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

Date: 23 January 2013

To: Chief, D14 [redacted] (b) (3) - P.L. 86-36

From: Investigator [redacted]

Subject: Misuse of Government Resources

File No: IV-12-0118

Precedence: Routine

Purpose: To provide a summary report of investigation and to refer this matter to the Maryland Procurement Office (MPO) and Special Actions in the Associate Directorate for Security and Counterintelligence (ADS&CI) for review and any action deemed appropriate.

Details:**I. (U) Background:**

(U//FOUO) [redacted] is a contractor affiliate with [redacted] assigned to [redacted] NISIRT detected misuse on [redacted] classified account between 25 April and 31 July 2012.

(U//FOUO) The NSA/CSS Information Security Incident Response Team (NISIRT) assigned tracking number [redacted] to this violation. NISIRT provided the activity report to the Office of the Inspector General on 31 July 2012.

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II. (U) Issue(s):

(U//FOUO) Did [redacted] misuse her Agency sponsored classified account and U.S. Government resources?

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~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~**III. (U) Applicable Standard(s):****(U//~~FOUO~~) NSA/CSS Policy 6-4, "CONTRACTOR USE OF GOVERNMENT INFORMATION SYSTEMS," Policy Section:**

3. (U) Personal use of Government ISs by contractor personnel is prohibited except for brief, infrequent communications to take care of unavoidable personal matters (e.g., contacting a spouse, dependent, or individual responsible for their care; scheduling a physician's appointment or car maintenance; etc.). This limited exception to the personal use prohibition applies only when

- a. the communication could not have reasonably been made at another time (e.g., the physician is only available during working hours),
- b. the communication does not adversely affect the Agency mission or reflect poorly on the Agency,
- c. the communication does not result in other than minimal expense to the Government (e.g., the call is local, toll-free, or charged to a personal telephone calling card),
- d. time spent using the Government IS for personal use is not billed to the contract, and
- e. the communication is of a non-commercial nature.

(U) This exception does not permit any personal commercial use of Government ISs (e.g., use in conjunction with a contractor employee's personal business activity for financial or other gain).

....

(U//~~FOUO~~) NSA/CSS Policy 6-12, dated 17 January 2012, Collaborative Communications on Classified NSA/CSS Information Systems.

(U) Users shall use collaboration tools and collaboration services on classified NSA/CSS ISs for work-related purposes. Misuse of government resources is addressed in the Standards of Ethical Conduct for Employees of the Executive Branch and the DoD Regulation 5500.7-R, "Joint Ethics Regulation."... Information posted using collaboration tools is generally considered to reflect the view of the Agency, as well as the professional opinion of the person posting. As such, NSA/CSS may be held accountable for information posted on any Agency system. Additionally, posted materials are NSA/CSS records and may be subject to disclosure under the Freedom of Information Act (FOIA).

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IV. (U) Investigative Activity:

A. (U//~~FOUO~~) NISIRT Forensic Analysis

(U//~~FOUO~~) A NISIRT Network Analyst provided the OIG with the amount of time [redacted] spent in chat on the classified network actively chatting. It is estimated that between 1 May 2012 and 31 July 2012, [redacted] spent 320.5 hours chatting over the course of the three months. See below for a sampling of time estimated per day.

Date	Time Spent (approx)
4/25	5 hours
5/14	6 hours
5/17	5 hours
5/21	4 hours
5/22	5 hours
5/23	5 hours
5/29	5 hours
5/31	5 hours
6/1	3 hours
6/4	4 hours
6/5	7 hours
6/6	6 hours
6/19	7 hours
6/21	4 hours
6/25	8 hours

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B. (U) Interview of [redacted]

(U//~~FOUO~~) On 22 January 2013, the OIG interviewed [redacted]. She admitted to typing non-work related material on chat. [redacted] and used chat to communicate for both work and non work related purposes. She was unaware of the additional restrictions placed on contractors. She currently uses chat for both work related purposes and non work related purposes. [redacted] admits that she had no idea of the extent to which she was chatting about non-work related material. She is currently transferring to another mission and is quite sure that there will be more contract work to keep her busy. She admits that she was not busy and filled the time with personal chat. [redacted] was able to complete her work and chat about non work related activities. She feels that personal relationships built in chat are important to her completing her job successfully but understands the extensive use of non work related chat does not reflect her work in a positive light. In the future, [redacted] will be more mindful of the amount of time spent in chat on non work related activities.

(U//~~FOUO~~) After the interview, [redacted] was provided information in an email regarding the current policy and guidance. She was asked to respond to the OIG with regard to her intent to follow the policies in the future. Later that day, [redacted]

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responded, stating "I have read the policies and guidance and I will adhere to them in the future. Thank you and please let me know if you have any further questions."

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V. (U) Analysis and Conclusion:

(U//~~FOUO~~) Forensic evidence indicates [redacted] misused her Agency sponsored classified 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. Her actions were in violation of the NSA/CSS Policies 6-4 and 6-12.

VI. (U) Recommendation(s):

(U//~~FOUO~~) In accordance with the above, this case should be closed and this summary memorandum provided to the MPO and Special Actions, ADS&CI, for review and any action deemed appropriate.

cc:
IV-12-0118
OGC

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