

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

**NATIONAL SECURITY AGENCY/CENTRAL SECURITY
SERVICE**



INSPECTOR GENERAL

REPORT OF INVESTIGATION

10 March 2014

IV-13-0074

Misuse of Nonpublic Information

This is a PRIVILEGED DOCUMENT. Further dissemination of this report outside of the Office of Inspector General, NSA, is PROHIBITED without the approval of the Assistant Inspector General for Investigations.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Approved for Release by NSA on 11-01-2018, FOIA Case # 79204 (litigation)
Release: 2018-11

NSA: 05287

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

(U) OFFICE OF THE INSPECTOR GENERAL

(U) Chartered by the NSA Director and by statute, the Office of the Inspector General conducts audits, investigations, inspections, and special studies. Its mission is to ensure the integrity, efficiency, and effectiveness of NSA operations, provide intelligence oversight, protect against fraud, waste, and mismanagement of resources by the Agency and its affiliates, and ensure that NSA activities comply with the law. The OIG also serves as an ombudsman, assisting NSA/CSS employees, civilian and military.

(U) AUDITS

(U) The audit function provides independent assessments of programs and organizations. Performance audits evaluate the effectiveness and efficiency of entities and programs and their internal controls. Financial audits determine the accuracy of the Agency's financial statements. All audits are conducted in accordance with standards established by the Comptroller General of the United States.

(U) INVESTIGATIONS

(U) The OIG administers a system for receiving complaints (including anonymous tips) about fraud, waste, and mismanagement. Investigations may be undertaken in response to those complaints, at the request of management, as the result of irregularities that surface during inspections and audits, or at the initiative of the Inspector General.

(U) INTELLIGENCE OVERSIGHT

(U) Intelligence oversight is designed to insure that Agency intelligence functions comply with federal law, executive orders, and DoD and NSA policies. The IO mission is grounded in Executive Order 12333, which establishes broad principles under which IC components must accomplish their missions.

(U) FIELD INSPECTIONS

(U) Inspections are organizational reviews that assess the effectiveness and efficiency of Agency components. The Field Inspections Division also partners with Inspectors General of the Service Cryptologic Elements and other IC entities to jointly inspect consolidated cryptologic facilities.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

(b) (3) -P.L. 86-36
(b) (6)

I. (U) SUMMARY

(b) (3) -P.L. 86-36

(U//~~FOUO~~) This investigation was conducted in response to a complaint alleging that [redacted], used his public office at NSA to obtain the logon and logoff¹ records for [redacted]

(U//~~FOUO~~) The OIG looked into possible violations of 5 C.F.R. 2635.702, Use of Public Office for Private Gain, and 5 C.F.R. 2635.703; Use of Nonpublic Information. The OIG found no evidence to conclude that [redacted] used his public office to obtain the logon and logoff records for [redacted]

(U//~~FOUO~~) The OIG determined that [redacted] used nonpublic information to further [redacted] private interest in violation of 5 C.F.R. 2635.703.

(U//~~FOUO~~) A copy of the OIG report will be forwarded to the Office of General Counsel (OGC), Administrative Law & Ethics, D23, for information, and to Employee Relations, MR, for action deemed appropriate. A summary of our report will be forwarded to the Associate Directorate for Security and Counterintelligence (ADS&CI), Special Actions, Q234, for information.

(b) (6)

¹ The terms "login" and "logon" are used interchangeably throughout the report. Also, the terms "logout" and "logoff" are used interchangeably throughout the report.

II. (U) BACKGROUND

(b) (3) - P.L. 86-36
(b) (6)

(b) (6)

(U) Introduction

(U//~~FOUO~~) [redacted] entered on duty with NSA on [redacted] and is a Technical Director (TD) in [redacted]. [redacted] also works at NSA. Another of [redacted] was a [redacted] until her resignation on [redacted].

(U//~~FOUO~~) On 25 April 2013 [redacted] received an email from [redacted] indicating that [redacted] obtained [redacted] logon and logoff records and that it indicated an inappropriate use of system administrator privileges. [redacted] forwarded the information to [redacted]. [redacted] spoke with [redacted] on 26 April 2013 and he told [redacted] that he obtained the records from an [redacted] contact that he spoke to about [redacted] timesheet dispute. He said the [redacted] contact told him that he could easily pull [redacted] logon and logoff times. [redacted] would not provide [redacted] the [redacted] contact's name for fear of getting him into trouble; however, [redacted] knew what the [redacted] contact did was "out of line."

(U) Applicable Authorities

(b) (3) - P.L. 86-36

(U) The investigation looked at possible violations of the following authorities. See Appendix A for full citations.

- 5 C.F. R. 2635.702, Use of Public Office for Private Gain
- 5 C.F.R. 2635.703, Use of Nonpublic Information

III. (U) FINDINGS

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) **ALLEGATION 1:** Did [redacted] use his public office to obtain the logon and logoff times for [redacted] in violation of 5 C.F.R. 2635.702?

(U//~~FOUO~~) **CONCLUSION:** Unsubstantiated. The preponderance of the evidence does not support the conclusion that [redacted] used his official position to obtain logon and logoff times for [redacted] in violation of 5 C.F.R. 2635.702.

(U//~~FOUO~~) **ALLEGATION 2:** Did [redacted] use nonpublic information to further [redacted] private interest in violation of 5 C.F.R. 2635.703?

(U//~~FOUO~~) **CONCLUSION:** Substantiated. The preponderance of the evidence supports the conclusion that [redacted] used nonpublic information to further [redacted] private interest in violation of 5 C.F.R. 2635.703.

(U) Evidence

(b) (3) - P.L. 86-36

(U) Documentary Evidence

(U//~~FOUO~~) **Emails sent on 22 April and 24 April 2013.** [redacted] and [redacted] each provided the OIG with one or more of the below emails. The emails are listed in chronological order and are attached at Appendix B.

1. Email sent on 22 April 2013 at 0740 hours from [redacted] to [redacted]
Subject: "Help!!!"
"Hi! How are you!?! I hope you're doing good and enjoying the nice weather... I love it. Everything is new and fresh in spring! SO, [redacted] and her office manager is a BEEYOTCH... She's been nasty to [redacted] and me. [redacted] keeps getting accused of putting the wrong times on her timesheet, when she is 100% certain she is putting the right times down. Is there any script or ANYTHING we can do to pull the log-in log-out times on her computer for the past two weeks? [redacted] thinks there is but wasn't sure... is there an [redacted] ticket for that lol!?"

2. Email sent on 22 April 2013 at 0818 from [redacted] to [redacted] (b) (6)
Subject: "Help!!!"
"Hey there. [redacted]
[redacted] How you been? I[sic] Sorry to hear

Personnel Privileged Information

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

IV-13-0074

about this office manager she sounds like a real enjoyment to work with. Yeah login and out times can def be traced. I would be happy to take a look but that would take a while, if she wasn't in a rush I would. It is just a matter of looking at logon and off times in the security log. This is the route I would go:

[Redacted]

3. Email sent on 22 April 2013 at 0900 from [Redacted] to [Redacted]
Subject: "Help!!!"

"... Do you mind taking a look for us on Wednesday? She is off today and Thursday. I'll really just need her login times for the two weeks (April 8-19th). Is that too much to ask? If so I'll submit the [Redacted] ticket, I just wasn't sure if they would support that or not. Her OM / Supervisor is SO nasty! [Redacted] is really OCD and she always puts the exact time on her timesheet, plus [Redacted] has beat it into her head not to cheat on her timesheet, and her supervisor keeps accusing her by being off by 30 minutes when [Redacted] KNOWS that it's right. poor kid."

(b) (6)

4. Email sent on 22 April 2013 at 0914 from [Redacted] to [Redacted]
Subject: "Help!!!"

"... Nope I don't mind taking a look. I am the same way. I am a**l about my timesheet even if I go for lunch. Timesheet is one thing you can't cheat on I have learned that too. With all the badging in we do they can track everything if need to. Her boss must be jealous of her or something lol. Just cause she is prettier lol That is just mean lol."

5. Email sent on 22 April 2013 at 11:28 from [Redacted] to [Redacted]
Subject: "Help!!!"

"... Thank you. We'll touch base about it Wednesday. LOL. That must be what it is. Her boss is a hater!"

6. Email sent on 22 April 2013 at 1131 from [Redacted] to [Redacted] and Cc'd to [Redacted] and [Redacted]
Subject: "Important!"

[Redacted] I will be in class when you get back to work on Wednesday, but my friend from [Redacted] is going to get into your machine and pull your login/logoff times for the past two weeks (8-19 April.) Then you can compare them to your timesheet. Make sure you get a screenshot of the times and save it to your computer. So on Wednesday, email [Redacted] [Redacted] (cc'd) and he'll know what to do. THANK YOU [Redacted] As always, you are the best."

7. Email sent on 22 April 2013 at 1427 from [Redacted] to [Redacted] and [Redacted] and Cc'd to [Redacted]
Subject: "Important!"

Attachments: [Redacted].xlsx
"She is very consistent as you can see."

(b) (3) - P.L. 86-36
(b) (6)

Personnel Privileged Information

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

IV-13-0074

8. Email sent on 24 April 2013 at 0717 from [redacted] to [redacted]
Subject: "Login/Logoff Times"

[redacted] I was able to pull your login / logoff times for the last ppd - as you can see, you are very consistent and you remembered correctly - you never showed up after 1200. In fact, if all NSA employees were as consistent as you, that would be awesome!

Date	Login	Logout
8-Apr	11:51am	3:50pm
9-Apr	11:50am	3:49pm
10-Apr	11:52am	3:52pm
11-Apr	11:53am	3:49pm
12-Apr	11:51am	3:52pm

(b) (3) - P.L. 86-36
(b) (6)

15-Apr	11:54am	3:53pm
16-Apr	11:13am	3:11pm
17-Apr	11:50am	3:56pm
18-Apr	11:51am	3:55pm
19-Apr	11:49am	3:55pm

(b) (3) - P.L. 86-36

Dad"

(U//~~FOUO~~) Email from [redacted] On 30 July 2013 [redacted] Deputy Program Manager [redacted] emailed the [redacted] that [redacted] does not provide any specific data about another user unless the request is from the [redacted] Associate Directorate for Security and Counterintelligence (ADS&CI), or OIG.

(U//~~FOUO~~) Email from [redacted] On 31 July 2013 [redacted] [redacted] emailed the OIG that [redacted] provides logon/logoff records only on request from the NISIRT/SHO.

(U//~~FOUO~~) Email from NISIRT. On 1 August 2013 NISIRT, [redacted] sent the OIG a report regarding [redacted] activity on 22 April 2013. NISIRT did not find any information that indicates the request to pull [redacted] logon and logoff records was tasked through NISIRT.

(U//~~FOUO~~) Verified logon and logoff times. On 22 October 2013 the OIG confirmed with NISIRT, [redacted] that the logon and logoff times [redacted] provided to the [redacted] were accurate.

(U//~~FOUO~~) [redacted] email to the OIG. On 30 September 2013 [redacted] sent the OIG an email after his interview with the OIG that morning [redacted] stated the following in his email: "Just wanted to give you a heads up that I initiated a ticket to restore my email from the month of April. Should take a few hours to restore so I should have them to you tomorrow or

Personnel Privileged Information

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

later today. I checked through the tickets but wasn't able to find one so I am thinking what I said initially that one was not created." This email is attached at Appendix C.

(U//~~FOUO~~) **PRIVAC Briefing document.** The PRIVAC briefing document was obtained from NSA net, "go PRIVAC." This document states that individuals possessing root passwords or "super user" privileges are considered to have privileged access. It further states that [redacted] will be used only to accomplish authorized duties. This document is attached at Appendix D.

(U) Testimonial Evidence

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~) [redacted] was interviewed on 25 July 2013 and provided the following sworn testimony:

(U//~~FOUO~~) [redacted] was accused several times by her supervisor of submitting inaccurate timesheets. [redacted] is aware of the ramifications of timesheet fraud and felt that the timecard issue needed to be addressed. He and [redacted] NSA employee [redacted] looked for ways to help her in this situation, believing that [redacted] was being truthful about her time and attendance. [redacted] recalled from his "technical days" that logon and logoff times can be obtained. [redacted] attempted to get his own log times from his computer and realized that it was not possible. At that point he "let it drop." [redacted] told [redacted] that she was on [redacted] and found information on how to get logon and logoff times. She also told him that she spoke to her friend [redacted] a System Administrator, about obtaining that information. [redacted] told [redacted] that she could submit a ticket or that he could get the logon and logoff times for her [redacted]

(b) (6)

[redacted] told [redacted] "Yeah, get it for me." [redacted]

(b) (3) - P.L. 86-36

(U//~~FOUO~~) [redacted] has never met [redacted] or spoken with him. [redacted] is not sure if [redacted] copied him on an email with the logon and logoff records or if [redacted] sent them to him. Once [redacted] received the logon and logoff records he forwarded them to [redacted] without [redacted] and [redacted] names, so that she could forward his email to her supervisor. The records were an extraction from [redacted] logon and logoff times for the specific pay period in question.

(U//~~FOUO~~) [redacted] was interviewed on 29 July 2013 and provided the following sworn testimony:

(U//~~FOUO~~) [redacted] has been in her current position for two years. [redacted] joined NSA in 2009. [redacted] is [redacted] and, on several occasions, [redacted] supervisor accused her of cheating on her timesheet. [redacted] asked [redacted] and [redacted] what she should do. [redacted] told [redacted] that she needs to be 100% sure that she is not cheating and needs to tell that to her supervisor. She followed that recommendation; however, her supervisor continued to accuse her of submitting false timesheets.

(b) (3) - P.L. 86-36
(b) (6)

UNCLASSIFIED//FOR OFFICIAL USE ONLY

IV-13-0074

(U//FOUO) [redacted] conducted a query on NSAnet to see if it was possible for a person to obtain their own logon and logoff times. She found on [redacted] that you can with a certain script run on the computer but she did not know how to run the script. That same morning [redacted] contacted her friend [redacted] and asked if she could run the script herself or if there was an [redacted] ticket to submit. [redacted] told her there is an [redacted] ticket she can submit but he offered to pull the times for her. He asked her if she wanted him to do that and she said okay. [redacted] explained to [redacted] that they needed [redacted] logon and logoff times for the last two weeks to compare them to her timesheet so that they could know for sure that she was not falsifying her timesheet.

(b) (6)

(U//FOUO) [redacted] told [redacted] about the script and that she was going to ask her friend [redacted] if she could submit an [redacted] ticket. [redacted] responded "okay." [redacted] does not think [redacted] ever talked to [redacted]. She sent an email to [redacted] and copied [redacted] and [redacted] on the email because she was going on leave. In the email she told [redacted] that [redacted] could help her. She thinks [redacted] hit "Reply All" to that email when he sent the email with the logon and logoff records attached.

(b) (3) - P.L. 86-36

(U//FOUO) [redacted] has known [redacted] for about three years. Three years ago [redacted] helped [redacted] for a week on shared folder permission issues. They continued "chit chatting" at work. They do not have a relationship outside of work except they are "friends" on Facebook.

(U//FOUO) [redacted] thought about asking [redacted] to submit a ticket herself to get the logon and logoff records but [redacted] works only four hours per day and was not at work at the time. Additionally, [redacted] made the offer to obtain the information. [redacted] had no idea that she was doing anything wrong. Also, [redacted] thought [redacted] was going to submit a ticket and assign it to himself because that is what he did three years earlier, when he helped her with the shared folder issue. [redacted] assumed he would follow "whatever" policy they had in his office. [redacted] still does not know if [redacted] submitted a ticket. She was under the impression that he was authorized to pull those records.

(U//FOUO) [redacted] Contractor and Systems Administrator, [redacted] was interviewed on 30 September 2013 and provided the following sworn testimony:

(U//FOUO) [redacted] has been a Systems Administrator for eight years. He performs [redacted] [redacted] Sometimes he receives calls directly from the customer but usually he receives a call from the [redacted] team when they are not able to correct an issue. At that point they [redacted] call the customer to fix it.

(U//FOUO) [redacted] has "super user" privileges, also known as PRIVAC, which gives him the ability to access other user's machines to install software. [redacted] has PRIVAC because his job requires him to access computer event logs. He took a PRIVAC briefing and

Personnel Privileged Information

UNCLASSIFIED//FOR OFFICIAL USE ONLY

believes there was a list of things he could and could not do; however, he does not remember the details. He believes he takes PRIVAC training every year and just completed the training a couple of months ago. In addition to accessing computer event logs, [redacted] has [redacted] so that he can install software and give customers access to certain folders. [redacted] performs these tasks when he receives a ticket. He is not sure if an email is sufficient, but when a customer emails him directly requesting assistance, he creates a ticket for the request.

(U//FOUO) [redacted] was informed by [redacted] that [redacted] boss was accusing [redacted] of arriving to work 10 or 15 minutes late every day. [redacted] emailed [redacted] asking if he could see when [redacted] was logging on and logging out of her computer. [redacted] looked at [redacted] event log for the logon and logoff times for a certain period, entered the times into a spreadsheet, and sent the spreadsheet to [redacted] and [redacted].

(U//FOUO) [redacted] does not think he created a ticket for this task. He should have submitted a ticket and if he had it to do over again he would have asked her to submit a ticket. [redacted] did not submit a ticket because [redacted] was asking for her own records. [redacted] did not think it was wrong to provide her that information because he was not "disclosing data or anything like that." However, he knows the correct way to do it is to submit a ticket first.

(U//FOUO) [redacted] was working on other tickets when he began searching for [redacted] logon and logoff times so it took a few hours to pull the information. However, the actual time he spent retrieving [redacted] logon and logoff times was 10 minutes. To access a user's security log he does not need to log onto the user's computer, he can view the log from his own computer.

(b) (6)

(U//FOUO) [redacted] has not helped [redacted] with any other requests that were not submitted via the ticket system. [redacted] cannot recall any other instances where he would not have submitted a ticket or received one. Although [redacted] does not believe that there was a ticket created for this request, the possibility exists that there was a ticket and he simply forgot about it. He planned to double-check his records after the OIG interview.

(b) (3) - P.L. 86-36

(U) Analysis and Conclusions

(U//FOUO) 5 CFR 2635.702 states that an employee shall not use his public office for his own private gain or for the private gain of relatives. While [redacted] was aware that his [redacted] was obtaining the logon and logoff times from her friend in [redacted] [redacted] did not seek out the logon and logoff times from [redacted] nor did he ever talk to [redacted] about them. Though [redacted] email to [redacted] on 24 April 2013 indicates that he obtained the records himself, they were in fact obtained by [redacted] at the request of [redacted]. Since [redacted] did not seek out the

(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36
(b) (6)

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

IV-13-0074

(b) (6)

logon and logoff records, the OIG does not find that [redacted] used his public office for the private gain of [redacted] in violation of 5 C.F.R. 2635.702.

(U//FOUO) 5 C.F.R. 2635.703 states that an employee shall not allow the improper use of nonpublic information to further his own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure. Nonpublic information is defined as information that the employee gains by reason of Federal employment and that he knows or reasonably should know has not been made available to the general public. While [redacted] did not seek out [redacted] logon and logoff records, he made alterations to the format² of the logon and logoff records that [redacted] sent him on 22 April 2013 and then sent them to [redacted] on 24 April 2013 for her to send to her supervisor. [redacted] should have known that those records were not available to the general public and therefore, should not have re-formatted and distributed those records to assist [redacted]

(U//FOUO) The preponderance of the evidence supports the conclusion that [redacted] used nonpublic information in an attempt to further [redacted] private interest, in violation of 5 C.F.R. 2635.703.

(b) (3) - P.L. 86-36

² The alterations to the format of the logon and logoff records refers to [redacted] copying the logon and logoff times from their original format in EXCEL to the email in Outlook that he sent to [redacted] on 24th April.

(b) (3) - P.L. 86-36

V. (U) RESPONSE TO TENTATIVE CONCLUSION

(U//~~FOUO~~) On 21 February 2014 the OIG notified [redacted] of the tentative conclusions. On 26 February 2014 [redacted] responded with the following:

[redacted]

Below are my comments on the tentative conclusions in which I was found to be in violation of 5 CFR 2635.703.

Thank you,

[redacted]

(b) (3) - P.L. 86-36
(b) (6)

BEGIN COMMENTS

There are three areas that I believe are in error in finding me in violation of 5 CFR 2635.703, they are:

1. In the E-MAIL provided to me, the OIG inspector assigned to the case stated that I "made alterations to the format of the records that [redacted] sent you on 22 April 2013." That is incorrect - I went back to E-MAILs I sent to the OIG, and from my records, all I did was copy/paste from a spreadsheet into an E-MAIL to [redacted]. [redacted] I did not alter any records sent to me.
2. 5 CFR 2635.703 states that an employee is not permitted to "allow the improper use of nonpublic information to further his own private interest or that of another." I did not further anyone's interests, I did defend [redacted] interests - there is a very significant difference. As background information, [redacted] was a [redacted] [redacted] and was working in a hostile work environment, which became evident to her after a few months in her position. [redacted] sought support from her immediate supervisor and when the problem was not remedied, she elevated her concerns to the [redacted] program manager as well as the Division Chief in charge of the [redacted] program. [redacted] took no action to resolve the hostile work environment or to move [redacted] to another office. [redacted] sought relief from three corporate officers, who had a responsibility to provide a positive work environment and none of them took action to protect her.

(b) (6)

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

IV-13-0074

(b) (3) - P.L. 86-36

(b) (6)

At this point [redacted] felt she no longer had any recourse and decided to "stick it out" believing if she resigned from the [redacted] program it would have negative impact on potential future employment at NSA. With the above situation as back drop, part of the hostile work environment was that [redacted] was accused on more than one occasion of time and attendance fraud and told to "carefully check her timesheets" even though she knew they were accurate - on each occasion, she refused to change the timesheet since she was correct. The third occasion she was asked to check her timesheet because "they were wrong," something had to be done to alleviate her concerns and anxiety that adverse action might get taken against her. To that end, logon/logoff times were provided to her. No action was taken to further (promote the growth of) her private interests, the only action that was taken was to defend her (protect, ward off) against future veiled and false accusations of time card fraud.

- 3. I do not believe this case was "improper use of nonpublic information." From my understanding, it is possible to gain logon/logoff times by submitting an [redacted] remedy ticket. A process may have been circumvented; however, the information can be gained through a simple request.

I welcome any questions or comments.

END COMMENTS"

(U//~~FOUO~~) On 26th February the OIG responded to [redacted] that "alterations" in the OIG's report is explained as him copying the logon and logoff times from their original format in EXCEL to the email in Outlook.

(U//~~FOUO~~) [redacted] response provided no new information relative to the conclusions or requiring additional investigation; therefore, the conclusions remain unchanged.

(b) (3) - P.L. 86-36
(b) (6)

VI. (U) CONCLUSION

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] used nonpublic information in an attempt to further [redacted] private interest, in violation of 5 C.F.R. 2635.703.

[redacted]
(b) (6)

[redacted]
(b) (3) - P.L. 86-36
(b) (6)

Personnel Privileged Information

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

IV-13-0074

VII. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) A copy of this report of investigation will be provided to:

- A. D23, Office of General Counsel, for information.
- B. MR, Employee Relations for any action deemed appropriate.

(U//~~FOUO~~) A summary of this report of investigation will be provided to:

- A. Q234, ADS&CI (Special Actions) for information;

[Redacted]

Investigator

(b) (3) - P.L. 86-36

Concurred by:

[Redacted]

Assistant Inspector General
for Investigations

Personnel Privileged Information

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

APPENDIX A

(U) Applicable Authorities

Personnel Privileged Information

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

(U) 5 Code of Federal Regulations (CFR) 2635.702, Use of public office for private gain:

(U) An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations. The specific prohibitions set forth in paragraphs (a) through (d) of this section apply this general standard, but are not intended to be exclusive or to limit the application of this section.

(a) Inducement or coercion of benefits. An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.

(U) 5 Code of Federal Regulations (CFR) 2635.703, Use of public office for private gain:

(a) Prohibition. An employee shall not engage in a financial transaction using nonpublic information, nor allow the improper use of nonpublic information to further his own private interest or that of another, whether through advice or recommendation, or by knowing unauthorized disclosure.

(b) Definition of nonpublic information. For purposes of this section, nonpublic information is information that the employee gains by reason of Federal employment and that he knows or reasonably should know has not been made available to the general public. It includes information that he knows or reasonably should know:

(1) Is routinely exempt from disclosure under 5 U.S.C. 552 or otherwise protected from disclosure by statute, Executive order or regulation;

(2) Is designated as confidential by an agency; or

(3) Has not actually been disseminated to the general public and is not authorized to be made available to the public on request.

Personnel Privileged Information
~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Release: 2018-11
NSA: 05303

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

APPENDIX B

(U) Emails sent on 22 April and 24 April 2013

Personnel Privileged Information
~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Release: 2018-11
NSA: 05304

[Redacted]

From: [Redacted]
Sent: Monday, April 22, 2013 11:28 AM
To: [Redacted]
Subject: RE: (U) Help!!!

(b) (6)

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

Thank you. ☺ We'll touch base about it Wednesday. LOL. That must be what it is. Her boss is a hater!

[Redacted]

(b) (3) - P.L. 86-36

From: [Redacted]
Sent: Monday, April 22, 2013 9:14 AM
To: [Redacted]
Subject: RE: (U) Help!!!

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

Nope I don't mind taking a look, I am the same way I am a**I about my timesheet even if I go for lunch. Timesheet is one thing you can't cheat on, I have learned that too. With all the badging in we do they can track everything if need to. Her boss must be jealous of her or something lol. Just cause she is prettier lol That is just mean lol.

(U//FOUO) [Redacted]
[Redacted]

From: [Redacted]
Sent: Monday, April 22, 2013 9:00 AM
To: [Redacted]
Subject: RE: (U) Help!!!

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(b) (6)

[Redacted]

Do you mind taking a look for us on Wednesday? She is off today and Thursday. I'll really just need her login times for the two weeks (April 8-19th.) Is that too much to ask? If so I'll submit the [redacted] ticket, I just wasn't sure if they would support that or not. Her OM/Supervisor is SO nasty [redacted] is really OCD and she always puts the exact time on her timesheet, plus [redacted] has beat it into her head not to cheat on her timesheet, and her supervisor keeps accusing her by being off by 30 minutes when [redacted] KNOWS that it's right. poor kid. ☹

[Redacted]

(b) (3) - P.L. 86-36

From: [redacted]
Sent: Monday, April 22, 2013 8:18 AM
To: [redacted]
Subject: RE: (U) Help!!!

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

[Redacted]

How you been? I

Sorry to hear about this office manager she sounds like a real enjoyment to work with. Yeah login and out times can def be traced. I would be happy to take a look but that would take a while, if she wasn't in a rush I would. It is just a matter of looking at logon and off times in the security log.

This is the route I would go:

[Redacted]

(U//FOUO) [redacted]

[Redacted]

From: [redacted]
Sent: Monday, April 22, 2013 7:40 AM
To: [redacted]
Subject: (U) Help!!!

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(b) (6)

Hi! How are you!?! I hope you're doing good and enjoying the nice weather... I love it. ☺ Everything is new and fresh in spring!

SO. [redacted] is a [redacted] and her office manager is a BEEYOTCH... She's been nasty to [redacted] and me. [redacted] [redacted] keeps getting accused of putting the wrong times on her timesheet, when she is 100% certain she is putting the right times down. Is there any script or ANYTHING we can do to pull the log-in log-out times on her computer for the past two weeks? [redacted] thinks there is but wasn't sure... is there an [redacted] ticket for that lol!?

(b) (3) -P.L. 86-36



Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

From:
Sent:
To:
Cc:
Subject:
Attachments:

[Redacted]
Monday, April 22, 2013 2:27 PM

RE: (U) Important!
[Redacted].xlsx

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

She is very consistent as you can see.

(b) (3) - P.L. 86-36
(b) (6)

(U//~~FOUO~~)

From: [Redacted]
Sent: Monday, April 22, 2013 11:31 AM
To: [Redacted]
Cc: [Redacted]
Subject: (U) Important!

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted] I will be in class when you get back to work on Wednesday, but my friend from [Redacted] is going to get into your machine and pull your login / logout times for the past two weeks (8-19 April.) Then you can compare them to your timesheet. Make sure you get a screenshot of the times and save it to your computer.

So on Wednesday, email [Redacted] (cc'd) and he'll know what to do.

THANK YOU [Redacted] As always, you are the best.

(b) (3) - P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

UNCLASSIFIED

Date	Login	Logout
8-Apr	11:51am	3:50pm
9-Apr	11:50am	3:49pm
10-Apr	11:52am	3:52pm
11-Apr	11:53am	3:49pm
12-Apr	11:51am	3:52pm
15-Apr	11:54am	3:53pm
16-Apr	11:13am	3:11pm
17-Apr	11:50am	3:56pm
18-Apr	11:51am	3:55pm
19-Apr	11:49am	3:55pm

UNCLASSIFIED

From: [redacted]
Sent: Wednesday, April 24, 2013 7:17 AM
To: [redacted]
Subject: (U) Login/Logoff Times

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

(b) (3) - P.L. 86-36

I was able to pull your login / logoff times for the last ppd – as you can see, you are very consistent and you remembered correctly – you never showed up after 1200. In fact, if all NSA employees were as consistent as you, that would be awesome!

Date	Login	Logout
8-Apr	11:51am	3:50pm
9-Apr	11:50am	3:49pm
10-Apr	11:52am	3:52pm
11-Apr	11:53am	3:49pm
12-Apr	11:51am	3:52pm

15-Apr	11:54am	3:53pm
16-Apr	11:13am	3:11pm
17-Apr	11:50am	3:56pm
18-Apr	11:51am	3:55pm
19-Apr	11:49am	3:55pm

(b) (3) - P.L. 86-36
(b) (6)

(b) (6)

(U//FOUO)

[redacted]

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

APPENDIX C

(U) email to the OIG

⋮

(b) (3) - P.L. 86-36

Personnel Privileged Information
~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Release: 2018-11
NSA: 05311

[Redacted]

From: [Redacted]
Sent: Monday, September 30, 2013 12:02 PM
To: [Redacted]
Subject: RE: (U) OIG Inquiry

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Just wanted to give you a heads up that I initiated a ticket to restore my email from the month of April. Should take a few hours to restore so I should have them to you tomorrow or later today. I checked through the tickets but wasn't able to find one so I am thinking what I said initially that one was not created.

(U//FOUO) [Redacted]
[Redacted]

From: [Redacted]
Sent: Friday, September 27, 2013 1:25 PM
To: [Redacted]
Subject: RE: (U) OIG Inquiry

(b) (3) - P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

1000 works for me and it's okay if you are early. You don't need to bring anything with you. To enter our door you will need to buzz in.

See you Monday.

[Redacted]

(U//FOUO) [Redacted]
Investigator
Office of the Inspector General
963-0947(s)
[Redacted]

From: [Redacted]
Sent: Friday, September 27, 2013 1:24 PM
To: [Redacted]
Subject: RE: (U) OIG Inquiry

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Does 10am sound good to you? The bus leaves at 9:30 so I might be few mins early.

Thanks,

(U//FOUO) [redacted]

[redacted]

(b) (3) - P.L. 86-36

From: [redacted]
Sent: Friday, September 27, 2013 12:52 PM
To: [redacted]
Subject: (U) OIG Inquiry

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

The OIG received information that you retrieved and distributed computer data without proper authorization. The OIG has opened an inquiry into this matter. I would like to give you an opportunity to discuss this matter with me. This is a voluntary interview. The interview is held in OIG spaces in [redacted]. The interview will only last about an hour or less. I am available this afternoon between 1400 and 1630, or on Monday, September 30th anytime between 0930 and 1630.

If you would like to meet with me, please let me know via email, and provide the best date/time for you.

Thank you,

[redacted]

(U//FOUO)

[redacted]

Investigator,
Office of the Inspector General
963-0947(s)

[redacted]

"PRIVACY SENSITIVE - any misuse or unauthorized disclosure may lead to disciplinary action."

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

APPENDIX D

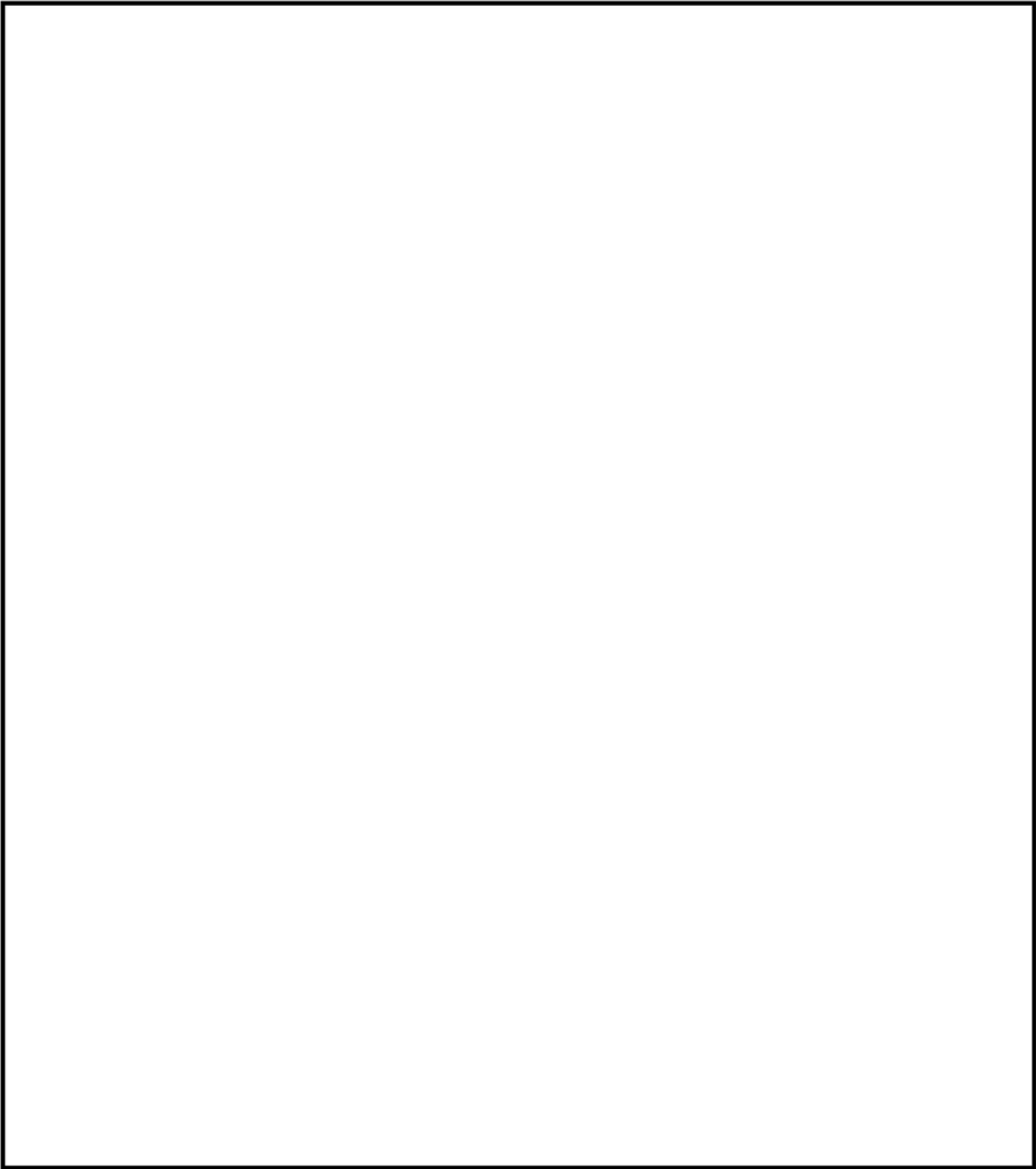
(U) PRIVAC Briefing Document

Personnel Privileged Information
~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

(b) (3) - P.L. 86-36

~~CONFIDENTIAL//RI//TO//SA//TY~~
Unclassified // For official use only

PRIVAC Briefing

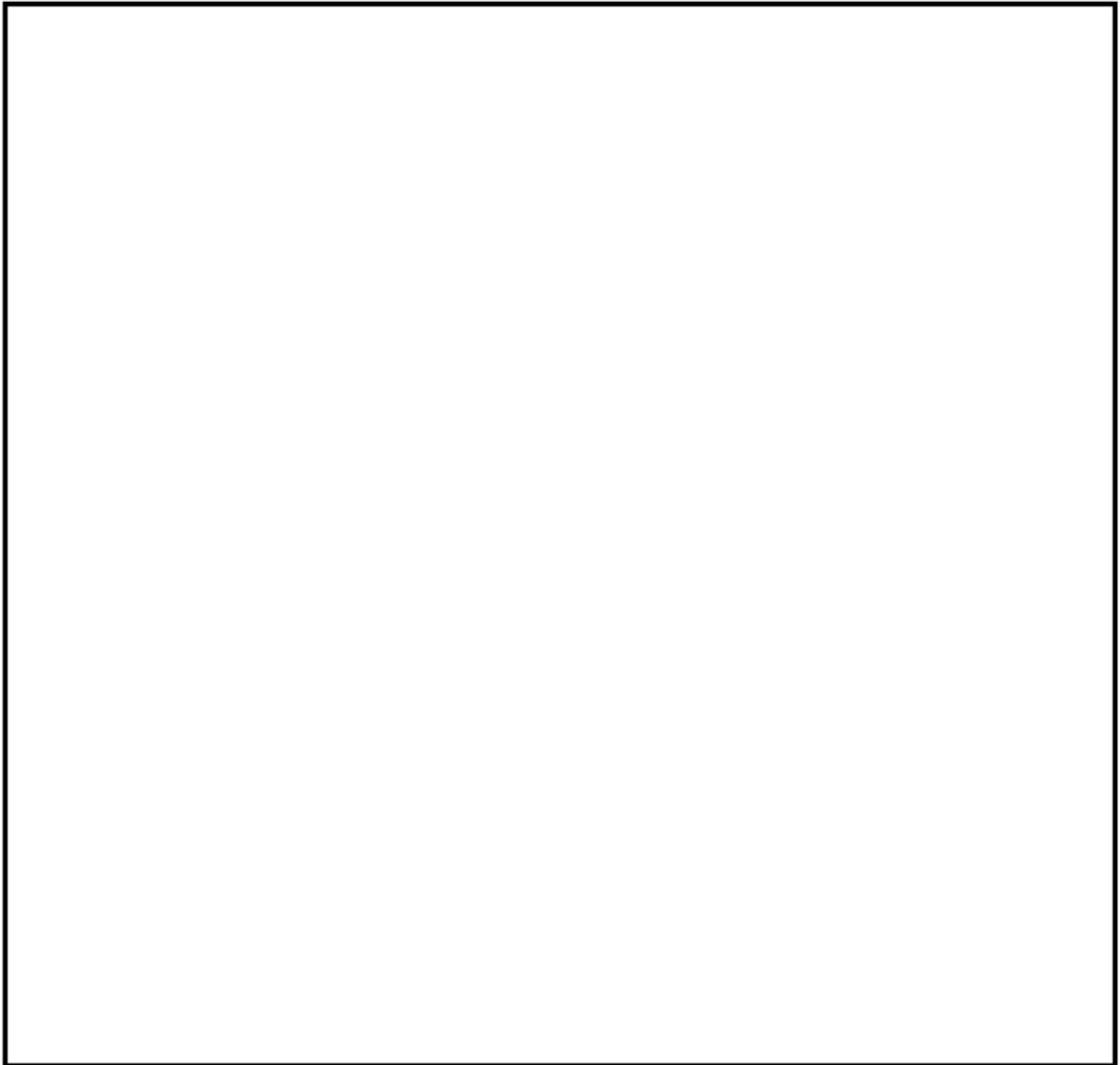


Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: ~~20271201~~

~~CONFIDENTIAL//RI//TO//SA//TY~~

Unclassified // For official use only

~~CONFIDENTIAL - REL TO SECURITY~~
Unclassified // For Official Use Only



Derived From NSA/CSSM 1-5.2
Dated: 20070108
Declassify On: 20271201

~~CONFIDENTIAL - REL TO SECURITY~~

Unclassified // For Official Use Only