences	Excessive Absence; Failure to Maintain a Regular Work Schedule; Inability to Maintain a Regular Work Schedule [note: non-disciplinary removal]	TSA MD 1100.63-1 May be the basis for discipline even if each of the individual absences is approved	LOR to 5-day suspension	LOC	6-day to removal
8	Failure or unexcused delay in reporting for an overtime assignment	Failure to Follow Instruction; Failure to Report for Scheduled Overtime	TSA MD 1100.63-1, Handbook Section b.1(c) Includes both involuntary and voluntary overtime assignments	LOR to 2-day suspension	LOC	3-day to removal
B	Disruptive Behavior					
1	Using offensive, demeaning, or degrading remarks, comments, statements, or taking actions based on another’s race, color, religion, national origin, sex, age, disability, sexual orientation, parental status	Inappropriate Comments; Inappropriate Conduct; Discourteous Conduct; Conduct Unbecoming; Unprofessional Conduct; Off-duty Misconduct	TSA MD 1100.73-5, Handbook Section I May occur either on or off-duty so long as there is a nexus with the employee’s TSA employment; does not require a finding of unlawful discrimination	5-day to 14-day suspension	LOR to a 4-day suspension	15-day suspension to removal

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2	Acting or failing to act on an official matter in a manner which improperly takes into consideration an individual's membership in a protected group; taking retaliatory action against an individual involved in the EEO complaint process; failing to take appropriate action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisory employee knew or should have known the conduct was discriminatory	Unprofessional Conduct; Inappropriate Conduct; Discourteous Conduct; Disrespectful Conduct; Inappropriate Conduct Toward a Subordinate; Failure to Report Inappropriate Conduct	TSA MD 1100.73-5, Section 5.B (4); TSA MD 1100.73-5, Handbook Section M. On or off-duty; e.g., in employment, appraisal, advancement or treatment of employees (present and former) and applicants; does not require a finding of unlawful discrimination	5-day to removal	1-day to a 4-day suspension	15-day suspension to removal
3	Inappropriate and/or unwelcome verbal or physical conduct of a sexual nature	Misconduct of a Sexual Nature; Inappropriate Comments of a Sexual Nature; Conduct Unbecoming; Disruptive Conduct	<u>TSA MD 1100.73-3, Prevention and Elimination of Sexual Harassment in the Workplace</u>	3-day to 14-day suspension	LOR to 2day suspension	15-day suspension to removal
4	Taking, threatening to take, or implying that official action will be taken as a result of rejection or submission to a request for sexual favors	Disruptive Conduct; Abuse of Position; Misconduct of a Sexual Nature; Abuse of Supervisory Authority; Conduct Unbecoming	<u>TSA MD 1100.73-3, Prevention and Elimination of Sexual Harassment in the Workplace</u>	10-day suspension to removal	5-day to 9-day suspension	15-day suspension to removal
5	Using abusive, offensive, disrespectful, inflammatory or similarly inappropriate language, gestures, or conduct to or about other employees or members of the public	Discourteous Conduct; Disruptive Conduct; Conduct Unbecoming; Inappropriate Conduct; Failure to Exercise Courtesy in the Performance of Duties	<u>TSA MD 1100.73-5, Employee Responsibilities and Conduct, Handbook, Section I</u>	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal

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6	Fighting, threatening, intimidating, attempting to inflict or inflicting bodily harm on another; harassing or provoking quarrel; engaging in horseplay; any violent, reckless or disorderly act, language, gestures, or conduct	Disorderly Conduct; Disruptive Conduct; Workplace Violence; Striking a Co-Worker; Striking a Passenger; Exercising Poor Judgment; Failure to Comply with Established Safety Procedures; Reckless Conduct	<u>TSA MD 1100.73-5, Employee Responsibilities and Conduct, Handbook, Section L</u>	5-day suspension to removal	LOR to 4-day suspension	Removal
C	Drugs and Alcohol					
1	Unauthorized consumption of alcoholic beverages while on duty or on government-owned or leased property (including vehicles);	Misuse of Alcohol; Consuming Alcohol on Duty; Use of Alcohol in Violation of TSA Policy	<u>TSA MD 1100.73-5, Employee Responsibilities and Conduct, Handbook, Section O.2.</u>	Removal	N/A	N/A
2	Consuming alcohol or medication, prescribed and over-the-counter; which impairs judgment/ability to safely use and control a firearm. Applies to when carrying a TSA-issued firearm, on or off duty.	Misuse of Alcohol; Misuse of Drugs; Failure to Comply with TSA Policy	<u>TSA MD 1100.75-4, Addressing DUI and DWI Offenses; TWP 3700A; TSA MD 3500.2, 6. G. 3., Firearms Restrictions and Revocation</u>	14-day suspension to removal	LOR to 13-day suspension	Removal
3	Refusing or failing to submit to, or interfering with a TSA-ordered drug or alcohol test	Refusing to Take Drug Test; Interfering with Drug Test; Failure to Submit to Drug Test; Failure to Follow Instructions; Failure to Follow Policy	TSA MD 1100.75-3, Handbook Section I 1(c) (iii). Includes substituting, adulterating, or otherwise tampering with a test sample	Removal(DOT Order 3910.1D)	N/A	N/A

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
4	Positive drug test or admission of illegal drug use	Positive Drug Test; Use of Illegal Drugs; or Misuse of Drugs	TSA MD 1100.75-3, Handbook Section I 1(c). Applies to on-duty and off-duty situations	Removal(non-TSOs have the possibility for rehabilitation in accordance with DOT Order 3910.1D)	N/A	N/A
5	Violation of the duty to abstain from consuming or being under the influence of alcohol prior to performance of security-related functions.	Violation of TSA Policy on Use of Alcohol Prior to Performance of Duties; Misuse of Alcohol	TSA MD 110073-5, Handbook Section O.2. (e). FAMS cannot consume alcohol for a minimum of eight hours preceding duty. All other employees who occupy Testing Designated Positions cannot consume alcohol for a minimum of four hours preceding performance of security-related function.	14-day suspension to removal	7 -13 day suspension	Removal
6	Positive alcohol test while on duty	Positive Alcohol Test	TSA MD 1100.75-3, Handbook Section I 1(c). For TSOs, a test is considered positive if the blood alcohol level is .02 or above; for non-TSOs, the blood alcohol content must be .04 or above	Removal(non-TSOs have the possibility for rehabilitation in accordance with DOT Order 3910.1D)	N/A	N/A
7	Operating a Government owned or leased equipment or vehicle, on or off-duty, or a privately owned vehicle, on duty, while under the influence of alcohol, drugs, or other intoxicants	Operating Government Vehicle While Under the Influence of Alcohol; Misuse of a Government Vehicle; Misuse of Alcohol; Operating a Vehicle On Duty While Under the Influence of Alcohol	TSA MD 110073-5, Handbook Section O.2. (g). This does not cover use of government blackberries, or cell-phones, or the like.	Removal	N/A	N/A

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
8	Unauthorized possession, use, sale, or distribution of illegal drugs or controlled substances	Misuse of Drugs; Possessing Illegal Drugs; Illegally Possessing Drugs; Selling Illegal Drugs; or Illegally Selling Drugs; Distributing Illegal Drugs; Illegally Distributing Drugs	TSA MD 110073-5, Handbook Section O.	Removal	N/A	N/A
9	Driving a privately owned vehicle, off duty, while intoxicated or under the influence of alcohol, drugs, or other intoxicants	Driving Under the Influence; Driving While Intoxicated	<u>TSA MD 1100.75-4, Addressing DUI and DWI Offenses</u>	Law Enforcement Officers (LEOs): 30 day suspension. Non-LEOs: LOR	LEOs: 14-day to 30-day suspension Non-LEOs: LOC	Removal
D	Failure/Refusal to Follow Instructions					
1	Disrespectful conduct towards a supervisor or other management official	Unprofessional Conduct; Conduct Unbecoming; Inappropriate Conduct; Disrespectful Conduct; Failure to Exercise Courtesy toward a Supervisor	TSA MD 1100.73-5, Handbook Section 5.A (3). Written, oral, or gesture; includes such behavior towards Team Leaders and acting supervisors/ officials	LOR to 10-day suspension	Letter of Counseling (LOC)	11-day suspension to removal
2	Failure to promptly and fully comply with directions, instructions, or assignments of a supervisor or other management official.	Failure to Follow Instructions; Failure to Follow Orders	TSA MD 1100.73-5, Section 5.A (2).	LOR to 10-day suspension	LOC	11-day suspension to removal
3	Insubordination	Insubordination (note: elements for this charge are (1) employee given lawful order; (2) he/she disobeys the order; (3) his/her action was willful and intentional)	TSA MD 1100.73-5, Section 5.A (2).	2-day to 10-day suspension	LOR to 1-day suspension	11-day suspension to removal

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4	Failure to follow policies, procedures, practices, protocols, regulations or rules	Failure to Follow Procedures; Failure to Follow Instructions; Failure to Follow TSA Policy; Failure to Follow Regulation	TSA MD 1100.73-5, Section 5.A (7). Inadvertent violations may warrant the Mitigated Penalty Range, and deliberate violations may warrant the Aggravated Penalty Range	LOR to 14-day suspension	LOC	15-day suspension to removal
E	Falsification/Dishonesty/Misstatement					
1	Making misstatement or misrepresentation with the intent to mislead including material and/or intentional falsification, concealment, omission of fact; forgery	Making a False Statement; Lack of Candor; Misrepresentation; Failure to Cooperate in an Investigation; Failure to Follow Instructions	TSA MD 1100.73-5, Handbook Section F and I. Includes providing false testimony, and knowingly making a false statement or accusation; for employees in positions with potential to testify in court, this violation often jeopardizes their ability to serve as federal witnesses (<i>Giglio</i> concerns); making an allegation or complaint that proves unfounded does not necessarily constitute a “knowing” false statement	Removal	14-day suspension to removal	N/A

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
2	Lack of Candor	Lack of Candor; Failure to Cooperate in an Investigation	TSA MD 1100.73-5, Handbook Section F and I. Making a statement that is less than candid, accurate, or complete; a misrepresentation or omission; this charge does not require proving intent to mislead; mitigation may not be available for LEOs due to <i>Giglio</i> concerns.	Removal	14-day to 30-day suspension	N/A
3	Unauthorized recording or monitoring of phone calls, conversations, meetings, electronic communications, etc.	Unauthorized Recording; Unauthorized Monitoring; Inappropriate Conduct; Failure to Follow Policy	TSA MD 1100.73-5 Handbook Section H	3-day to 14-day suspension	LOR to 2-day suspension	15-day suspension to removal
4	Time and attendance fraud	Submitting Inaccurate Time & Attendance Records; Time and Attendance Fraud or Falsification of T&A (note: requires proof of intent); Supplying Incorrect Information on Time and Attendance	TSA MD 1100.73-5, Section 5.A (7).	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
F	Inquiries and Investigations					
1	Failing or refusing to give oral or written statements, testimony, or otherwise failure to cooperate in connection with any official inquiry, investigation, or proceeding	Refusal to Cooperate in Agency Investigation; Failure to Cooperate in Agency Investigation; Failure to Follow Instructions	See TSA MD 1100.73-5, Handbook Sections F.5 and F.6 for warnings that should be provided to employees	Removal	14-day to 30-day suspension	N/A

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2	Interfering with an official inquiry, investigation, or administrative or adjudicatory proceeding.	Interfering with an Agency Investigation; Failure to Follow Instruction	TSA MD 1100.73-5, Handbook Sections F.5 and F.6. Includes attempting to influence others involved in an inquiry, releasing information regarding an official inquiry or proceeding when one knows or should know not to do so.	Removal	14-day to 30-day suspension	N/A
G	Integrity and Ethics					
1	Accepting or soliciting a bribe; agreeing to accept or solicit a bribe	Accepting a Bribe; Soliciting a Bribe; Misuse of Position	TSA MD 1100.73-5, Section 5(11). A bribe may include anything of value, loans, or personal gain to the employee or the employee's family	Removal	N/A	N/A
2	Failing to promptly report an offer of a bribe or attempted bribe	Failure to Report a Bribe; Failure to Report an Attempted Bribe; Inappropriate Conduct; Conduct Unbecoming	TSA MD 1100.73-5, Section 5(9). Regardless of personal involvement or lack thereof.	14-day suspension to removal	5-day to 13-day suspension	removal
3	Use of position or authority for other than official purposes	Misuse of Position; Abuse of Position; Inappropriate Conduct; Conduct Unbecoming	TSA MD 1100.73-5, Section 6. On or off-duty; includes; directing subordinates to perform work not related to official duties; attempting to use one's position to avoid a legal citation or arrest.	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal

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4	Misuse of government identification, including badges and/or credentials	Misuse of Government Badge; Misuse of Government Credentials; Attempting to Get Preferential Treatment by Use of Badge; Misuse of Position; Abuse of Position; Inappropriate Conduct	TSA MD 1100.73-5, Handbook, Section D (9). For TSOs, TSA MD 1100.73-2, Section 6. OMS 3700, section 14, "Abuse of Position". For example, to attempt to coerce, intimidate, or deceive, or for private gain or advantage.	5-day to 14-day suspension; Removal is permissible for TSOs, Inspectors, and Law Enforcement Officers.	LOR to 4-day suspension	15-day suspension to removal
5	Use of public office for private gain	Misuse of Position; Abuse of Position; Using Public Office for Private Gain	5 CFR 2635.702, Subpart G TSA MD 1100.73-5, Section 5(11).	14-day suspension to removal	7-day to 13-day suspension	removal
6	Using government property, property under government custody, or the property of others, other than as authorized or for other than official purposes	Unauthorized use of Government Property; Unauthorized Use of Another's Property; Misuse of Government Property; Misuse of Government Computer	TSA MD 1100.73-5, Handbook, Section B and D. Includes querying confidential or sensitive databases for other than official purposes or other than as authorized.	3-day to 14-day suspension	LOR to 2-day suspension	15-day suspension to removal
7	Fraudulent or abusive use of a Government charge card or travel card	Improper Use of Government-Sponsored Credit Card; Misuse of Government Credit Card	TSA MD 1000.5, Section 6.B. Using a government-sponsored travel card other than for official travel, misuse of purchase card for private gain	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
8	Improper or negligent use of a Government charge card or travel card	Improper Use of Government-Sponsored Credit Card	TSA MD 1000.5, Section 6.B. Using a government-sponsored travel card other than for official travel, misuse of purchase card for private gain	LOR to 5-day suspension	LOC to 4-day suspension	15-day suspension to removal

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9	Directly or indirectly soliciting a gift or accepting a gift, from a prohibited source	Accepting a Gift from a Prohibited Source; Soliciting a Gift from a Prohibited Source	5 CFR 2635 (Subpart B)	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
10	Knowingly and inappropriately associating with individuals or groups known to be connected with criminal activities	Inappropriate Conduct; Conduct Unbecoming; Failure to Follow TSA Policy	TSA MD 1100.73-5, Handbook, Section P.3. On or off-duty; includes social, romantic, sexual, financial (including acceptance of gifts), or business relationship.	14-day suspension to removal	LOR to 13-day suspension	15-day suspension to removal
11	Financial conflict of interest	Conflict of Interest; Misuse of Position; Conduct Unbecoming; Failure to Report Relationship	5 CFR 2635 (Subparts D and E)	3-day to 14-day suspension	LOR to 2-day suspension	15-day suspension to removal
12	Creating the appearance of a conflict of interest or of violating the law or the ethical standards of conduct	Appearance of Conflict of Interest	5 CFR 2635, 5 CFR 3101	LOR to 14-day suspension	LOC	15-day suspension to removal
13	Borrowing any money from a subordinate employee, securing a subordinate's endorsement on a loan, or otherwise having a subordinate assume the financial responsibility of a superior	Borrowing Money from Subordinate; Inappropriate Conduct; Appearance of Impropriety; Misuse of Position; Failure to Follow Policy	TSA MD 1100.73-5 Handbook, Section V	LOR to 14-day suspension	LOC	15-day to removal

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14	Direct or indirect solicitation, or acceptance, of a gift from a subordinate	Inappropriate Conduct; Appearance of Impropriety; Misuse of Position; Failure to Follow TSA Policy; Failure to Follow Ethics Requirements	5 USC 7351, 5 CFR 2635 (Subpart C)	LOR 14-day suspension	LOC	15-day suspension to removal
15	Soliciting for, or giving, a gift or donation, to an official superior	Inappropriate Conduct; Appearance of Impropriety; Misuse of Position; Failure to Follow TSA Policy; Failure to Follow Ethics Requirements	5 CFR 2635.302	LOR to 7-day suspension	LOC	8-day suspension to removal
16	Knowingly working on a matter that will affect a person or organization with whom the employee has a covered relationship	Failure to Follow Ethics Requirements; Failure to Disclose; Misuse of Position	5 CFR 2635.502	LOR to 14-day suspension	LOC	15-day suspension to removal
17	Performing official duties that affect an entity with whom the employee is seeking employment	Failure to Follow Ethics Requirements; Failure to Disclose; Misuse of Position	5 CFR 2635 (Subpart F)	LOR to 14-day suspension	LOC	15-day suspension to removal
18	Engaging in prohibited outside employment	Conflict of Interest; Apparent Conflict of Interest; Failure to Follow Policy	5 CFR 2635 (Subpart H) ; see TSA MD 1100.75-3, Handbook, Section Z	LOR to 14-day suspension	LOC	15-day suspension to removal
19	Entering into an unauthorized procurement commitment or personal services contract	Inappropriate Conduct; Exercising Poor Judgment	TSA MD 1100.73-5, Handbook, Section C.	5-day to 10-day suspension	LOR to 4-day suspension	11-day suspension to removal

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20	Unauthorized canvassing, soliciting, or peddling at TSA or DHS worksite or while on duty	Inappropriate Conduct; Failure to Follow Policy	<u>TSA MD 1100.73-5, Employee Responsibilities and Conduct, Handbook, Section T.</u>	LOR to 1 day suspension	LOC	2-day to 5-day suspension
21	Disclosure of proprietary or source selection information regarding a procurement action	Inappropriate conduct; Unauthorized Disclosure of Information	TSA MD 1100.73-5, Handbook, Section B (3).	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
22	Failure to honor just debts or legal obligations in a timely manner	Failure to Honor Financial Obligations; Failure to Timely Honor Debts	5 CFR 2635; TSA MD 1100.73-5, Handbook, Section W. Includes untimely payment of government-sponsored travel card bills; this does not include conduct that results in a loss of travel card for employees for whom maintaining a card is a condition of employment;; this is separate from any action that may be taken by Personnel Security	LOR- to 14-day suspension	LOC	15-day suspension to removal s
23	Conducting or participating in gambling activity while on duty or in uniform	Gambling on Duty; Gambling While in Uniform	TSA MD 1100.73-5, Handbook, Section U. Includes gambling on the Internet	1-day to 14-day suspension	LOR	15-day suspension to removal

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24	Criminal, infamous, immoral or notoriously disgraceful conduct; conduct that results in a felony or misdemeanor conviction (or finding of not guilty by reason of insanity), guilty or no contest plea, or equivalent or similar legal result or action (the misconduct shall not be deemed “mitigated” by a plea arrangement, suspended sentence, parole in lieu of confinement, sentence limited to time served, probation or other modification of penalty attached to the conviction or associated with the crime)	Off-Duty Misconduct; Engaging in Criminal Misconduct; Conduct Unbecoming; Inappropriate Conduct	<p>5 CFR 735.203; may be on or off-duty; includes misconduct that may be related to the mission of DHS , may include misconduct that receives adverse news media attention or concern by other governmental entities</p> <p>Criminal misconduct under this provision may include behaviors addressed elsewhere in this Table, such as improper acceptance of money or gifts; if the conduct is addressed through criminal processes, use this offense and range of penalty rather than the other provision</p> <p>NOTE: Conduct that results in a felony or misdemeanor indictment or warrant for arrest pending further court proceedings may result in an indefinite suspension until the matter is resolved (see TSA MD 1100.75-3 Handbook Section J and Appendix A; see also TSA MD 1100.88-1, which notes the statutory requirement for removal of a federal law enforcement officer convicted of a felony.</p>	31-day suspension to removal	14-day to 30-day suspension	removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
25	Taking reprisal against employees for exercising their rights, or attempting to dissuade employees from filing complaints	Inappropriate Conduct; Misuse of Position; Failure to Follow Policy; Inappropriate Conduct Toward a Subordinate	TSA MD 1100.73-5, Handbook, Section M (4).	10-day suspension to removal	LOR to 9-day suspension	15-day suspension to removal
26	Inappropriate Relationships in the Workplace / Nepotism	Failure to Report a Relationship; Failure to Follow Policy	TSA MD 1100.73-5 Handbook, Sections J and CC	14 day Suspension- Removal	LOR to 13 day suspension.	15-day suspension to removal.
H	Neglect of Duty					
1	Missed Mission for FAMs	Negligent Performance of Duties; Failure to Exercise Due Diligence in Performance of Duties; Failure to Follow Procedures	OMS 3700 9. b. Progressive Discipline for Repeat Offenses	LOR to Removal	LOC to 14-day suspension	15-day suspension to removal
2	Improperly equipped and/or incognizant of information required for the proper performance of duty	Negligent Performance of Duties; Failure to Exercise Due Diligence in Performance of Duties; Failure to Follow Procedures	OMS 3700 9. c. Progressive Discipline for Repeat Offenses	LOR to Removal	LOC to 14-day suspension	15-day suspension to removal
3	Interference with other employees in the performance of official duties	Inappropriate Conduct; Unprofessional Conduct; Misuse of Position	TSA MD 1100.73-5, Section 6.B. Includes deliberate as well as reckless or negligent conduct.	LOR to 10-day suspension	LOC	11-day suspension
4	Engaging in or encouraging a strike, work stoppage/slowdown, or sick out	Inappropriate Conduct; Engaging in a [strike, work stoppage, work slowdown, sick out]; Encouraging a [strike, work stoppage, work slowdown, sick out]	TSA MD 1100.73-5, Handbook, Section S.	Removal	N/A	N/A
5	Inattention to duty where there is no potential danger to life or property or potential loss of revenue	Inattention to Duty; Negligent Performance of Duties	TSA MD 1100.73-5, Section 6.B.	LOR to 10-day suspension	LOC	14-day suspension to removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
6	Inattention to duty, where human life, property, or revenue, is jeopardized or damage/injury/loss actually occurs	Inattention to Duty; Negligent Performance of Duty	TSA MD 1100.73-5, Section 6.B; also Section E.	14-day suspension to removal	LOC to 13-day suspension	15-day suspension to removal
7	Negligent or careless performance of duties; including inspection, investigation, or other enforcement function	Failure to Exercise Due Diligence in Performance of Duties; Failure to Follow Procedure; Negligent Performance of Duties	TSA MD 1100.73-5, Negative impact could be considered an aggravating factor	5-day to 14 day suspension	LOR to 4-day suspension	15-day suspension to removal
I	Personal Appearance and Hygiene/Uniform Requirements					
1	Violation of TSO uniform and appearance requirements (except in cases involving medical or religious accommodation)	Failure to Follow Policy; Inappropriate Conduct; Failure to Adhere to Uniform Requirements	<u>TSA MD 1100.73-2, TSO Dress and Appearance Responsibilities;</u> <i>also covers violations of accommodations that are granted</i>	LOR to 3-day suspension	LOC	4-day to 14-day suspension
2	Failure to maintain a neat, clean and businesslike appearance or to comply with uniform or dress standards while on duty	Failure to Comply with Uniform Standards; Unprofessional Conduct	<u>TSA MD 1100.73-5, Employee Responsibilities and Conduct, Section 5(4).</u>	LOR to 3-day suspension	LOC	4-day to 14-day suspension
J	Property Misuse/Loss/Damage					
1	Improper or negligent operation of government owned or leased property	Misuse of Government Property; Negligent Operation of Government Property; Unauthorized Use of Government Property; Failure to Follow Proper Procedures for Handling Govt Property	TSA MD 1100.73-5, Handbook, Section D. No willfulness or intent; includes automobiles, and other equipment	LOR to 14-day suspension	LOC	15-day suspension to removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
2	Losing or damaging government property, equipment, records, etc.;	Damaging Government Property; Losing Government Property; Misuse of Government Property; Failure to Follow Established Procedures	TSA MD 1100.73-5, Handbook, Section D. Penalty depends on value of property, extent of damage, and degree of fault	LOR to 14-day suspension	LOC	15-day suspension to removal
3	Unauthorized use or misuse of law enforcement equipment, resources	Misuse of Law Enforcement Equipment; Failure to Follow Procedures	TSA MD 1100.73-5, Handbook, Section D. Includes unauthorized use of government database(s) and electronic sensing devices; this charge carries a higher penalty than misuse of other government property as it could potentially jeopardize a law enforcement operation	LOR to 14-day suspension	LOC	15-day suspension to removal
4	Willful misuse of (or authorizing the misuse of) any government-owned or -leased passenger vehicle (including aircraft and seagoing vessel); authorizing the use of government vehicle for other than official purposes	Misuse of Government Vehicle; Use of a Government Vehicle for an Unauthorized Purpose; Authorizing Use of Government Vehicle for Unauthorized Purpose	31 USC 1349(b); TSA MD 1100.73-5 Handbook, Section D.(8); TSA MD200.53; TSA MD 200.59	30-day suspension to removal	N/A	31-day suspension to removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
5	Unauthorized personal use of government computers, software systems, fax machines, telephones, copiers, etc.	Unauthorized Use of Government Property; Misuse of Government Property; Misuse of Government Computer	TSA MD 1100.73-5, Handbook, Section D. Includes use that interferes with one's work or the work of others, excessive personal use of such equipment or systems, accessing or transmitting sexually explicit material	14-day suspension to removal	LOR to 13-day suspension	removal
K	Reporting Responsibilities					
1	Failure to promptly report one's own arrest to superiors and/or appropriate investigative office	Failure to Report Arrest; Failure to Timely Report Arrest	TSA MD 1100.73-5, Section 5.A (8).	LOR to 5-day suspension	LOC to 4-day suspension	6-day to removal
2	Concealing or failing to report, missing, lost, or damaged, government property or funds or property or funds in the government's custody or care	Failure to Comply with Reporting Obligation; Failure to Report Lost Property; Failure to Safeguard Government Property	TSA MD 1100.73-5, Section 5.A (9) and (10).	LOR to 10-day suspension	LOC to 9-day suspension	11-day suspension to removal
3	Failing to report an accident or injury to a person, including oneself, or damage to property, occurring on duty or arising from acts committed or occurring within the scope of employment	Failure to Report [accident; injury; damage to property]	TSA MD 1100.73-5, Section 5.A (12).	LOR to 14-day suspension	LOC to 13-day suspension	15-day suspension to removal
4	Failing to promptly report violations of TSA policies or procedures	Failure to Report; Inappropriate Conduct; Failure to Exercise Due Diligence	TSA MD 1100.73-5, Section 5.A (8).	LOR to 3-day suspension	LOC	4-day suspension to removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
5	Failing to timely complete or submit required financial disclosure forms	Failing to Timely File Financial Disclosure Form; Failure to Follow Directions	TSA MD 1100.73-5, Section 5.A (8).	LOR to 2-day suspension	LOC	3-day to 7-day suspension
L	Safety/Security/Health					
1	Failure to observe and/or enforce safety and health regulations, rules, signs, and instructions, or to perform duties in a safe manner; failure to wear protective clothing and equipment, including vehicle safety restraints	Failure to Observe Safety Procedures; Unsafe Use of Government Equipment; Failure to Follow Instructions; Careless Performance of Duties; Negligent Performance of Duties; Inattention to Duty; Improper Use of Government Equipment	TSA MD 1100.73-5, Handbook, Section E.	LOR to 14-day suspension	LOC	15-day to 30-day suspension
2	Endangering the safety of, or causing injury to, any person through carelessness or failure to follow instructions	Careless Performance of Duties; Engaging in Unsafe Practices; Inattention to Duty; Failure to Follow Instructions; Negligent Performance of Duties; Unsafe Use of Government Equipment	Evidence of willfulness or recklessness are strong aggravating factors	3-day to 14-day suspension	LOR to 2-day suspension	15-day suspension to removal
3	Violation of local traffic laws of any state or political subdivision while operating a government-owned or leased vehicle	Misuse of a Government Vehicle; Violation of Traffic Laws While Operating a Government Vehicle; Conduct Unbecoming; Inappropriate Conduct	Does not apply to authorized surveillance or other law enforcement operations	LOR to 14-day suspension	LOC	15-day to 30-day suspension
4	Violations of traffic regulations, , or improper operation of a private vehicle on duty or on government controlled premises	Inappropriate Conduct; Failure to Follow Established Procedures	Disciplinary action may be taken in addition to any applicable traffic fine or penalty	LOR to 14-day suspension	LOC	15-day suspension to removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
M	Screening and Security					
1	Failure to follow Standard Operating Procedures	Failure to Follow Standard Operating Procedures; Failure to Follow Instructions	TSA MD 1100.75-3 Handbook, Appendix A. Inadvertent violations may warrant the Mitigated Penalty Range; deliberate violations warrant the Aggravated Penalty Range;	5-day suspension to removal	LOR to 4-day suspension	Removal
2	Intentionally allowing persons or property to bypass required screening	Intentionally Allowing a Person to Bypass Required Screening; Intentionally Allowing Property to Bypass Required Screening; Failure to Follow Standard Operating Procedure; Intentional Failure to Follow Standard Operating Procedure	TSA MD 1100.75-3 Handbook, Appendix A; this includes TSA employees. Removal is required for intentional serious security breaches per TSA MD 1100.75-3 Handbook, Appendix A.1.f.i. & ii.	7-day suspension to removal; Removal required for intentional serious security breaches	LOR to 7-day suspension	Removal
3	Knowingly operating equipment that is not working or not turned on	Failure to Follow Standard Operating Procedure; Knowingly Operating Equipment that is Not Working; Knowingly Operating Equipment that is Not Turned On	TSA MD 1100.75-3 Handbook, Appendix A	5-day suspension to removal	LOR to 4-day suspension	Removal
4	Failure to conduct an operational check at the start of a shift	Failure to Following Standard Operating Procedure; Failure to Exercise Due Diligence in the Performance of Duties; Negligent Performance of Duties	TSA MD 1100.75-3 Handbook, Appendix A	3-day suspension to removal	LOC to 2-day suspension	15-day to 30-day suspension

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
5	Sleeping while engaged in security duties	Sleeping on Duty; Inattention to Duty	TSA MD 1100.75-3 Handbook, Appendix A. Includes sleeping while on duty at a passenger security checkpoint, an exit lane or the baggage screening area; and FAMs traveling in mission status.	Removal	15-day to 30-day suspension	N/A
6	Engaging in an activity that seriously undermines security or that could pose a threat or danger to the traveling public	Inappropriate Conduct; Failure to Follow Procedures; Engaging in Unsafe Work Practices; Negligent Performance of Duties	TSA MD 1100.73-5 Section 6.c.; TSA MD 1100.75-3 Handbook, Appendix A.	14-day suspension to removal	LOR to 13-day suspension	15-day suspension to removal
N	Unauthorized Taking/Possession					
1	Unauthorized use, removal, or possession of a thing of value belonging to another employee or private citizen; colluding with others to commit such acts	Unauthorized Possession; Unauthorized Use; Unauthorized Removal; Inappropriate Conduct; Conduct Unbecoming		14-day suspension to removal	LOR to 13-day suspension	Removal
2	Actual or attempted theft, or other unauthorized taking of funds or property owned or controlled by the Government; colluding with others to commit such acts	Unauthorized Possession; Unauthorized Taking; Attempted Unauthorized Possession; Inappropriate Conduct; Conduct Unbecoming	Conversion of seized property to personal use or sale may result in removal for a first offense	14-day suspension to removal.	LOR to 13-day suspension	Removal
3	Theft	Theft	TSA MD 1100.75-3; TSA MD 1100.75-3 Handbook, Appendix A.1.e. removal required for TSO.	14-day suspension to removal; for TSOs: removal is mandatory	LOR to 13-day suspension	Removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
O	Weapons-Related					
1	Failure to report the discharge of a firearm or use of a weapon as required by applicable policy	Failure to Follow Policy; Failure to Report	TWP 8220 Section 8 For all items in this section, "weapon" refers to, but is not limited to, authorized firearms, batons, and chemical spray	8-day to 14-day suspension	LOR to 7-day suspension	15-day suspension to removal
2	Inappropriate storage, care, loss, or misplacement of a weapon or ammunition	Improper Handling of a Weapon; Failure to Follow Proper Safety Practices; Loss of TSA-Issued Firearm	TWP 8220 Section 6 (B) Damage caused by carelessness may be an aggravating factor	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
3	Inappropriate display of a weapon or ammunition	Inappropriate Conduct; Conduct Unbecoming; Unprofessional Conduct; Failure to Follow Proper Safety Practices; Inappropriate Storage of a Weapon	TWP 8220 Section 4 (C)(5) Includes inappropriate brandishing	5-day to 14-day suspension	LOR to 4-day suspension	15-day suspension to removal
4	Unauthorized or illegal possession of a weapon or ammunition	Unauthorized Possession of a Weapon; Unauthorized Possession of Ammunition	TWP 8220 Section 4(C)	11 to 14-day suspension	LOR to 10-day suspension	15-day suspension to removal
5	Unnecessary discharge of a weapon	Misuse of Firearm; Failure to Follow Proper Safety Practices; Failure to Follow Proper Gun Handling Practices; Exercising Poor Judgment	TWP 8220 Section 8	See (a) and (b) below:	See (a) and (b) below:	See (a) and (b) below:

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
	(a) Where there is apparent danger to human life:					
	(1) Intentional			Removal	N/A	N/A
	(2) Unintentional			14-day to removal	10-day to 13-day suspension	Removal
	(b) Where there is no apparent danger to human life:					
	(1) Intentional			14-day suspension to removal	7-day to 13-day suspension	Removal
	(2) Unintentional			7-day to 14-day suspension	3-day to 6-day suspension	15-day suspension to removal
P	Safeguarding Information		5 U.S.C. § 552a; Office of Management and Budget Memorandum M-07-016, Safeguarding Against and Responding to the Breach of Personally Identifiable Information			
1	Careless and/or negligent handling of PII, or other materials covered by the Privacy Act	Failure to Secure Government Information; Failure to Follow Procedures; Improper Handling of Government Documents [Information]; Unauthorized Disclosure; Failure to Safeguard Government Information	TSA MD 3700.4, Handling Sensitive Personally Identifiable Information	LOR to 14-day suspension	Remedial Training to LOC	Removal
2	Unauthorized disclosure of PII or other materials covered by the Privacy Act	Unauthorized Disclosure of Information	TSA MD 3700.4, Handling Sensitive Personally Identifiable Information	LOR to 14-day suspension	Remedial Training to LOC	Removal

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
3	Violation of security procedures covering information, documents, records, or other material that is classified or SSI	Improper Handling of Sensitive Information; Failure to Follow Proper Procedures; Improper Disclosure of Sensitive Information; Failure to Safeguard Government Information	DHS MD 11056.1, Sensitive Security Information; TSA MD 2810.1, SSI Program	LOR to 14-day suspension	LOC	15-day suspension to removal
4	Unauthorized disclosure of information, documents, records, or other material that is classified or SSI	Unauthorized Disclosure; Improper Handling of Government Information; Failure to Safeguard Government Information	DHS MD 11056.1, Sensitive Security Information; TSA MD 2810.1, SSI Program	15-day to 30-day suspension	1-day to 14-day suspension	Removal
Q	Mishandling of Classified National Security Information					
1	An infraction is when no compromise of classified of Classified National Security Information has occurred		These are incidents for which an employee unwittingly grants eligibility for, or allows access to Classified National Security Information (CNSI).	Remedial Training to LOC in Personnel Security Division file for 1 year	Remedial Training	N/A

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
2.	A violation of Classified National Security Information		<p>These are incidents for which an employee knowingly and willfully grants eligibility for, or allows access to Classified National Security Information (CNSI).</p> <p>Executive Order 12968, Section 6.4</p> <p>Executive Order 13526, Section 5.5(c)</p> <p>Title 50 USC Section 783 Title 18 USC Section 798 Title 18 USC Section 794</p> <p>DHS Instruction 121-01-011 Chapter 5, Section 8</p>	<p>LOR to Removal</p> <p>Loss or denial of access to CNSI</p> <p>The type of sanction imposed is based on several considerations, including:</p> <p>(1) Severity of the incident;</p> <p>(2) Intent of the person committing the security violation or infraction;</p> <p>(3) Extent of training the person(s) has received; and</p> <p>(4) Frequency of which the individual has been found responsible in the commission of other such security violations and infractions.</p> <p>DHS Instruction 121-01-011, Chapter 5, Section 8</p>	<p>Remedial Training to LOC in Personnel Security Division file for 1 year</p>	<p>Removal and fine of not more than \$10,000 and/or imprisonment</p>

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
3	Any knowing, willful, or negligent action that could reasonably be expected to result in an unauthorized disclosure of classified information.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training to LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
4	Any knowing, willful, or negligent action to classify or continue the classification of information contrary to the requirements of Executive Order 13526 and its implementing directive 32 CFR 2001.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training to LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
5	Any incident involving computer or telecommunications equipment or media that may result in disclosure of classified information to unauthorized individuals, or that results in unauthorized modification or destruction of classified system data, loss of classified computer system processing capability, or loss or theft of classified computer system media.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training to LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
6	Any incident involving the processing of classified information on computer equipment that has not been specifically approved and accredited for that purpose by an authorized official.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training to LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
7	Any incident involving the shipment of classified information by an unapproved method or any evidence of tampering with a shipment, delivery, or mailing of packages containing classified information.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
8	Any incident in which classified information is not stored by an approved means.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
9	Any incident in which classified information is inadvertently revealed or released to a person not authorized access.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
10	Any incident in which classified information has been destroyed without authorized means.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment

	NATURE OF OFFENSES	Possible Charges	REFERENCES/ EXPLANATORY NOTES	RECOMMENDED PENALTY RANGE	MITIGATED PENALTY RANGE	AGGRAVATED PENALTY RANGE
11	Any incident in which classified information has been reproduced without authorization or contrary to specific restrictions imposed by the originator.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment
12	Any other incident in which classified information is not safeguarded or handled in accordance with prescribed procedures.		DHS Instruction 121-01-011 Chapter 5, Section 2	LOR to Removal Loss or denial of access to CNSI	Remedial Training To LOC in Personnel Security Division file for 1 year	Removal and fine of not more than \$10,000 and/or imprisonment