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**OFFICE OF THE INSPECTOR GENERAL
NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE**

Date: 19 March 2013

To: Chief, D14 [redacted]
From: Investigator [redacted]
Subject: Misuse of Government Resources
File No: IV-13-0035
Precedence: Routine
Purpose: To provide a summary report of investigation and to refer this matter to Employee Relations (ER) and Special Actions in the Associate Directorate for Security and Counterintelligence (ADS&CI) for review and any action deemed appropriate.

Details:

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

I. (U) Background:

(U//FOUO) [redacted] is a civilian in the [redacted]. The [redacted] The OIG received an allegation that [redacted] was misusing Agency unclassified resources and requested the NSA/CSS Information Security Incident Response Team (NISIRT) to review [redacted] unclassified computer account activity. NISIRT discovered evidence that [redacted] misused his unclassified account between 22 - 31 October 2012 and 13 November through 18 December 2012.

(U//FOUO) The NISIRT assigned tracking numbers [redacted] and [redacted] to these violations. NISIRT provided the activity report to the Office of the Inspector General on 21 December 2012.

(U//FOUO) This was [redacted] third case regarding computer misuse handled by the OIG. Generally, after investigation, [redacted] second offense would have been referred to Employee Relations; however, due to an OIG oversight this was not done.

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

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II. (U) Issue(s):

(U//~~FOUO~~) Did [redacted] misuse his Agency sponsored unclassified account and U.S. Government resources in violation of the Joint Ethics Regulation (JER) and NSA/CSS Policy 6-6?

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(b) (6)

III. (U) Applicable Standard(s):

(U//~~FOUO~~) DoD Joint Ethics Regulation (JER) 5500.7-R: Subpart 2-301: Use of Federal Government Resources.

a. Communication Systems. [...] Federal Government communication systems and equipment (including Government owned telephones, facsimile machines, electronic mail, internet systems, and commercial systems when use is paid for by the Federal Government) shall be for official use and authorized purposes only.

(2) Authorized purposes include brief communications made by DoD employees while they are traveling on Government business to notify family members of official transportation or schedule changes. They also include personal communications from the DoD employee's usual work place that are most reasonably made while at the work place (such as checking in with spouse or minor children; scheduling doctor and auto or home repair appointments; brief internet searches; e-mailing directions to visiting relatives) when the Agency Designee permits categories of communications, determining that such communications:

....

(d) Do not put Federal Government communications systems to uses that would reflect adversely on DoD or the DoD Component (such as uses involving pornography; chain letters; unofficial advertising, soliciting or selling except on authorized bulletin boards established for such use; violations of statute or regulation; inappropriately handled classified information; and other uses that are incompatible with public service)....

(U//~~FOUO~~) NSA/CSS Policy 6-6, "USE OF UNCLASSIFIED INFORMATION SYSTEMS SUCH AS THE INTERNET," Responsibilities Section:

25. (U) All Users shall:

[...]

n. (U) Use good judgment and common sense when accessing and/or communicating on unclassified ISs;

[...]

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IV. (U) Investigative Activity:

A. (U) NISIRT Forensic Analysis

(U//FOUO) A NISIRT Network Analyst provided the OIG with their analysis of [redacted] activities on the unclassified NSA network. That shows [redacted] writing messages regarding [redacted] See appendix A for the full analysis.

B. (U) OIG review of [redacted] account

(U//FOUO) The OIG obtained a copy of [redacted] unclassified Government computer account. The OIG reviewed the contents of [redacted] files and found a word document entitled "words.doc" which contained a list of [redacted] words.

C. (U) Interview of [redacted]

(U//FOUO) On 16 January 2013, the OIG interviewed [redacted] He admitted to [redacted] from his Government unclassified workstation. [redacted] stated that he knew this activity was against policy because he had been warned by the OIG when caught previously typing [redacted] [redacted] admitted that he created and accessed a word document containing [redacted] terms so he could "cut and paste" those words into personal emails he was writing in an attempt to avoid detection.

(U//FOUO) [redacted] was asked about [redacted]

[redacted]

(b) (6)

(U//FOUO) Although [redacted] internet account and access have been suspended by the OIG, he was provided with information in an email regarding the current NSA/CSS policy and guidance regarding proper use of Agency computer systems. He was asked to respond to the OIG with regard to his intent to follow the policies in the future. On 16 January 2013, [redacted] responded, stating "I have reviewed the policies and guidance and will adhere to them in the future."

C. (U) Prior violations of NSA Policy

(U//FOUO) In May 2011, NISIRT detected [redacted] using Agency systems for unauthorized purposes. He was typing [redacted] messages on the unclassified network using his personal email account. See Appendix B for the full analysis. Because his actions were in violation of the JER and NSA Policy 6-6, and it was a first time offense, the OIG notified [redacted] of the violation via email (Appendix C). He was provided a copy of the relevant policy and told that any future misuse could result in disciplinary action and loss of internet access. [redacted] acknowledged that he had read and understood the policy and guidance, and stated that he would comply with them in the future (Appendix D).

(b) (6)

(U//FOUO) [redacted] was again detected by NISIRT in June 2012 typing [redacted] messages in his personal email account on the unclassified network and also [redacted]. Although this was the second time he was detected, due to an OIG oversight, this matter was handled as if it was the first detection. See Appendix E for the full analysis. [redacted] was again provided a copy of the relevant policies and told that any future misuse could result in disciplinary action and loss of internet access (Appendix F). [redacted] acknowledged that he had read and understood the policies and guidance, and stated that he would comply with them in the future (Appendix G).

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V. (U) Analysis and Conclusion:

(U//FOUO) Forensic evidence and [redacted] own testimony substantiated that [redacted] misused his Agency sponsored unclassified computer account and U.S. Government resources by typing [redacted] messages. [redacted] attempted to avoid detection of his misuse by cutting and pasting from a word document words he thought would cause him to be detected, evidencing his knowledge of and intent to violate Agency policy.

(U//FOUO) [redacted] was provided the tentative conclusions of this investigation and agreed with them. He providing no mitigating information to alter the conclusion, therefore the tentative conclusions became the final conclusions.

(U//FOUO) The preponderance of the evidence supports the conclusion that [redacted] misused his Agency sponsored unclassified account and U.S. Government resources. [redacted] failed to exercise good judgment and used Agency systems in a manner that would reflect negatively on the Agency. His actions were in violation of the JER and NSA/CSS Policy 6-6.

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VI. (U) Recommendation(s):

(U//~~FOUO~~) In accordance with the above, this case should be closed and this summary report provided to ER and Special Actions, ADS&CI, for review and any action deemed appropriate. A copy of this memorandum should be provided to OGC for their information.

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APPENDIX A

NISIRT Analysis of case [redacted] and [redacted]

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(U//~~FOUO~~) A NISIRT Network Analyst provided the OIG with their analysis of [redacted] activities on the unclassified NSA network. [redacted] was typing messages in his personal email account. For readability purposes, the OIG made minor edits to the following:

10/26/2012 15:15

[redacted]

(b) (6)

10/26/2012 15:07:03

[redacted]

10/26/2012 14:43:35

[redacted]

11/14/2012 09:31:50

[redacted]

11/15/2012 08:52:19

[redacted]

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[Redacted]

11/16/2012 13:51:39

[Redacted]

(b) (6)

11/16/2012 14:48:39

[Redacted]

11/26/2012 10:20:04

[Redacted]

11/26/2012 10:23:56

[Redacted]

11/27/2012 13:45:33

[Redacted]

11/29/2012 10:12:30

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[Redacted]

11/29/2012 10:23:30

(b) (6)

[Redacted]

11/29/2012 17:41:55

[Redacted]

12/10/2012 07:36:34

[Redacted]

12/10/2012 07:36:44

[Redacted]

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[Redacted]

12/10/2012 07:46:55

[Redacted]

12/10/2012 07:52:10

[Redacted]

12/10/2012 10:29:11

[Redacted]

(b) (6)

12/10/2012 10:40:09

[Redacted]

12/10/2012 10:50:37

[Redacted]

12/10/2012 14:08:19

[Redacted]

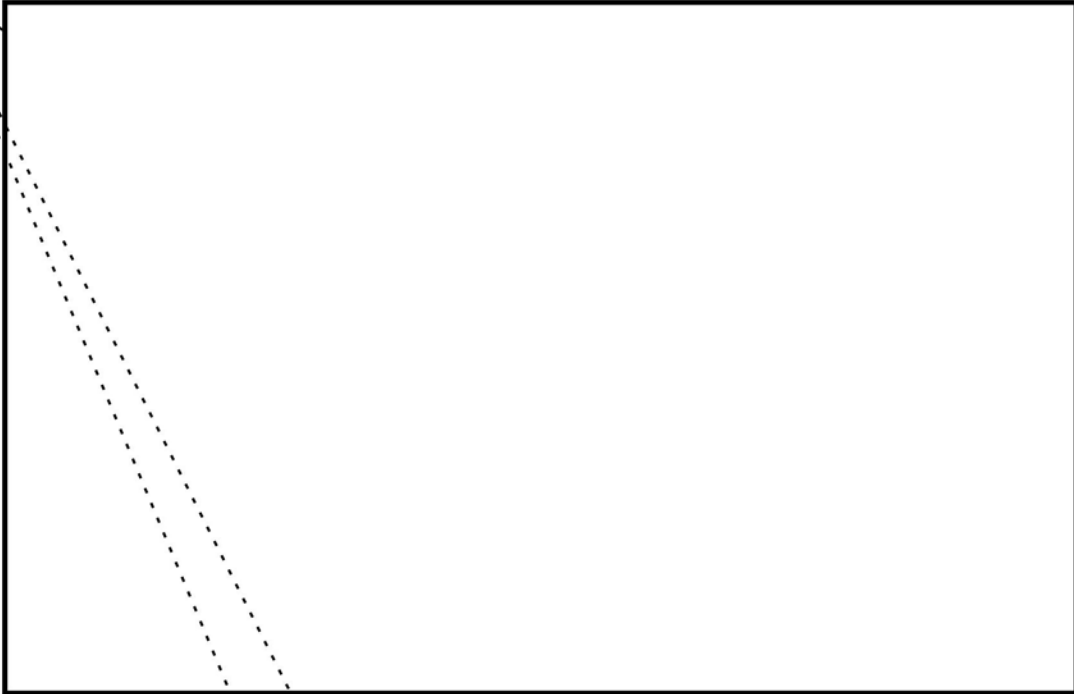
Personnel Privileged Information
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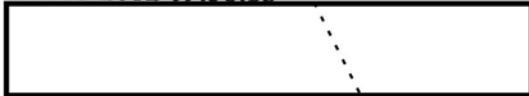


(b) (6)

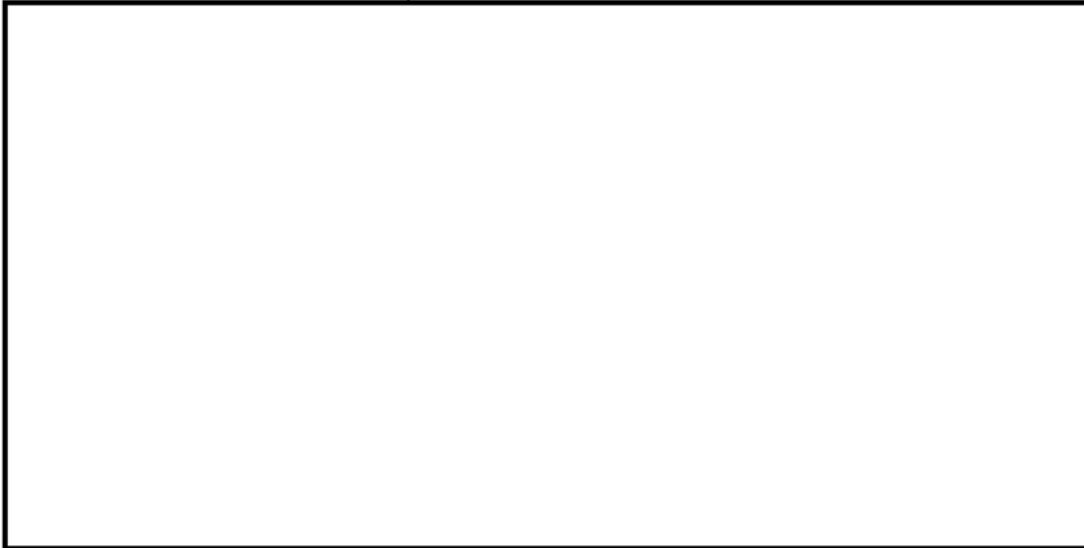
12/10/2012 16:16:27



12/11/2012 09:58:03



12/11/2012 10:52:56



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(b) (6)

12/11/2012 12:51:11

[Redacted]

12/11/2012 16:10:57

[Redacted]

12/11/2012 17:31:36

[Redacted]

12/13/2012 10:08:59

[Redacted]

12/13/2012 10:45:25

[Redacted]

12/13/2012 15:47:47

[Redacted]

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[Redacted]

12/14/2012 08:20:35

[Redacted]

12/14/2012 12:14:59

[Redacted]

(b) (6)

12/14/2012 14:41:43

[Redacted]

12/14/2012 16:04:54

[Redacted]

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[Redacted]

(b) (6)

12/14/2012 16:05:48

[Redacted]

12/14/2012 17:35:11

[Redacted]

12/17/2012 10:53:28

[Redacted]

12/17/2012 11:30:27

[Redacted]

12/17/2012 12:03:55

[Redacted]

12/17/2012 12:07:41

[Redacted]

12/17/2012 13:06:01

Personnel Privileged Information
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[Redacted]

12/17/2012 13:17:13

[Redacted]

12/17/2012 14:20:23

[Redacted]

12/18/2012 08:34:30

[Redacted]

12/18/2012 14:54:53

[Redacted]

12/18/2012 14:55:02

[Redacted]

(b) (6)

12/18/2012 15:06:20

[Redacted]

12/18/2012 15:19:23

[Redacted]

12/18/2012 15:19:47

[Redacted]

12/18/2012 15:19:55

[Redacted]

12/18/2012 15:22:03

[Redacted]

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(b) (6)

12/18/2012 15:32:02

[Redacted]

12/18/2012 18:23:12

[Redacted]

Daily Web Activity that appears to take place for more than 30 mins.

11/26/12

[Redacted]

11/27/12

[Redacted]

11/29/12

[Redacted]

12/03/12

[Redacted]

12/04/12

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[Redacted]

12/05/12

[Redacted]

12/07/12

[Redacted]

12/10/12

[Redacted]

12/11/2012

[Redacted]

12/13/12

[Redacted]

12/14/2012

[Redacted]

(b) (6)

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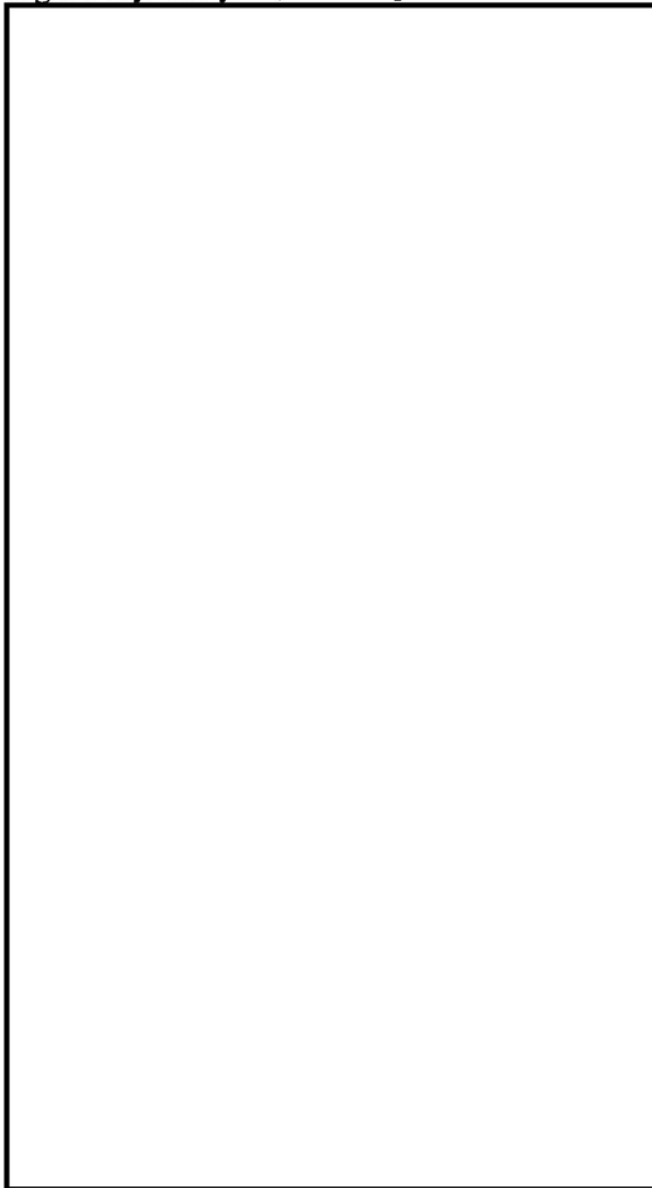


12/17/12



(b) (6)

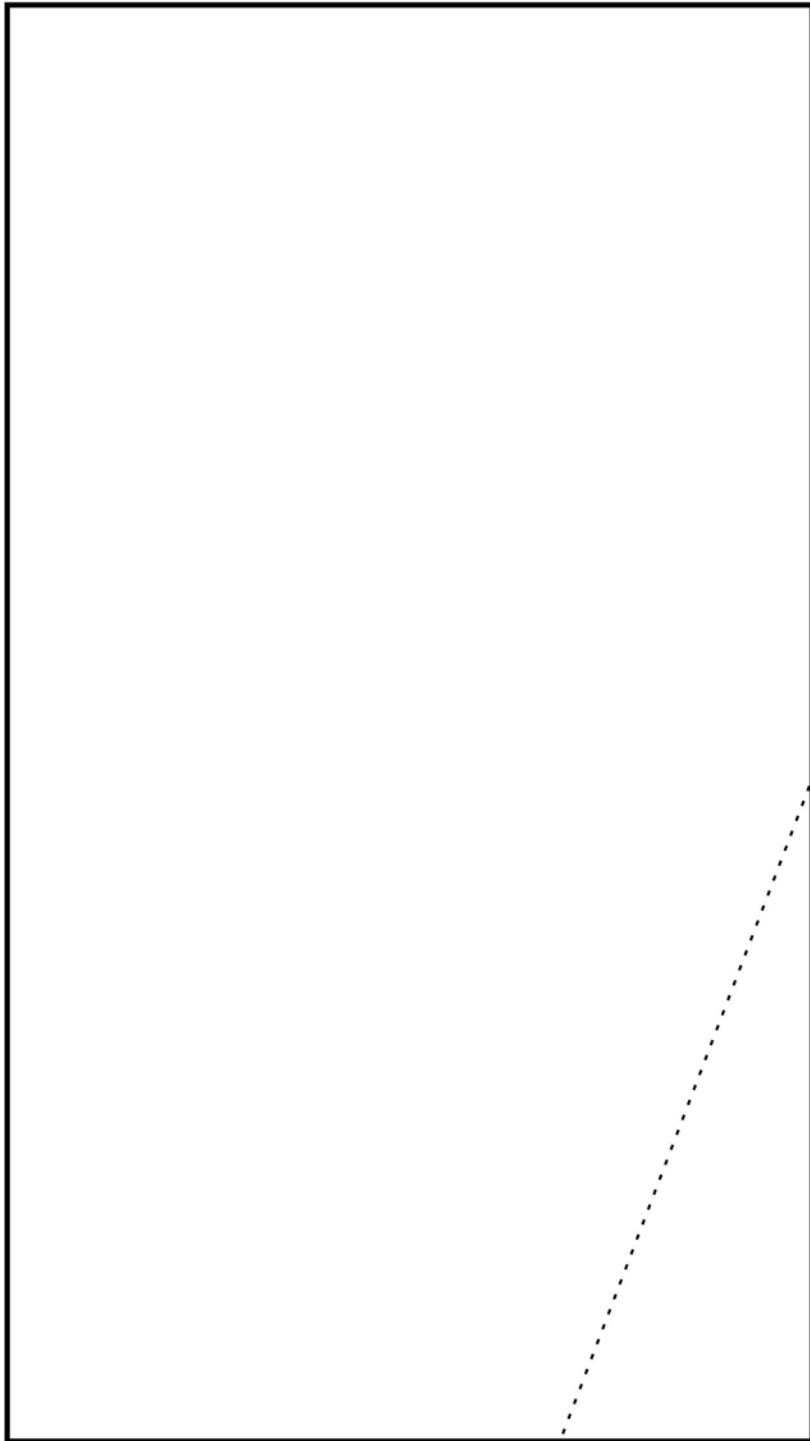
During the days analyzed, these clipboard items were used in emails:



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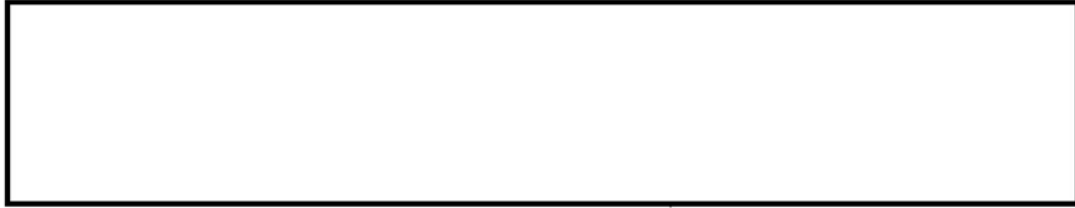


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(b) (6)

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APPENDIX B

NISIRT Analysis of case

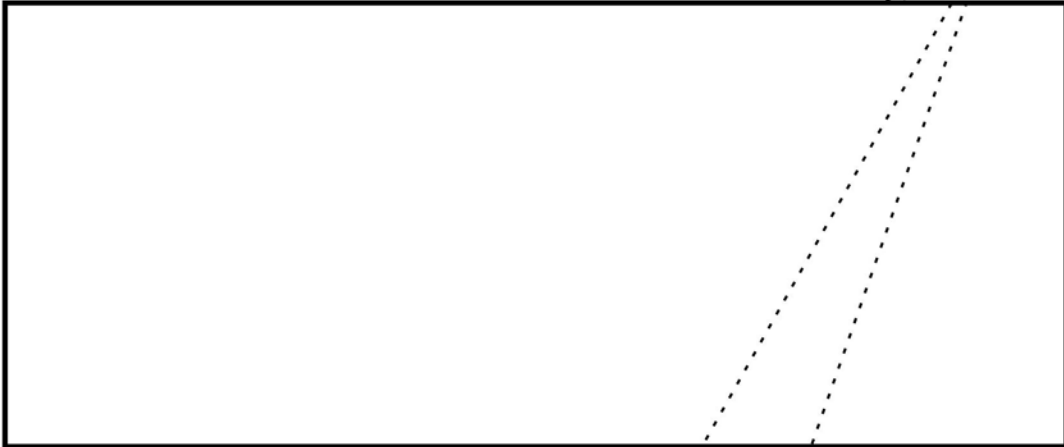


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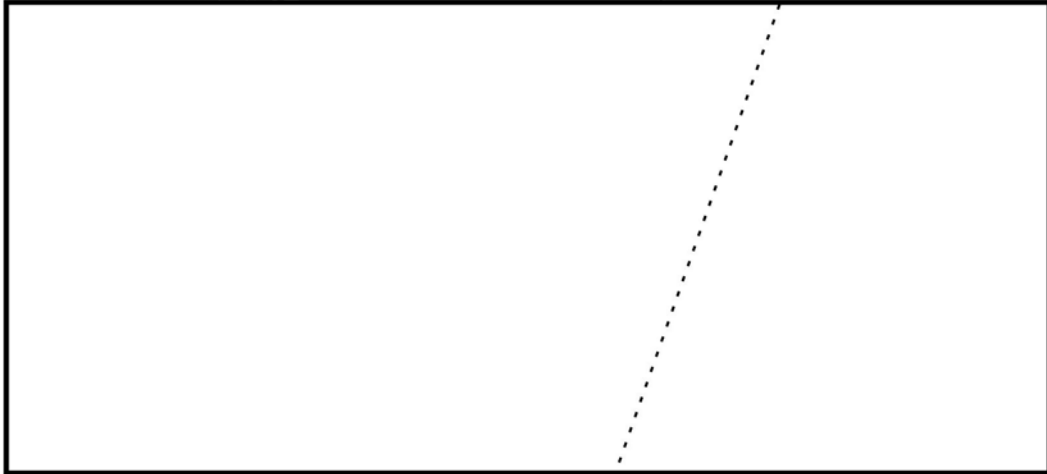
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(b) (6)

05/03/2011 15:49:06L



05/03/2011 16:02:26L



05/03/2011 16:12:30L



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APPENDIX C

OIG Notifications to

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

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From: [Redacted]

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

Sent: Tuesday, June 21, 2011 8:29 AM

(b) (6)

To: [Redacted]

Subject: (U) Official OIG Notification (11-0679)

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

(b) (6)

[Redacted]

(U) During routine monitoring of the NSA/CSS Unclassified network, it was revealed that you violated the user agreement for use of the unclassified Internet. Specifically, your account has been detected typing [Redacted] messages. This activity is in violation of both the DoD Joint Ethics Regulation (JER) and NSA/CSS Policy 6-6.

(U) Specifically, JER 5500.7-R, subpart 2-301, Use of Federal Government Resources prohibits employees from using Federal Government communications systems for purposes that would reflect adversely on the DoD or the DoD Component. Additionally, NSA/CSS Policy 6-6, "Use of Unclassified Information Systems Such as the Internet," requires all users to use good judgment and common sense when accessing and/or communicating on unclassified Information Systems.

(U//~~FOUO~~) You are required to review the policies and guidance listed below and send me an email acknowledging that you have reviewed the policies and guidance, understand them, and will adhere to them in the future.

NSA/CSS Policy 6-6

[Redacted]

IG's EXECmessage, dated 10 February 2005, on computer misuse

[Redacted]

Agency-all, dated 13 October 2005, regarding streaming media

[Redacted]

Agency-all, dated 17 January 2006, on personal email accounts

[Redacted]

OGC Ethics Page: Government Communication Systems

[Redacted]

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

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

From: [Redacted]

Sent: Monday, June 27, 2011 7:16 AM

To: [Redacted]

Subject: (U) Official OIG Notification (11-0679) Case closed

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

(U//~~FOUO~~) The Office of the Inspector General has received your acknowledgement. This matter is closed. I will be sending an informational notification to your Supervisor, Security and Employee Relations regarding this incident. Please be reminded that all Government resources are monitored at all times and future misuse may result in administrative discipline and/or your internet access being suspended or revoked.

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(b) (6)

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

APPENDIX D

[redacted] response to the OIG

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

From: [Redacted]
Sent: Tuesday, June 21, 2011 9:38 AM
To: [Redacted]
Subject: RE: (U) Official OIG Notification (11-0679)

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

I reviewed the policies you sent, understand them, and will adhere to them in the future.

[Redacted]

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

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APPENDIX E

NISIRT analysis Case

[Redacted]

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

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Mon, Jun 18, 2012, 01:55:48 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 01:59:54 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 02:13:36 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 02:34:35 PM (EDT)

[Redacted]

Mon, June 18, 2012 2:34:35 PM EDT

[Redacted]

Mon, June 18, 2012 2:34:46 PM EDT

[Redacted]

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[Redacted]

Mon, Jun 18, 2012, 02:45:28 PM (EDT)

(b) (6)

[Redacted]

Mon, Jun 18, 2012, 02:55:33 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 03:10:07 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 03:15:49 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 03:27:28 PM (EDT)

[Redacted]

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(b) (6)

[Redacted]

Mon, Jun 18, 2012, 03:37:34 PM (EDT)

[Redacted]

Mon, June 18, 2012 3:39:39 PM EDT

[Redacted]

Mon, Jun 18, 2012, 03:49:35 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 04:00:06 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 04:11:40 PM (EDT)

[Redacted]

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[Redacted]

Mon, Jun 18, 2012, 04:21:46 PM (EDT)

[Redacted]

(b) (6)

Mon, Jun 18, 2012, 04:31:57 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 04:42:14 PM (EDT)

[Redacted]

Mon, Jun 18, 2012, 04:53:27 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 08:38:20 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 09:25:01 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 09:36:32 AM (EDT)

[Redacted]

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[Redacted]

Tue, Jun 19, 2012, 09:44:45 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 10:10:36 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 10:20:38 AM (EDT)

[Redacted]

(b) (6)

Tue, Jun 19, 2012, 10:32:13 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 10:42:27 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 11:27:42 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 11:39:53 AM (EDT)

[Redacted]

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Tue, Jun 19, 2012, 11:59:46 AM (EDT)

[Redacted]

Tue, Jun 19, 2012, 12:10:18 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 12:21:24 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 12:33:25 PM (EDT)

[Redacted]

(b) (6)

Tue, Jun 19, 2012, 01:16:51 PM (EDT)

[Redacted]

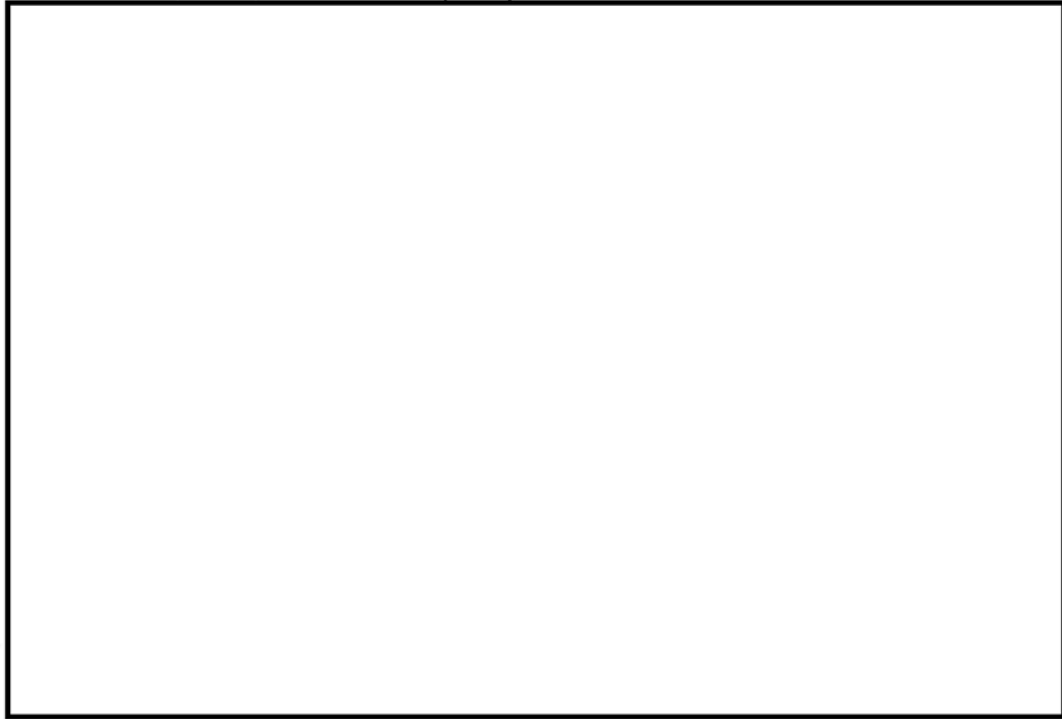
Tue, Jun 19, 2012, 01:29:16 PM (EDT)

[Redacted]

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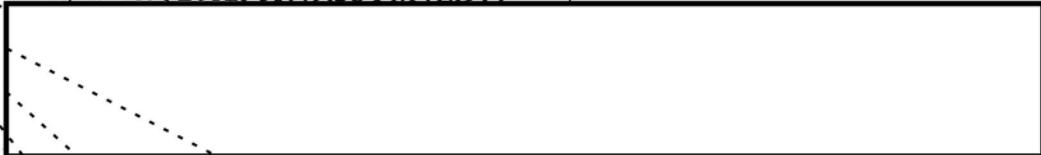
~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Tue, Jun 19, 2012, 01:38:56 PM (EDT)



(b) (6)

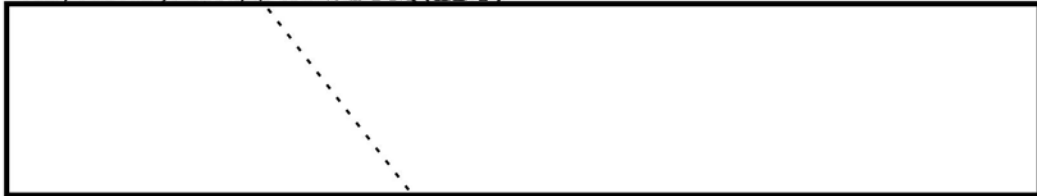
Tue, Jun 19, 2012, 01:49:38 PM (EDT)



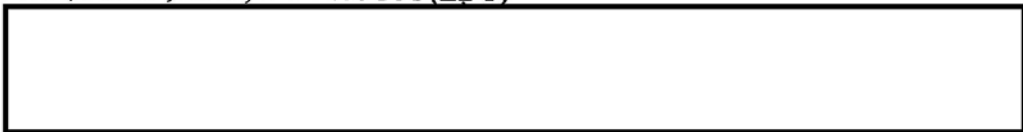
Tue, Jun 19, 2012, 02:05:30 PM (EDT)



Tue, Jun 19, 2012, 02:11:32 PM (EDT)



Tue, Jun 19, 2012, 02:24:26 PM (EDT)



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Tue, Jun 19, 2012, 02:34:21 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 03:02:57 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 04:42:39 PM (EDT)

[Redacted]

Tue, Jun 19, 2012, 04:52:26 PM (EDT)

[Redacted]

(b) (6)

Wed, June 20, 2012 8:23:02 AM EDT

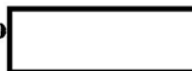
[Redacted]

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APPENDIX F

OIG Notifications to



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

From: [redacted]

Sent: Thursday, July 12, 2012 1:23 PM

To: [redacted]

Subject: (U) ACTION REQUIRED -- IG Official Notification (12-0778)

(b) (6)

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

(U) During routine monitoring of the NSA/CSS Unclassified network, it was revealed that you violated the user agreement for use of the unclassified Internet. Specifically, your account has been detected accessing [redacted] in emails, etc. This activity is in violation of both the DoD Joint Ethics Regulation (JER) and NSA/CSS Policy 6-6.

(U) Specifically, JER 5500.7-R, subpart 2-301, Use of Federal Government Resources prohibits employees from using Federal Government communications systems for purposes that would reflect adversely on the DoD or the DoD Component. Additionally, NSA/CSS Policy 6-6, "Use of Unclassified Information Systems Such as the Internet," requires all users to use good judgment and common sense when accessing and/or communicating on unclassified Information Systems.

(U//~~FOUO~~) You are required to review the policies and guidance listed below and send me an email acknowledging that you have reviewed the policies and guidance, understand them, and will adhere to them in the future.

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NSA/CSS Policy 6-6

[redacted]

Agency-all, dated 18 August 2011, Appropriate Use of Agency Computers

[redacted]

OGC Ethics Page: Government Communication Systems

[redacted]

Agency-all, dated 17 January 2006, on personal email accounts

[redacted]

IG's EXECmessage, dated 10 February 2005, on computer misuse.

[redacted]

Agency-all, dated 13 October 2005, regarding streaming media.

[redacted]

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From: [redacted]
Sent: Tuesday, July 17, 2012 8:25 AM
To: [redacted]
Subject: (U) Case closed (12-0778)

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

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

The Office of the Inspector General has received your acknowledgement. This matter is closed. I will be sending an informational notification to your Supervisor, Security and Employee Relations regarding this incident. Please be reminded that all Government resources are monitored at all times and future misuse may result in administrative discipline and/or your internet access being suspended or revoked.

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

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APPENDIX G

[Redacted] response to the OIG

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



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

From: [Redacted]
Sent: Monday, July 16, 2012 10:47 AM
To: [Redacted]
Subject: RE: (U) ACTION REQUIRED -- IG Official Notification (12-0778)

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Hello, I was out on Friday and Thursday, but I read the policies and will adhere to them in the future.

(U//~~FOUO~~)

[Redacted]

(U//~~FOUO~~)

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

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