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

Date: 04 January 2012

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

From: Investigator [redacted]

Subject: Misuse of Government Resources

File No: IV-12-0092

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 the [redacted] organization. NISIRT detected misuse on [redacted] account between 3 April and 21 May 2012.

(U//~~FOUO~~) The NSA/CSS Information Security Incident Response Team (NISIRT) assigned tracking number 2012-91577 to this violation. NISIRT provided the activity report to the Office of the Inspector General on 23 May 2012.

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II. (U) Issue(s):

(U//~~FOUO~~) Did [redacted] misuse his Agency sponsored accounts and U.S. Government resources?

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III. (U) **Applicable Standard(s):**

~~(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;

[...]

~~(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

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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).

IV. (U) Investigative Activity:

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

(U//~~FOUO~~) A NISIRT Network Analyst provided the OIG with an analysis of [redacted] activities on NSAnet (classified network). Edits were made for readability purposes. Once the other individual was notified the activity moved to another chat program (netsend) and unclassified emails.

05/10/2012 (messages typed in chat on the Top Secret Network)

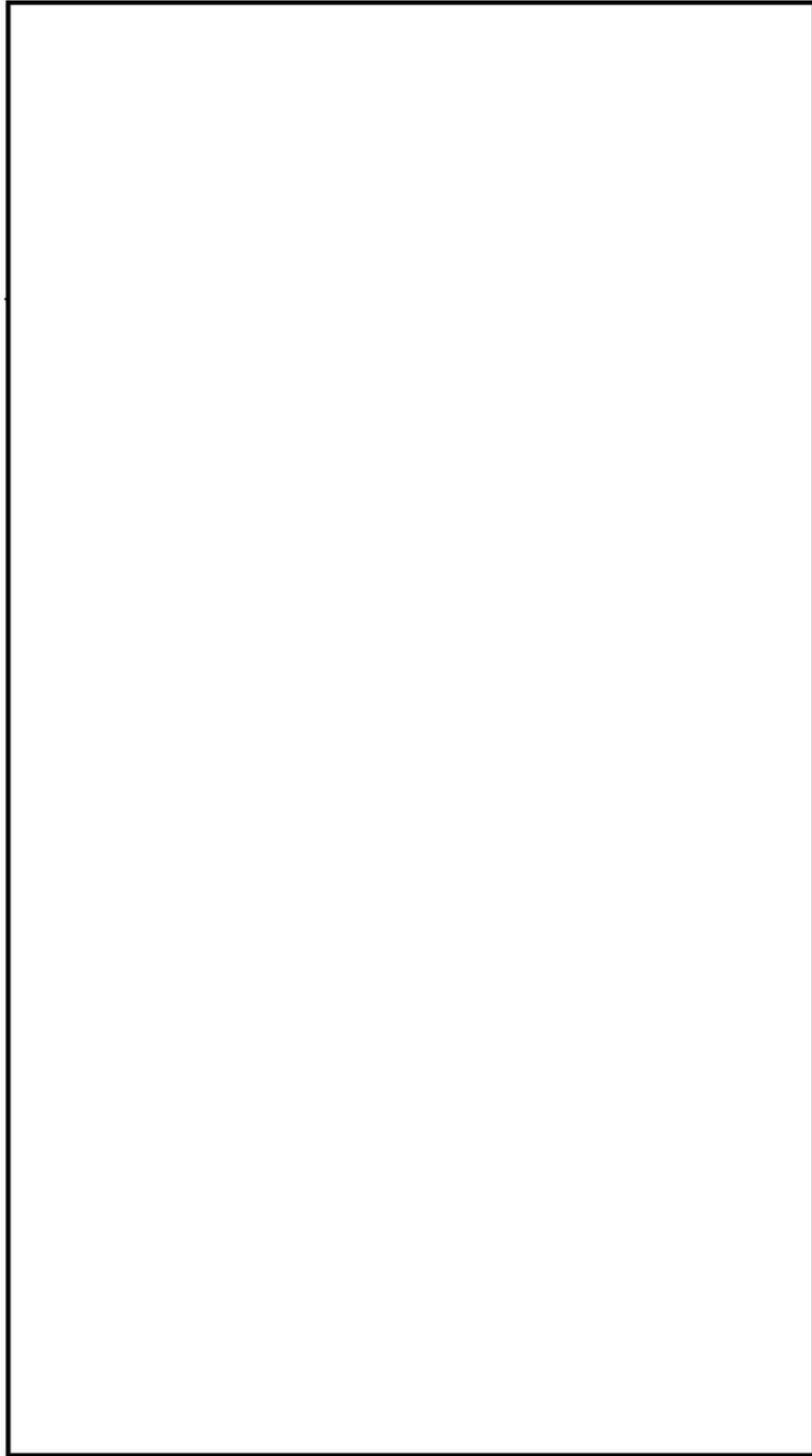
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[redacted]

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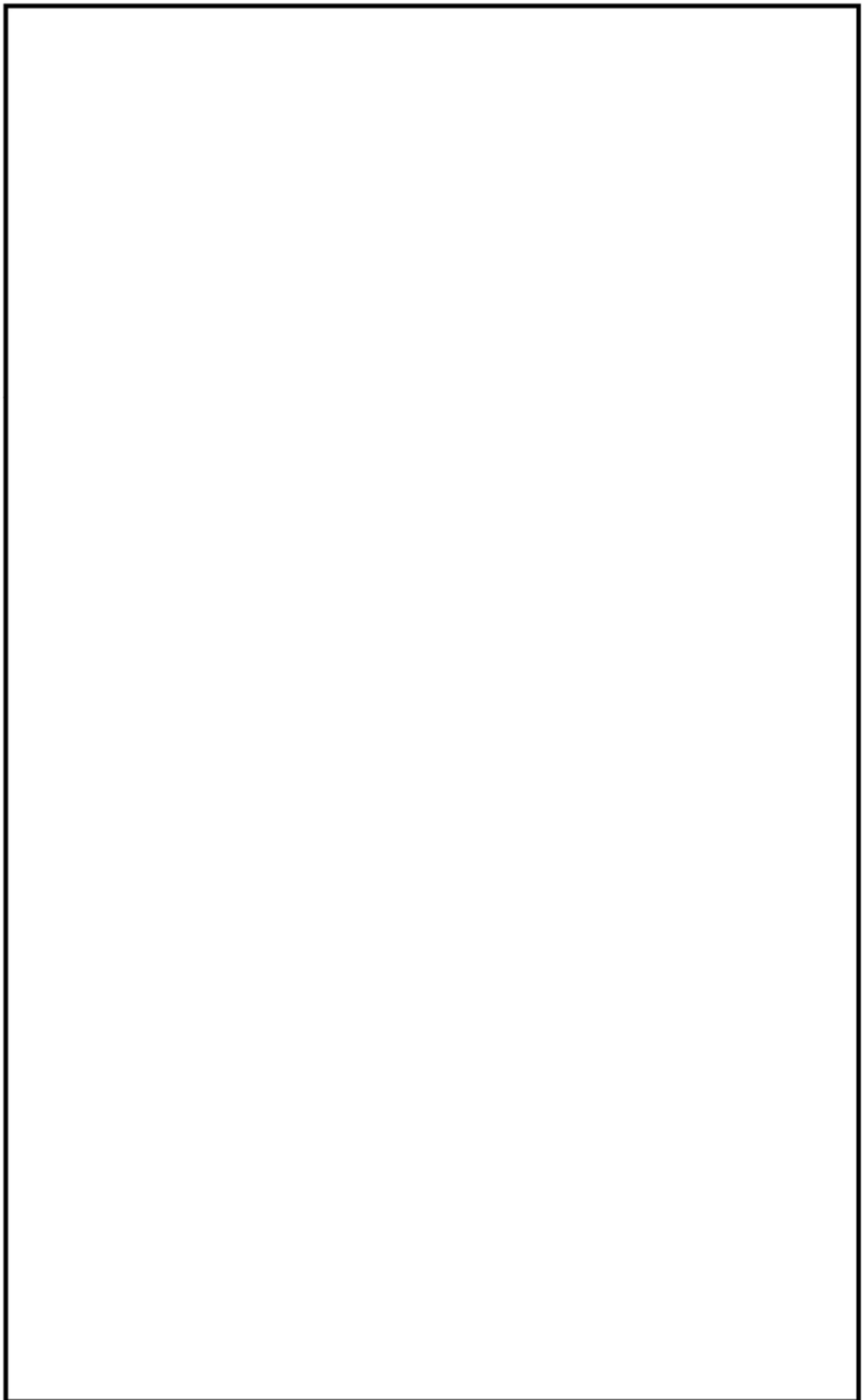
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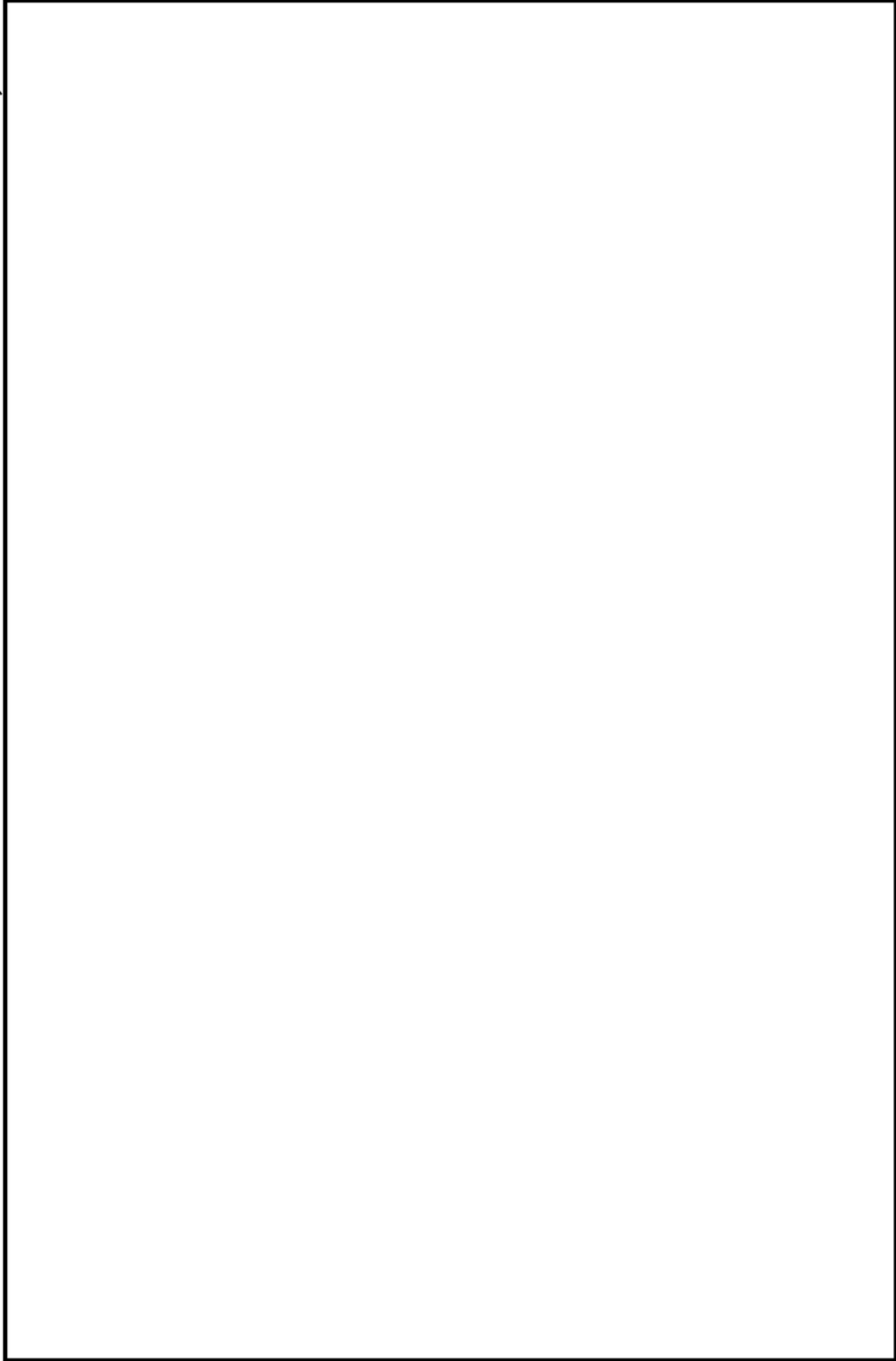
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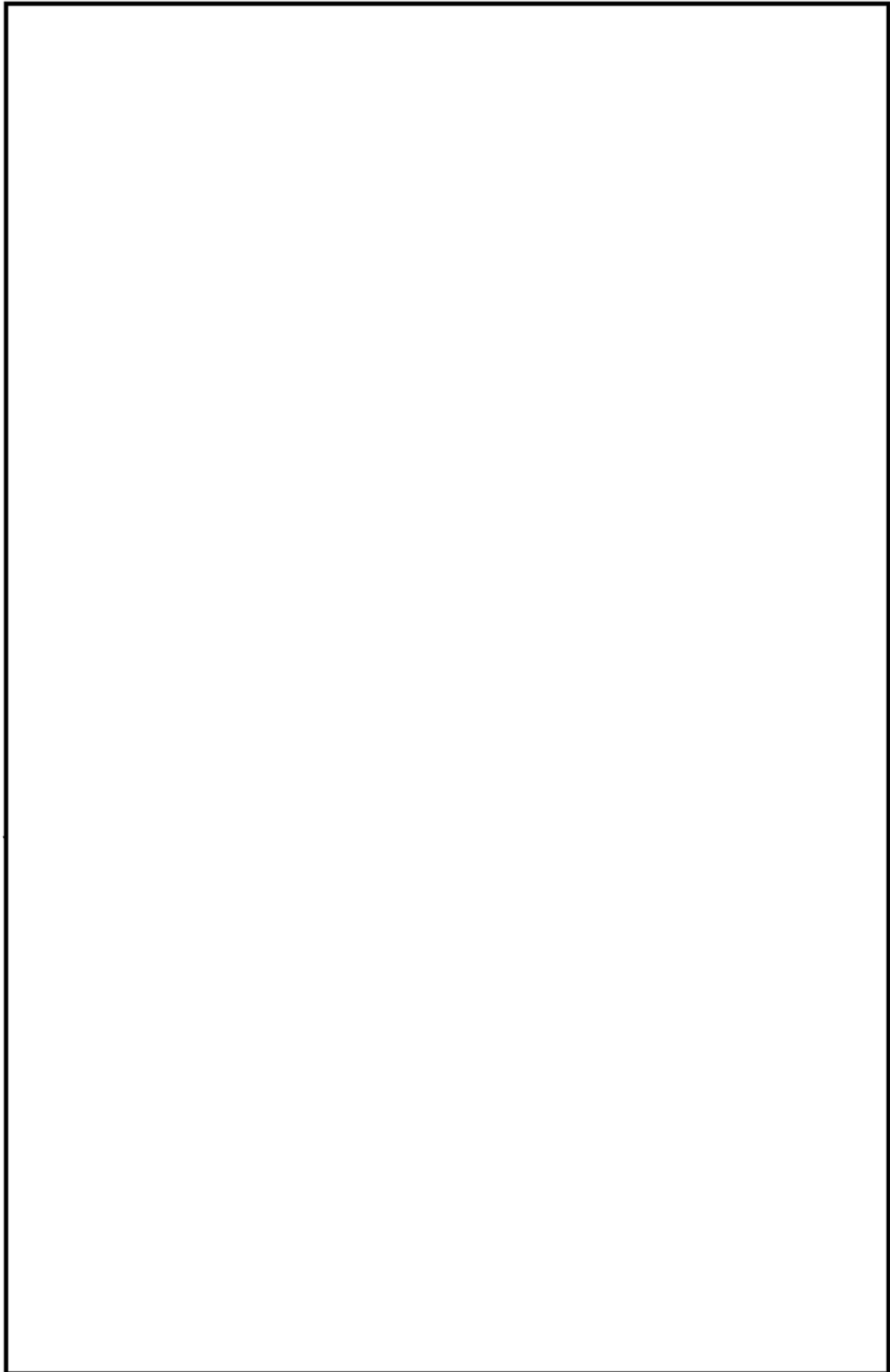
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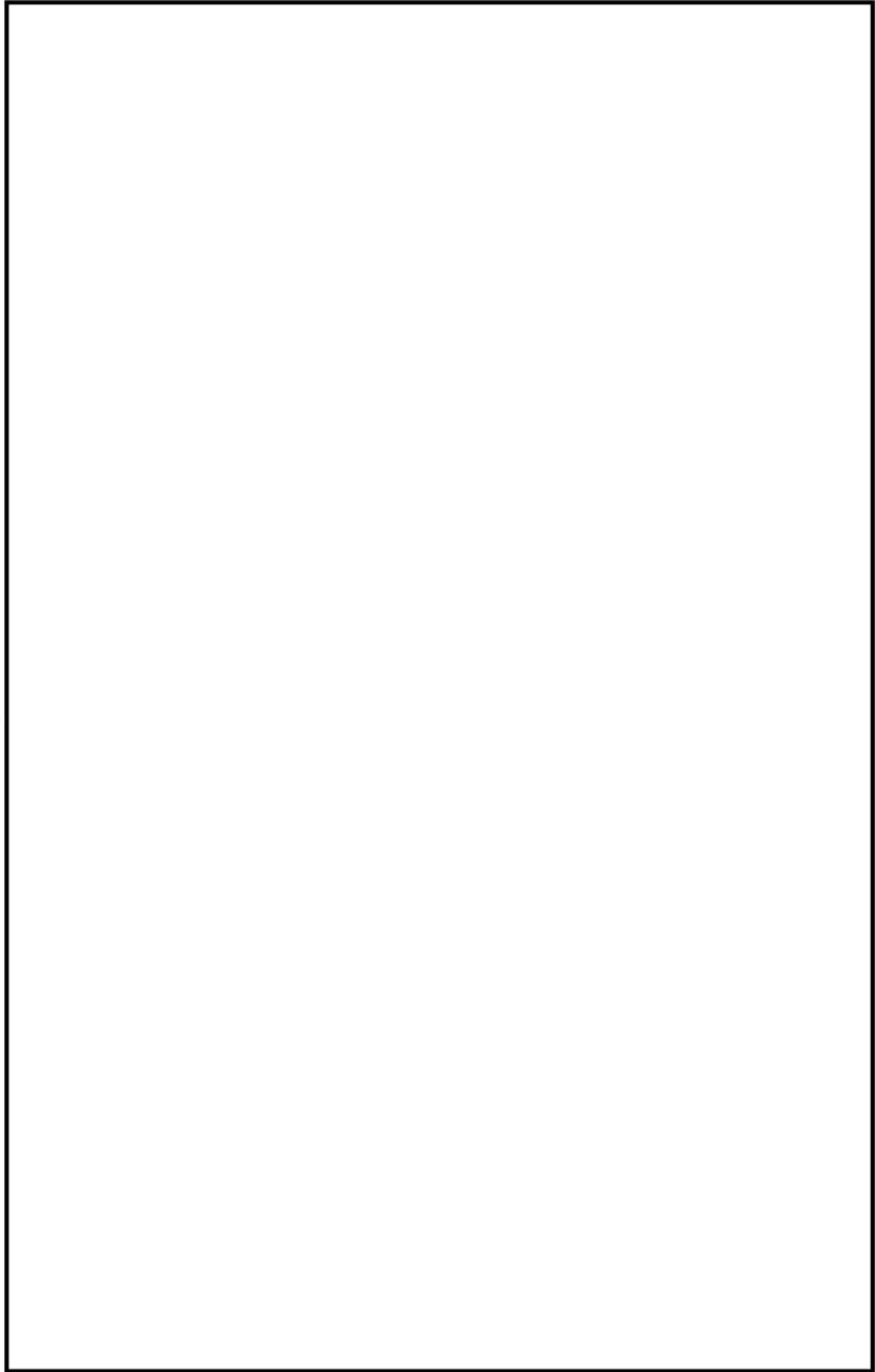


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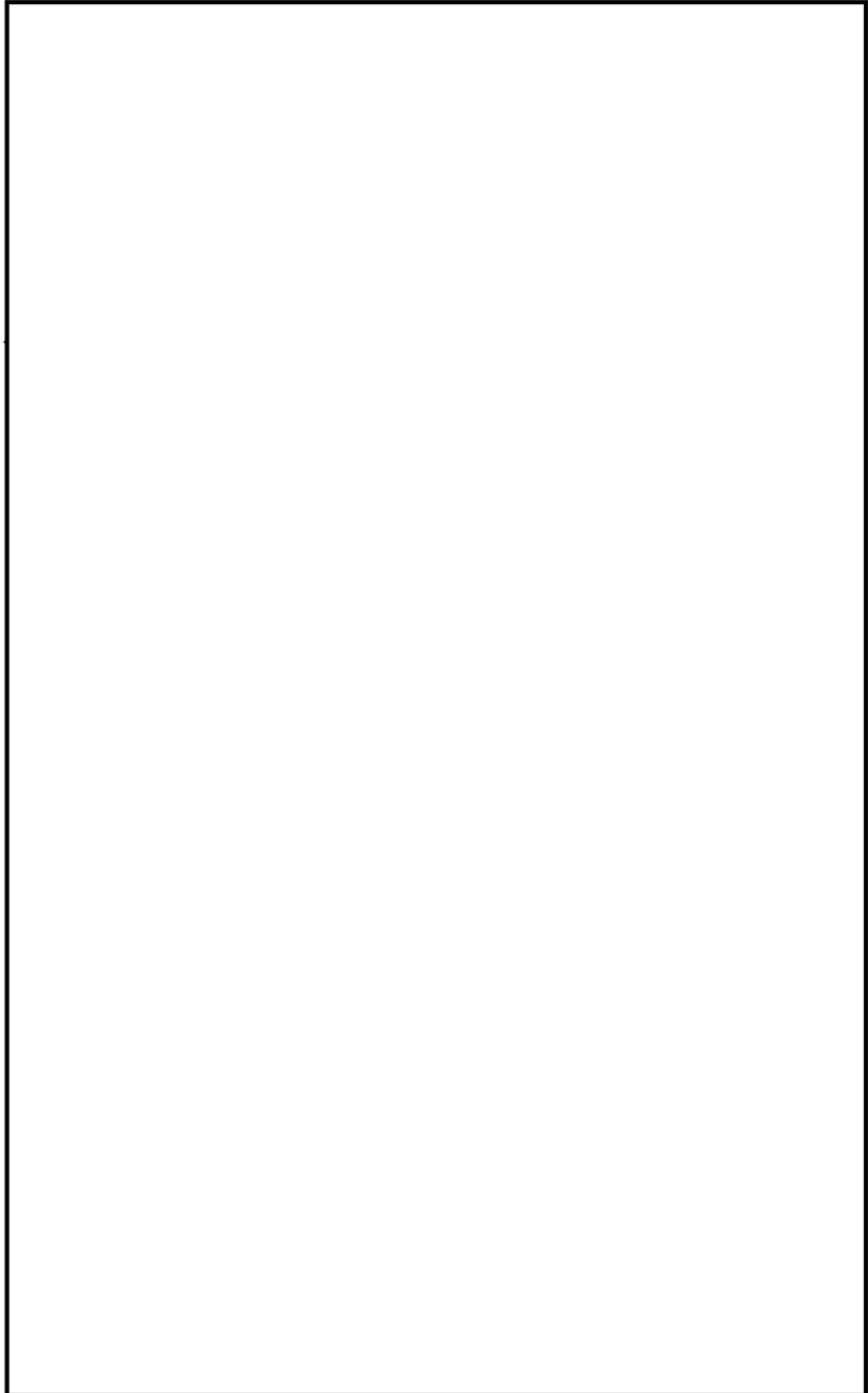


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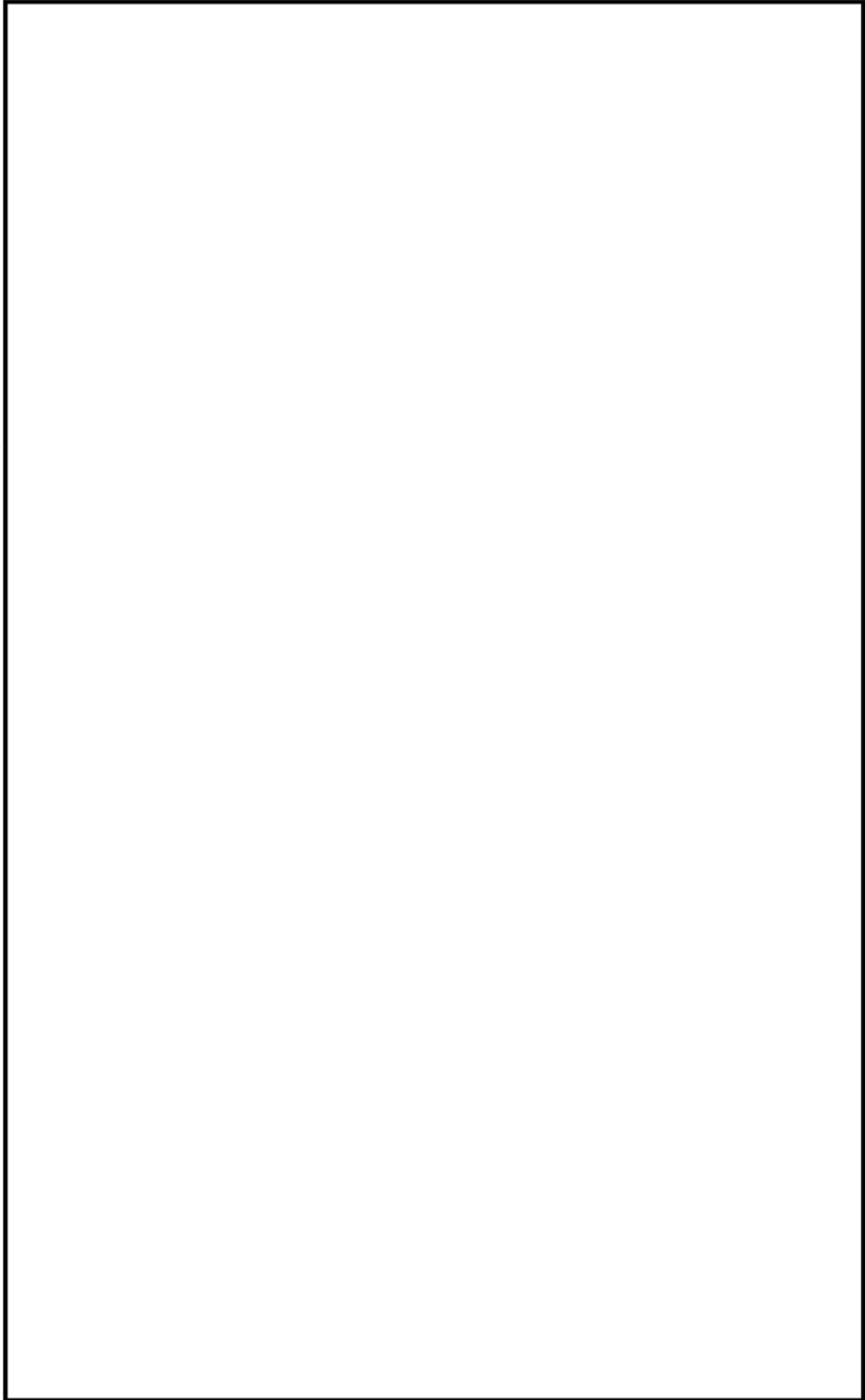
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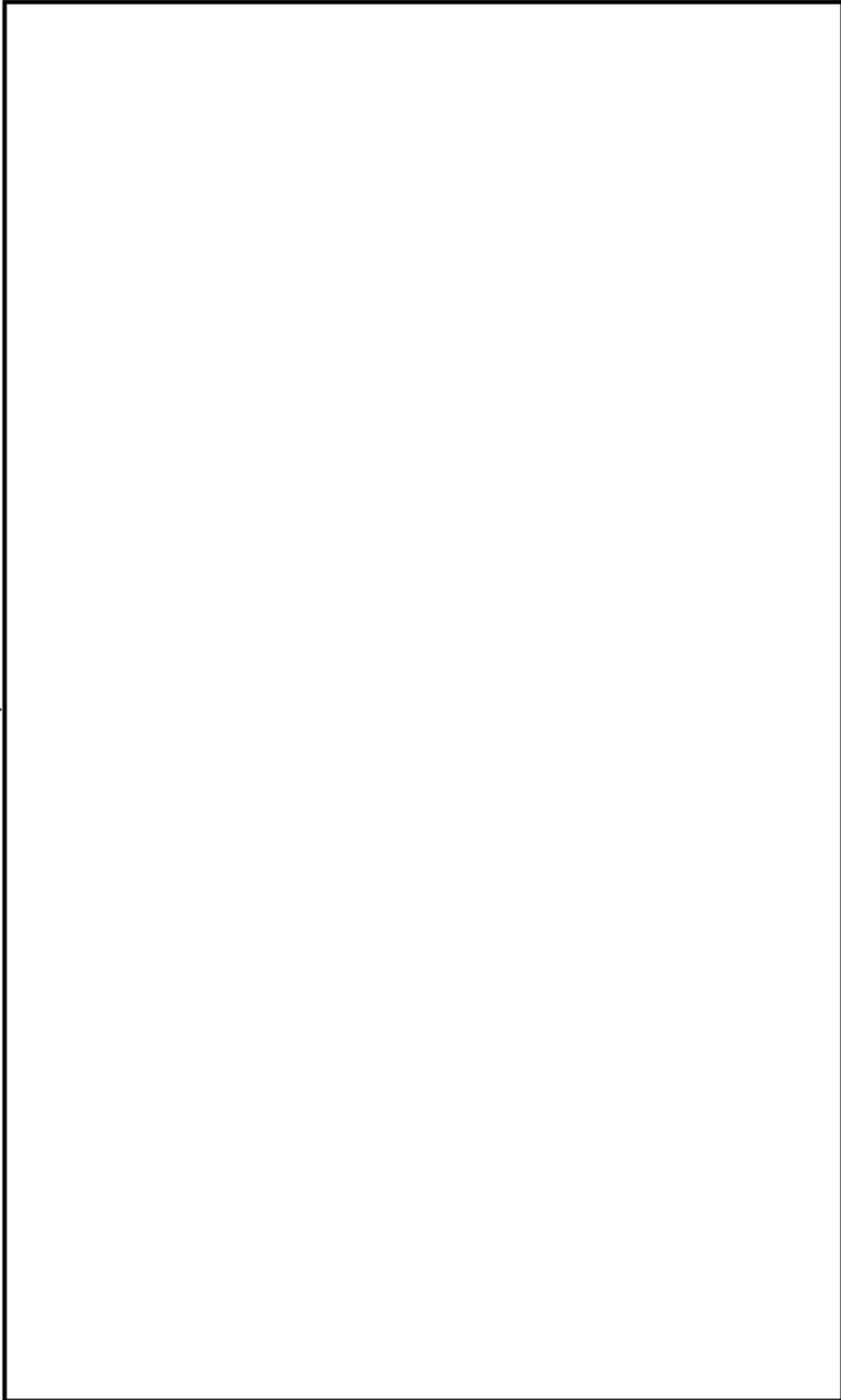
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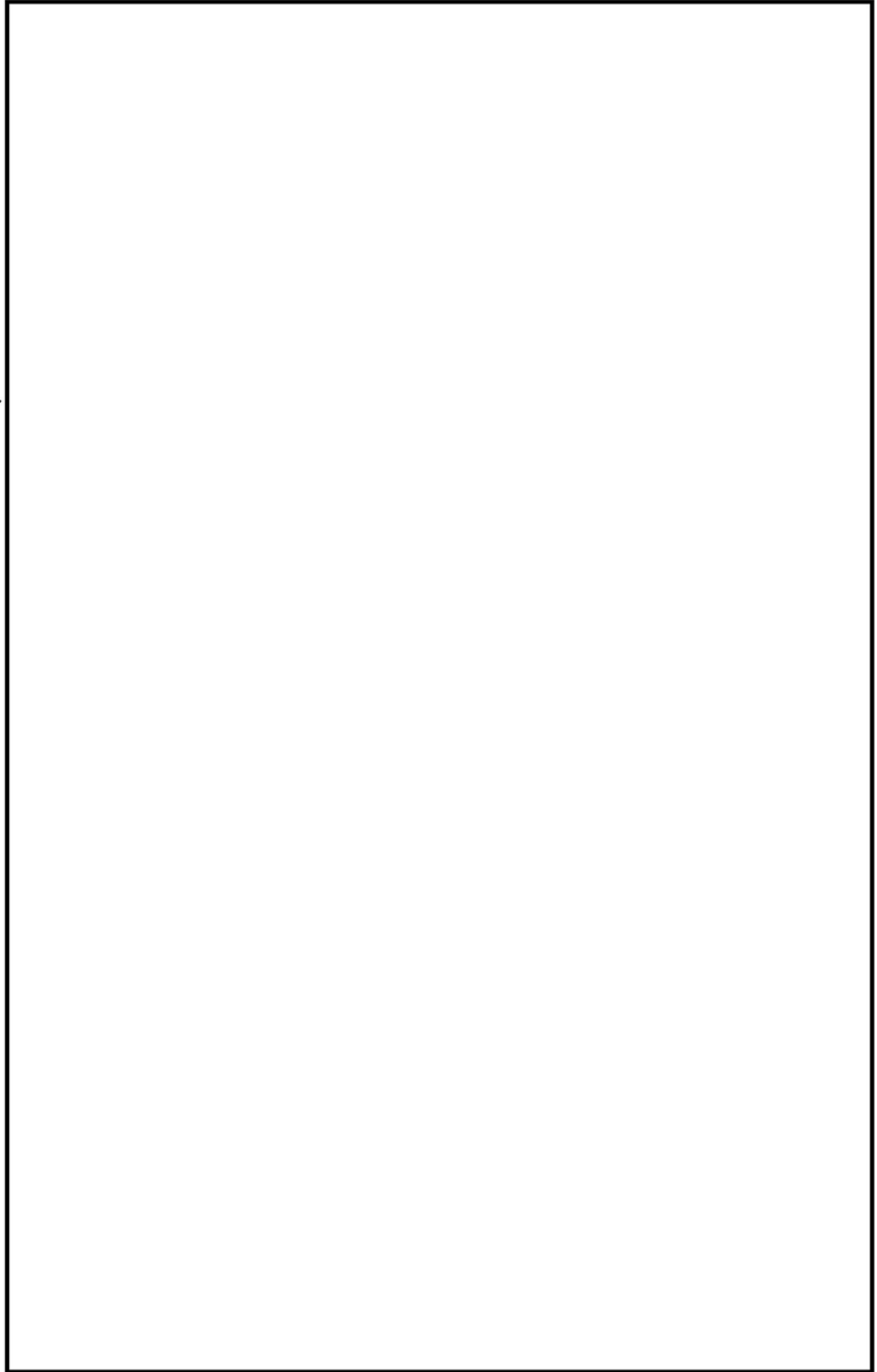


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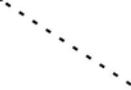
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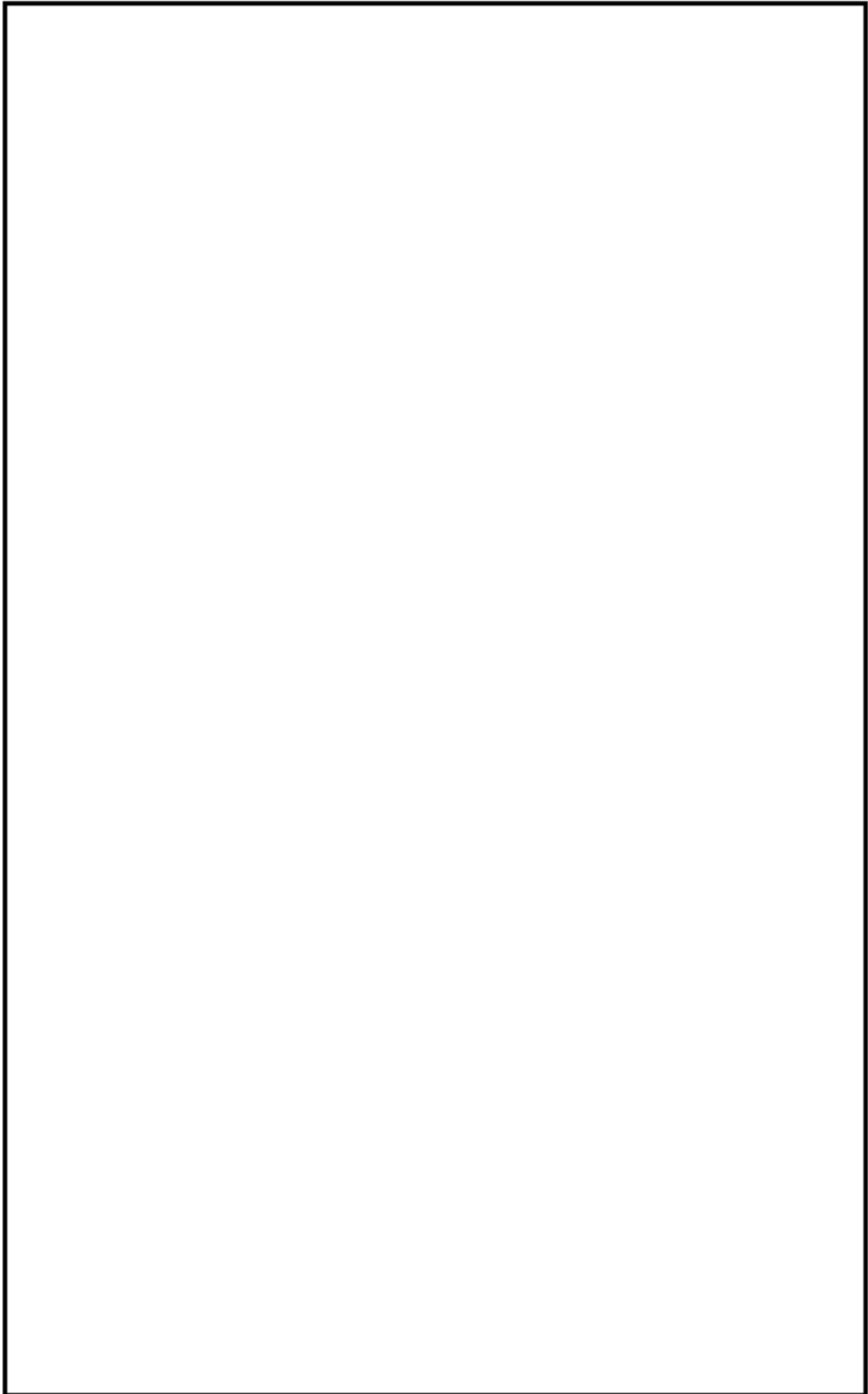
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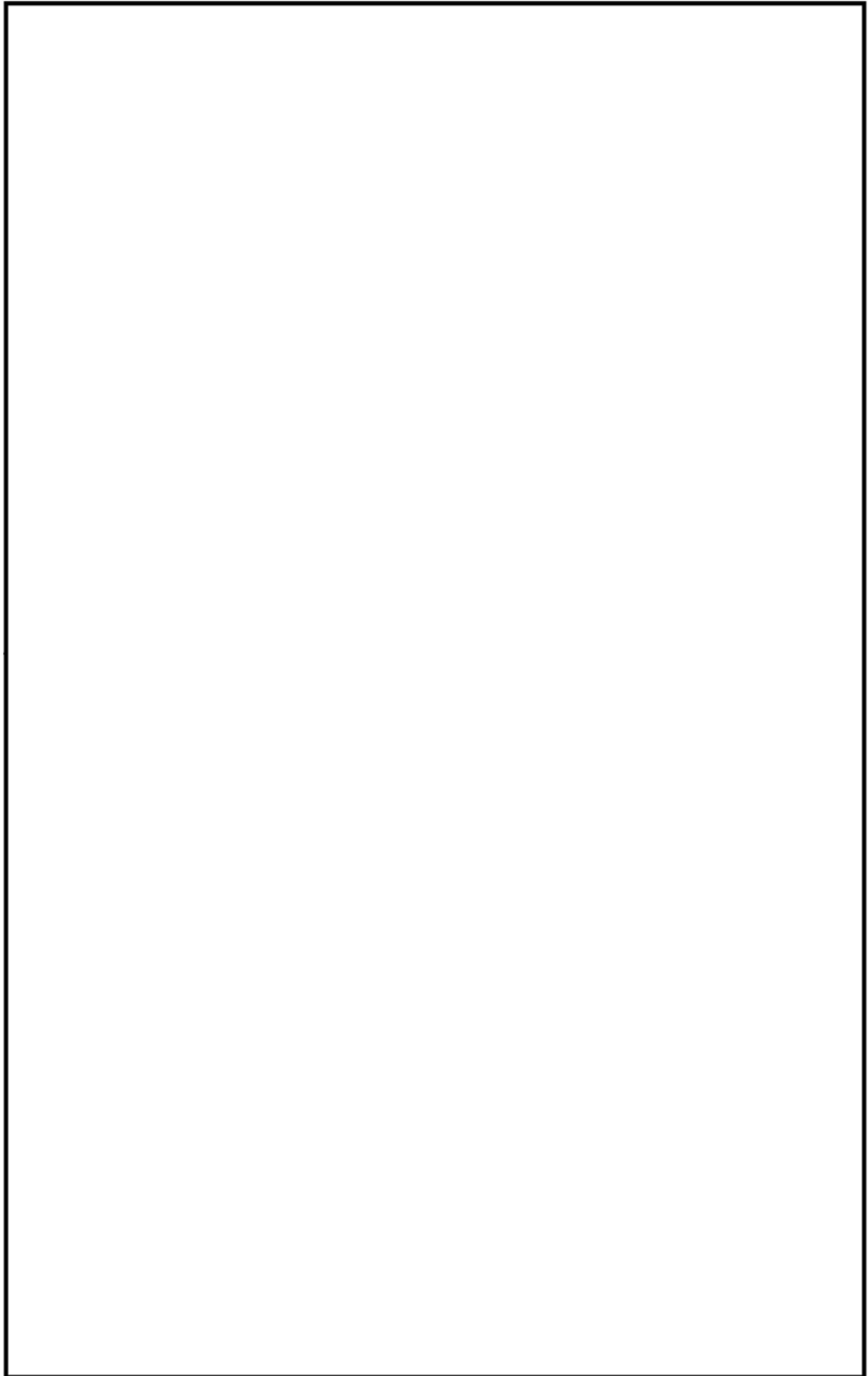
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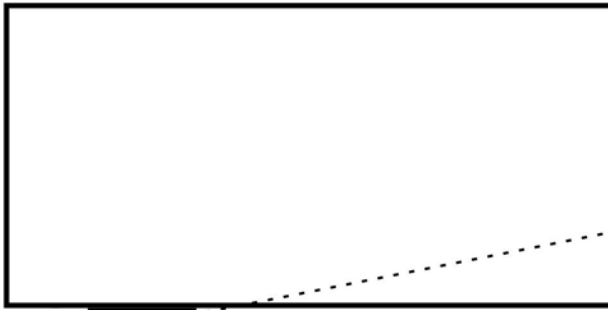
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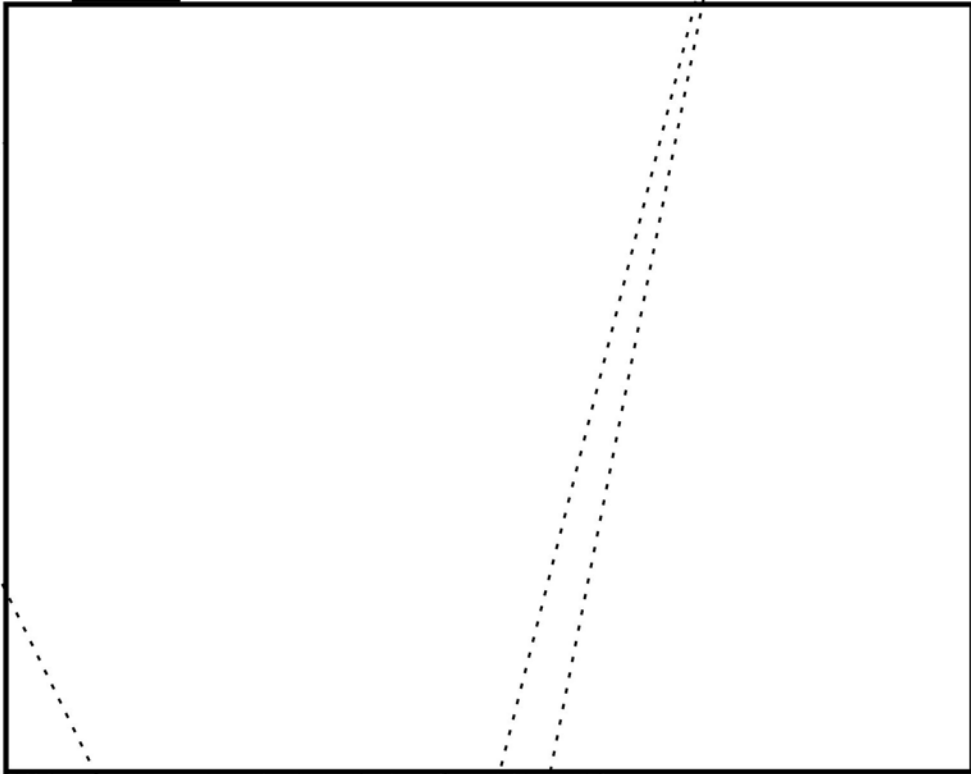
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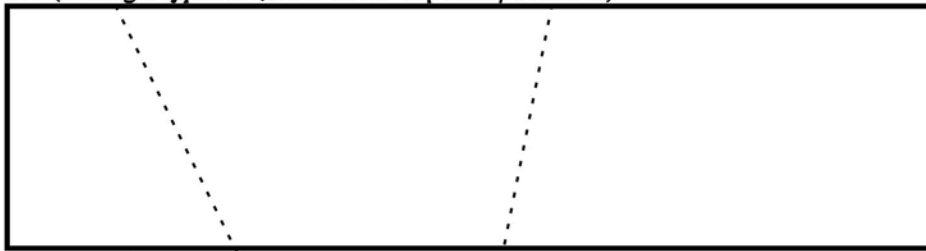
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check [redacted] software folder

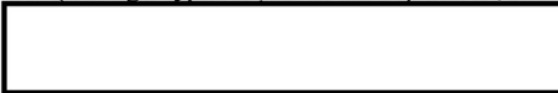


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05/10/2012 (messages typed in emails on the Top Secret Network)



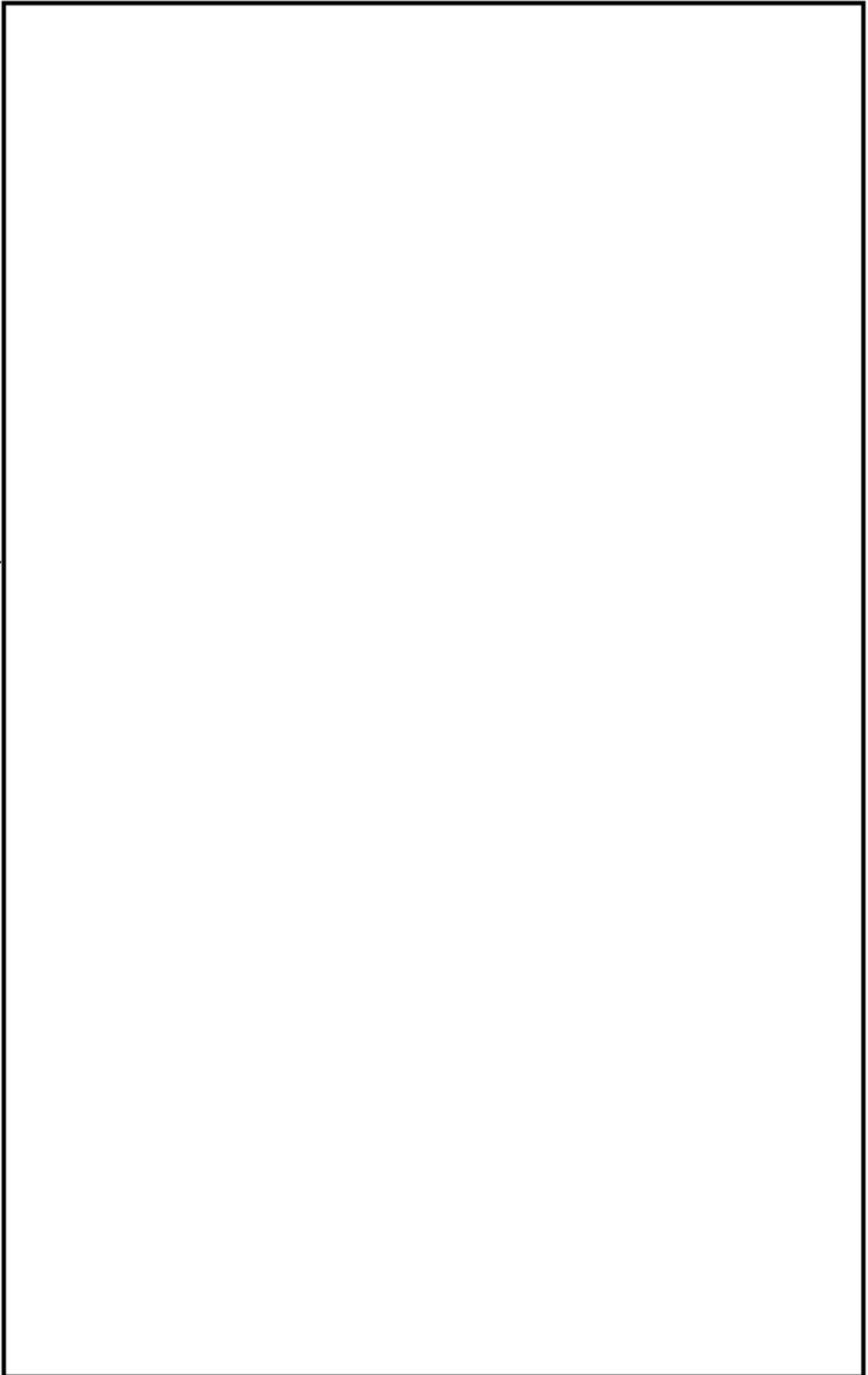
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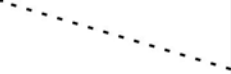
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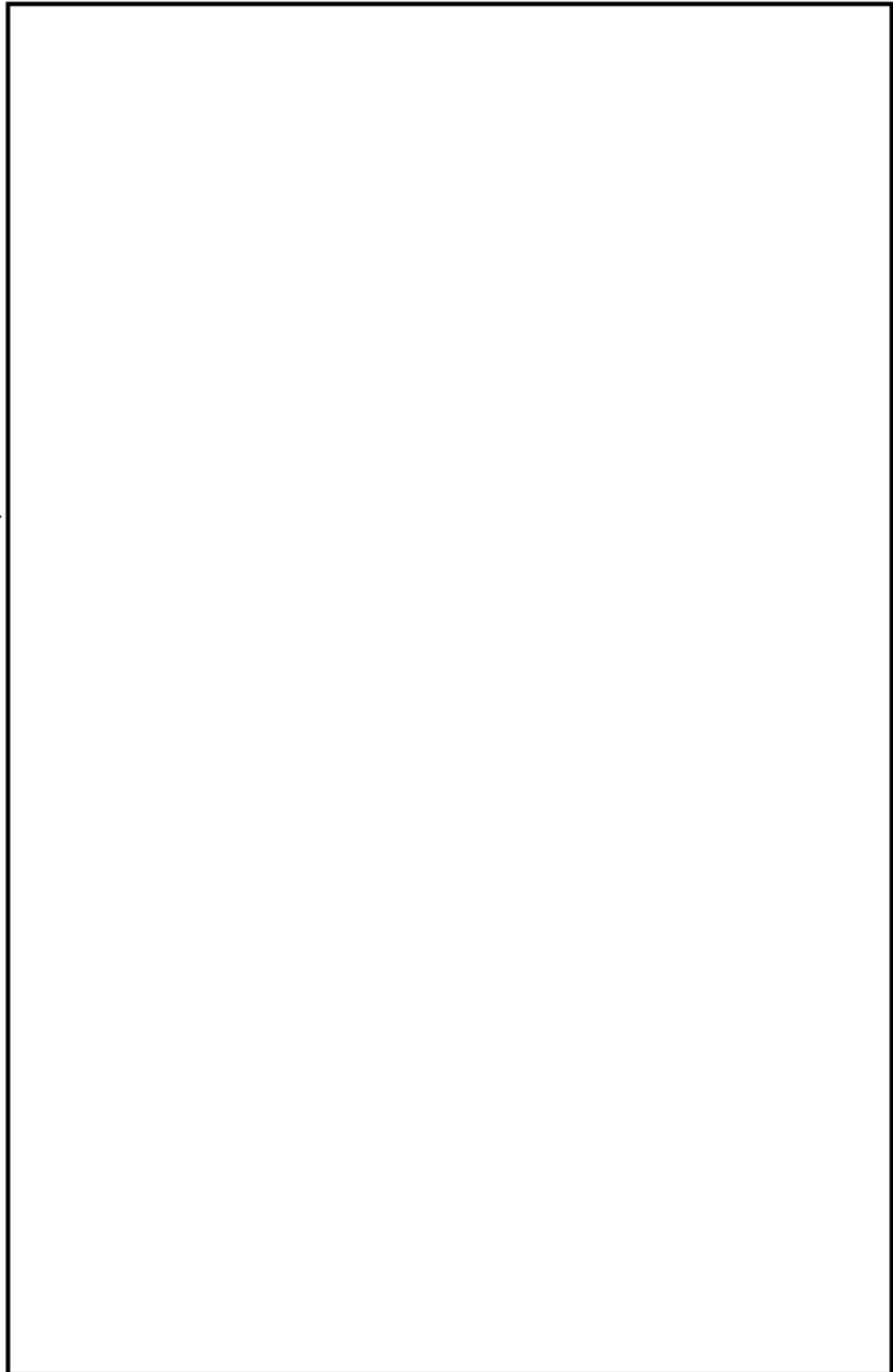


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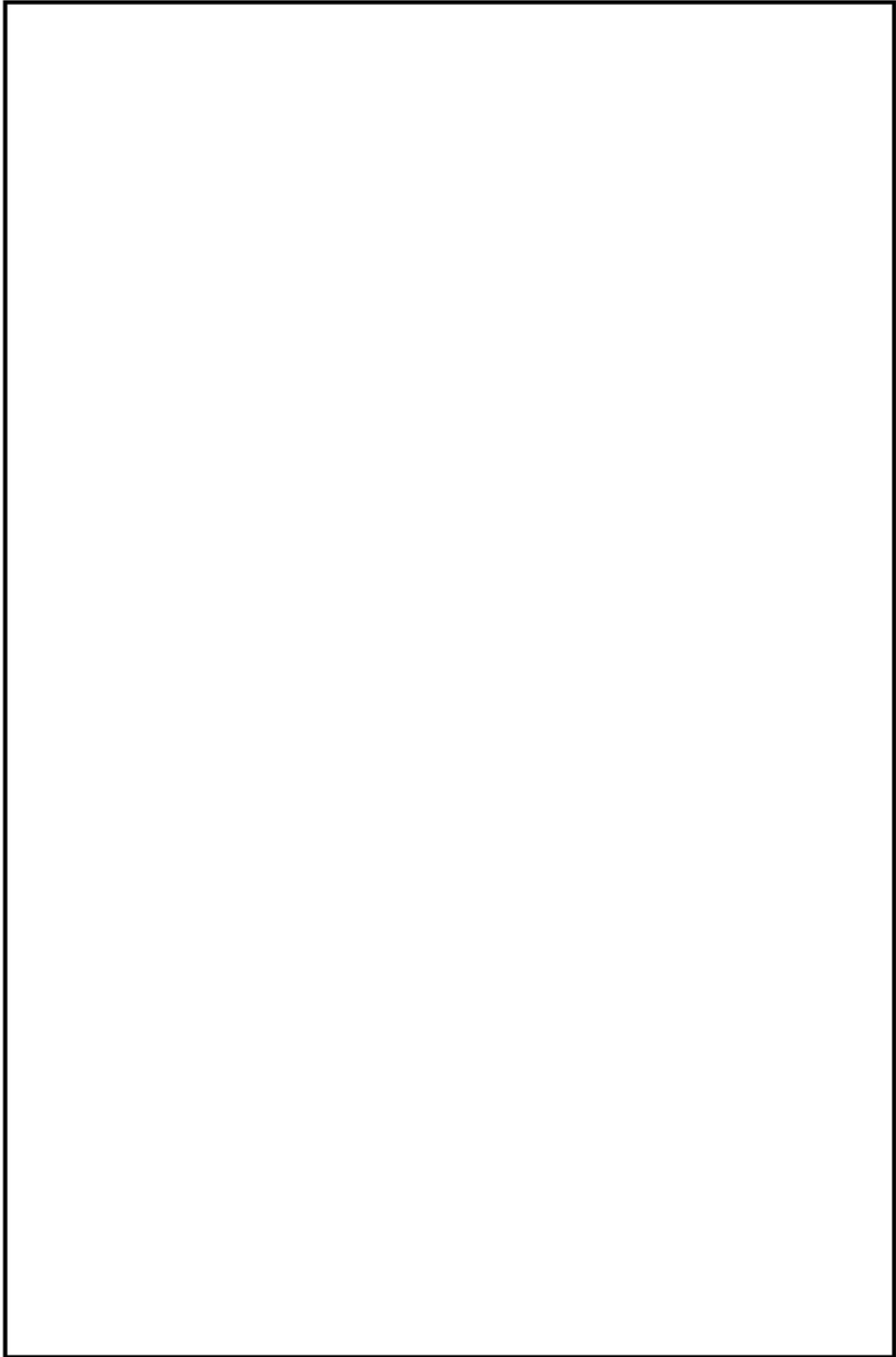
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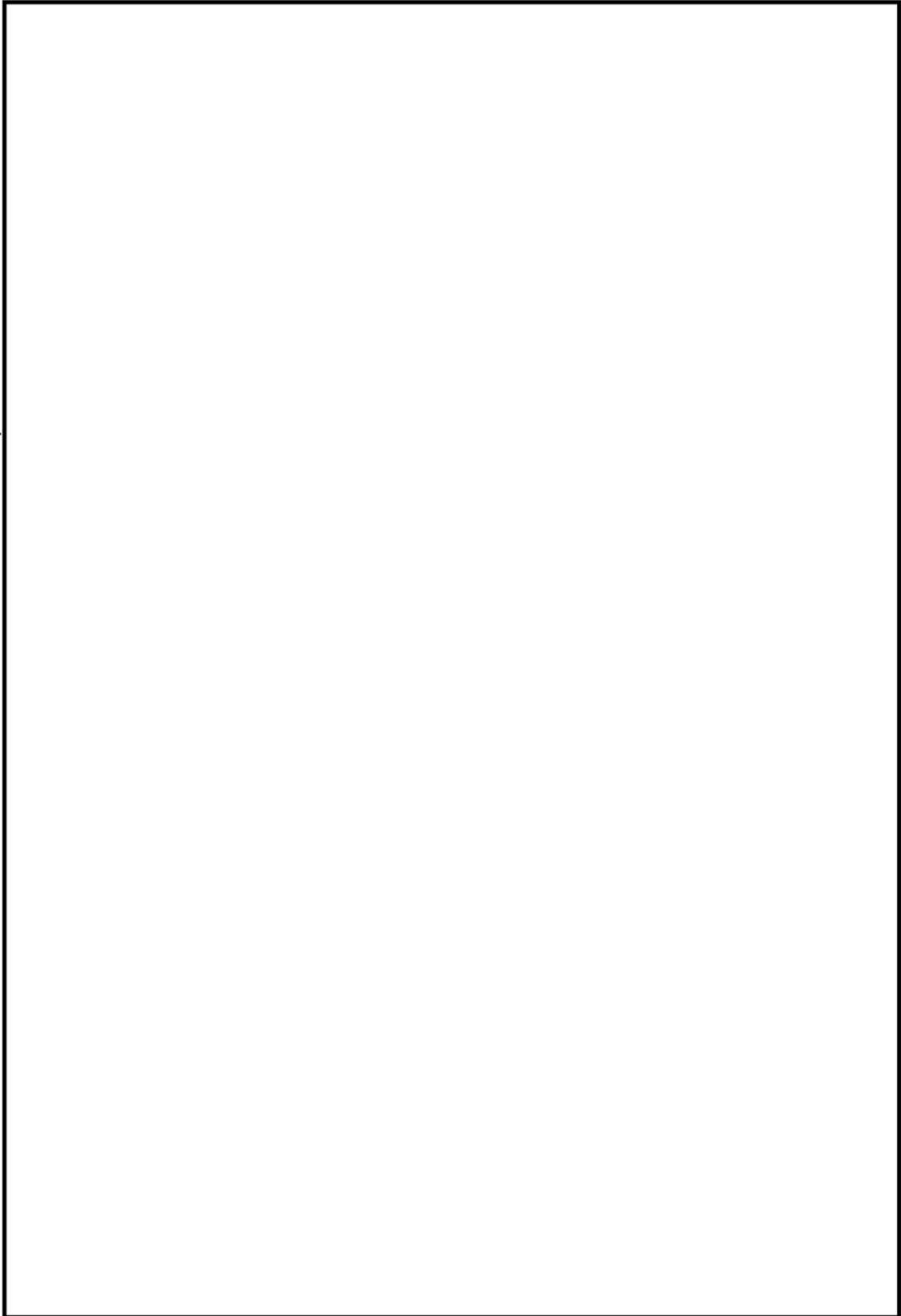
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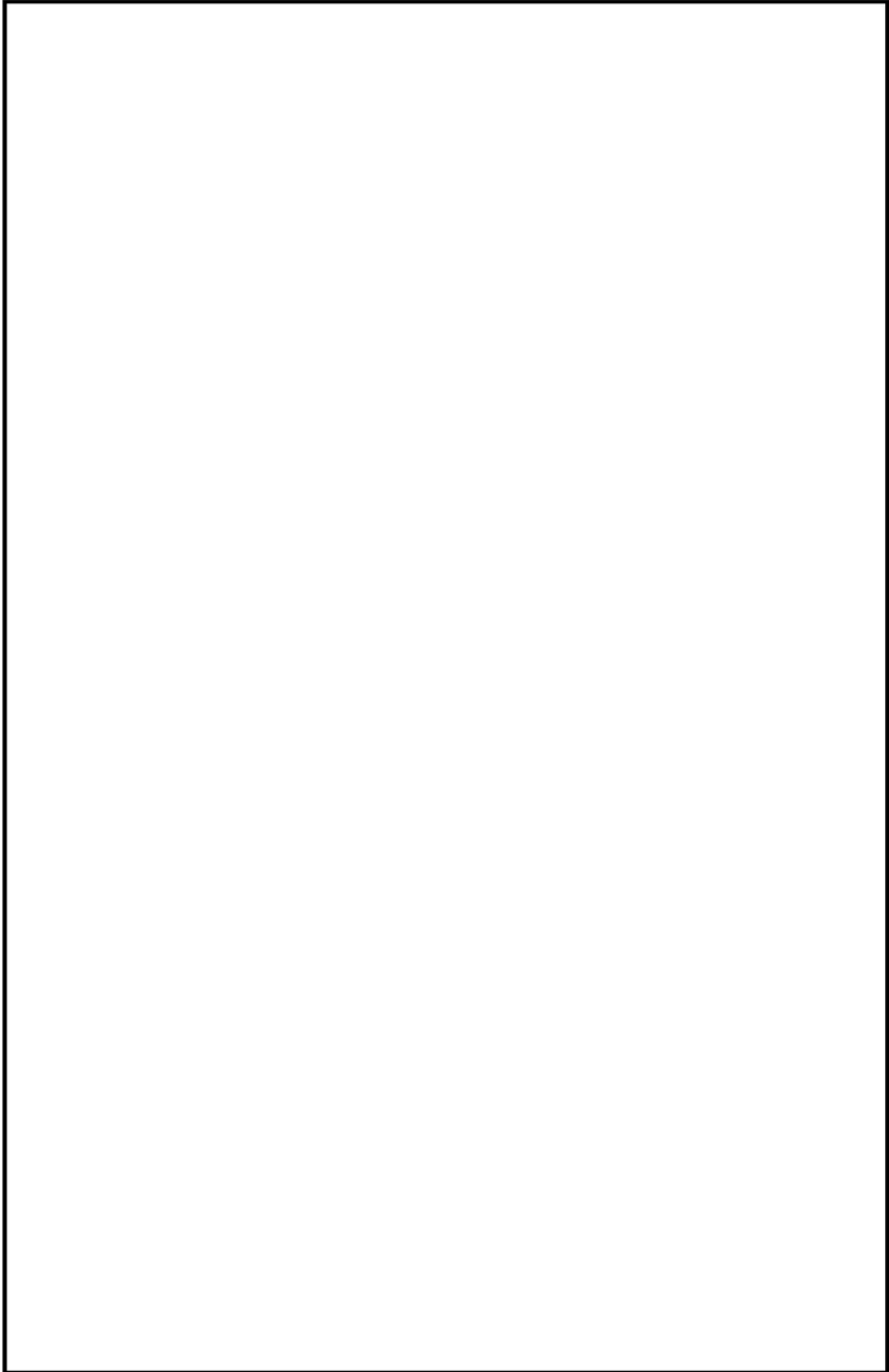
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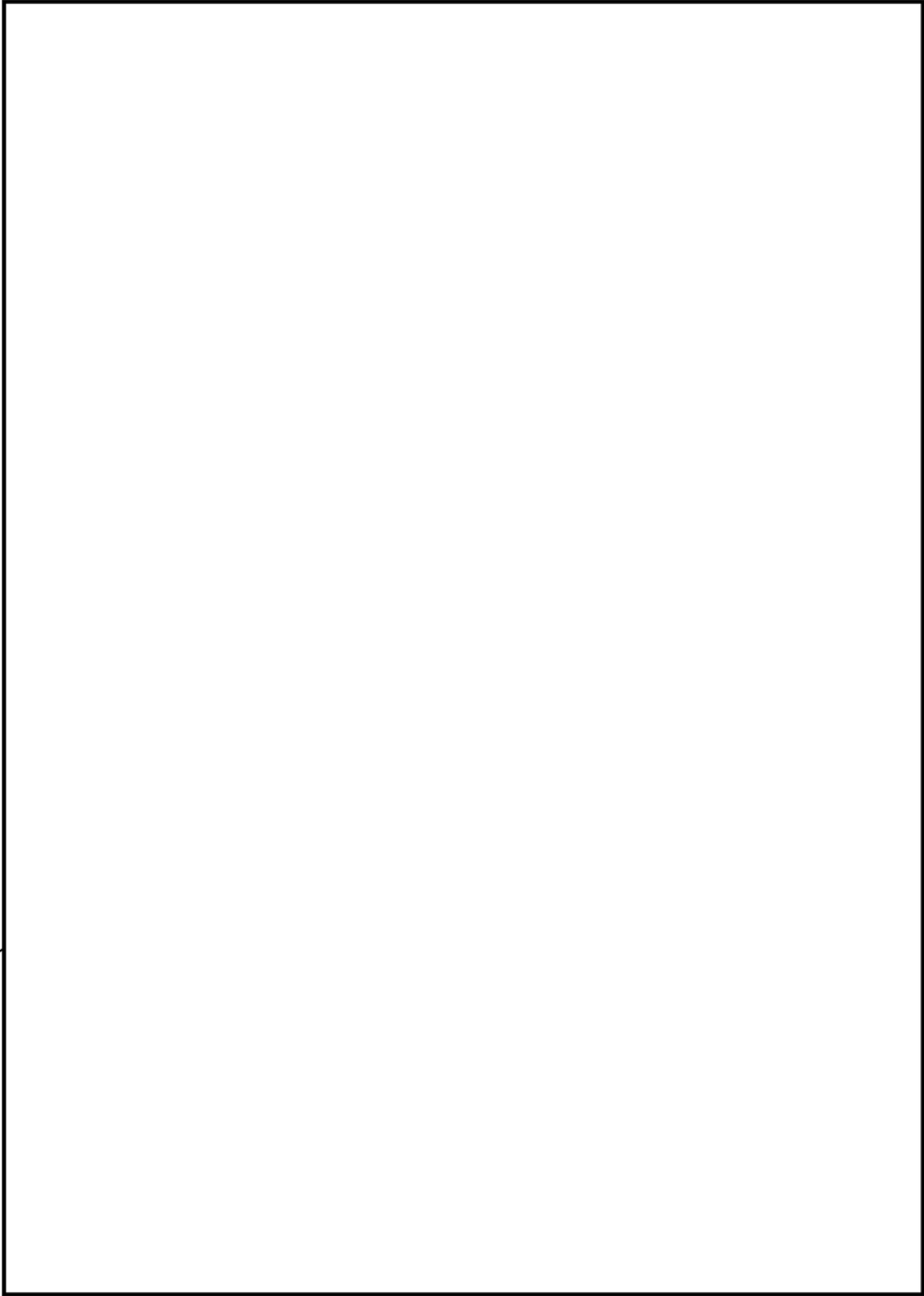
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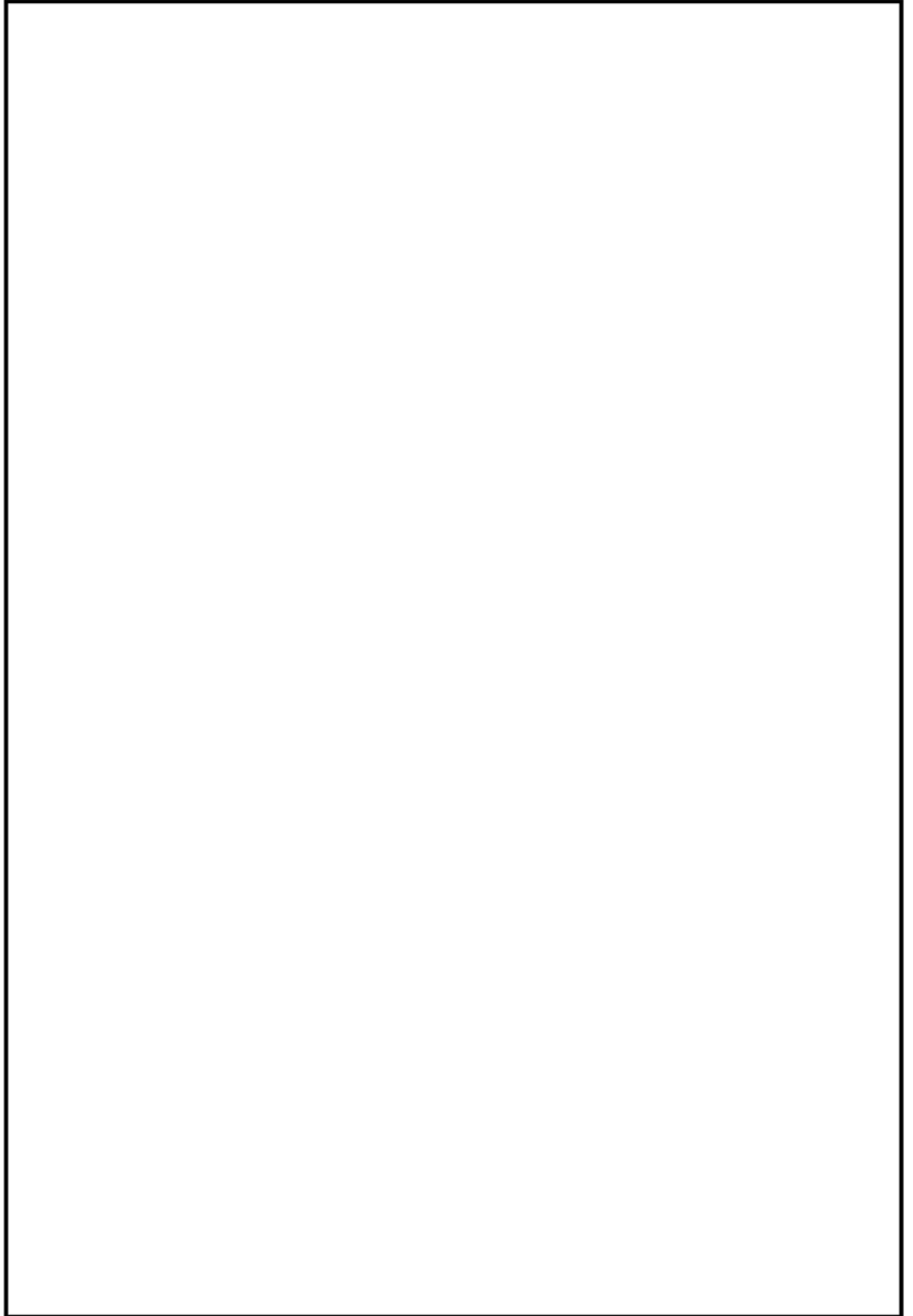


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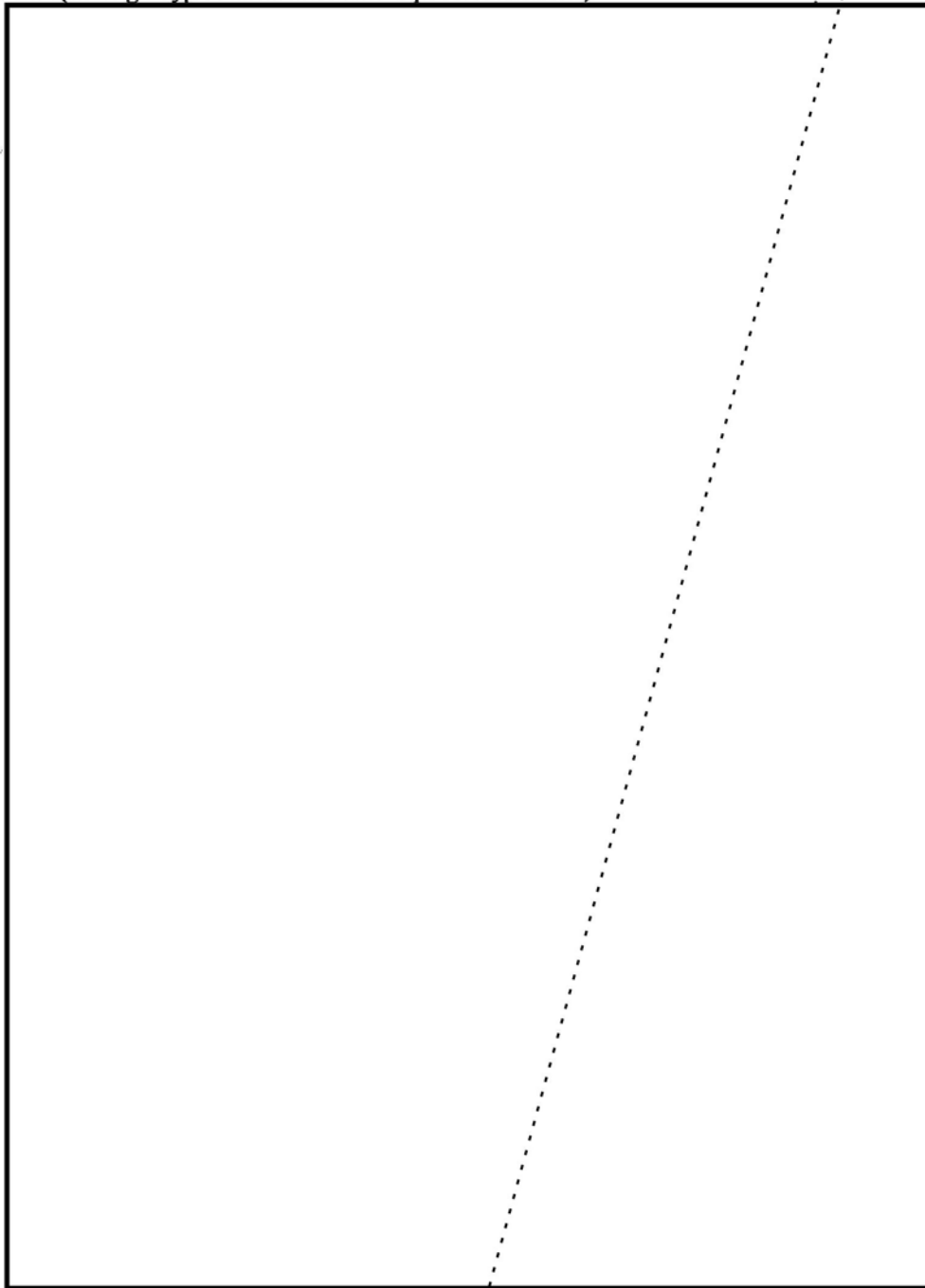
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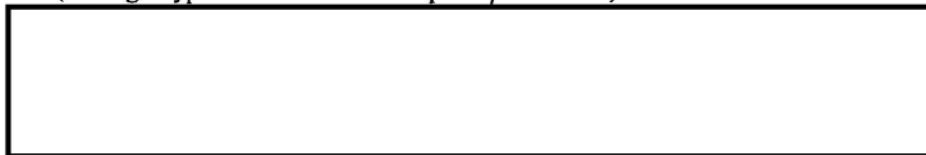
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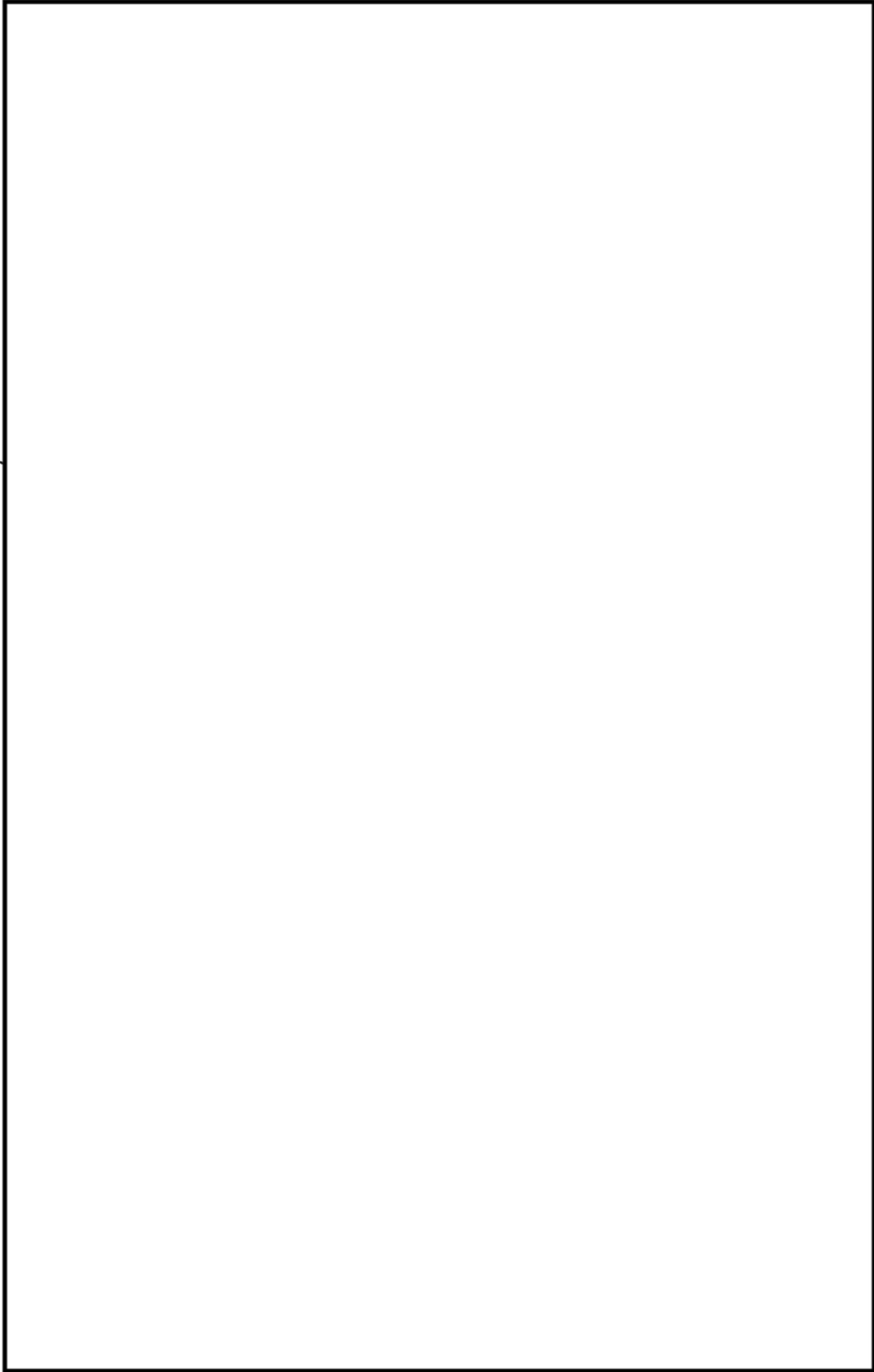
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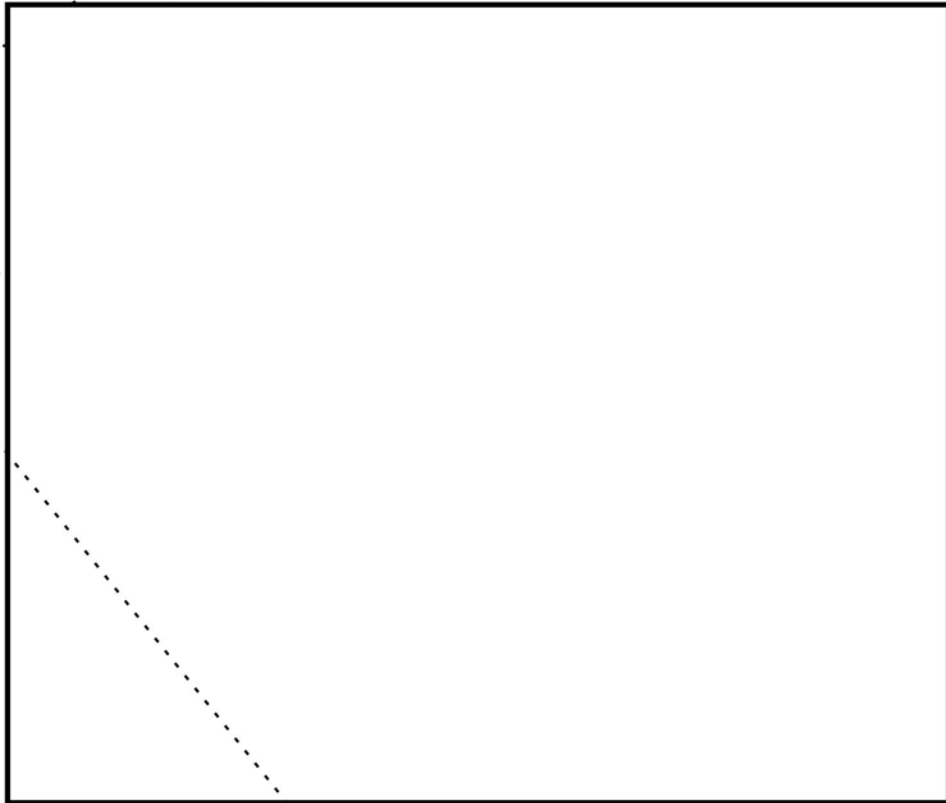
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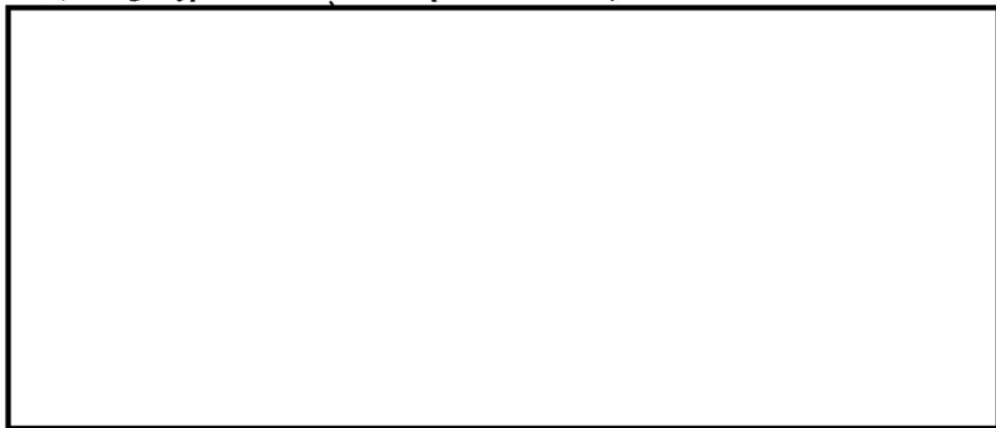


05/14/2012 (messages typed in chat on the Top Secret Network)

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05/15/2012 (messages typed in emails on the Top Secret Network)



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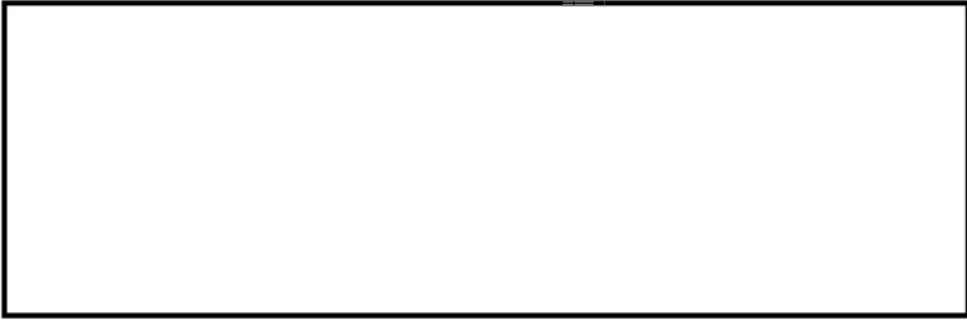
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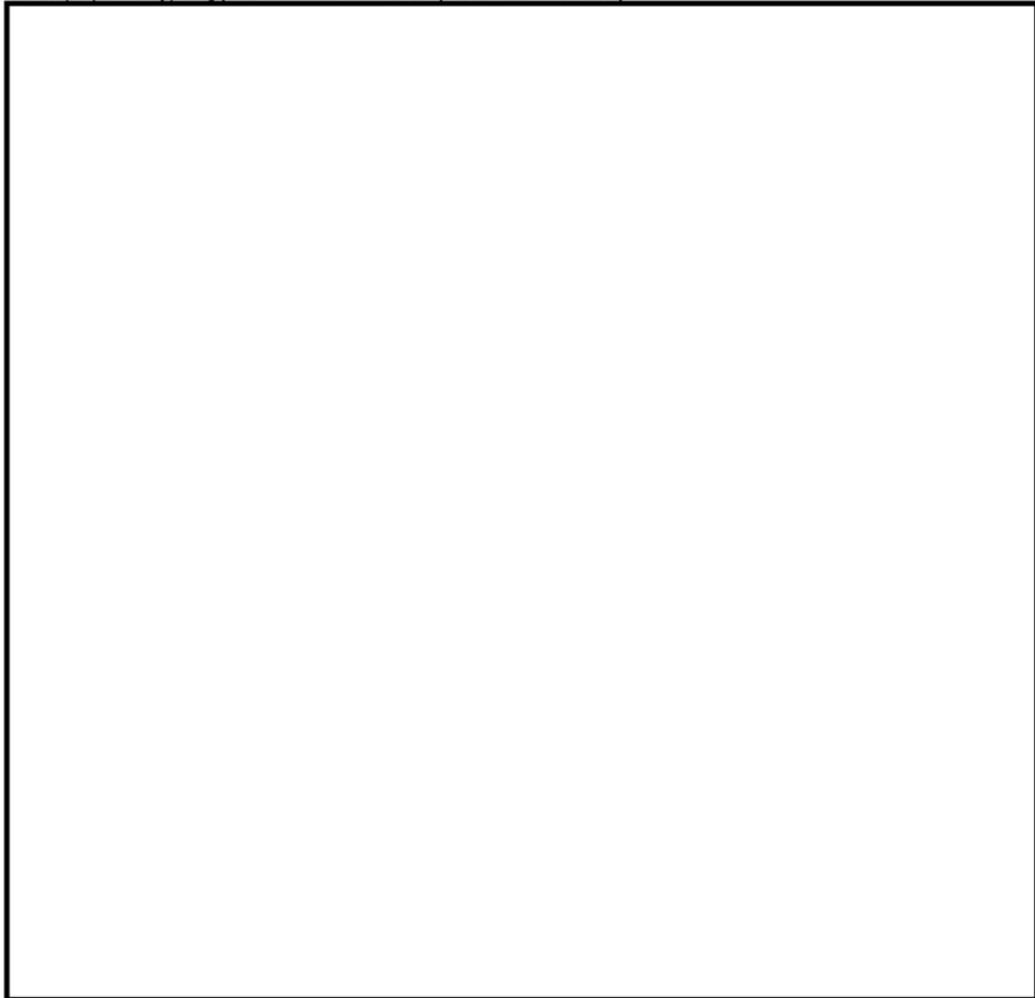


05/16/2012 (messages typed in emails on the Top Secret Network)

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05/16/2012 (messages typed in chat on the Top Secret Network)



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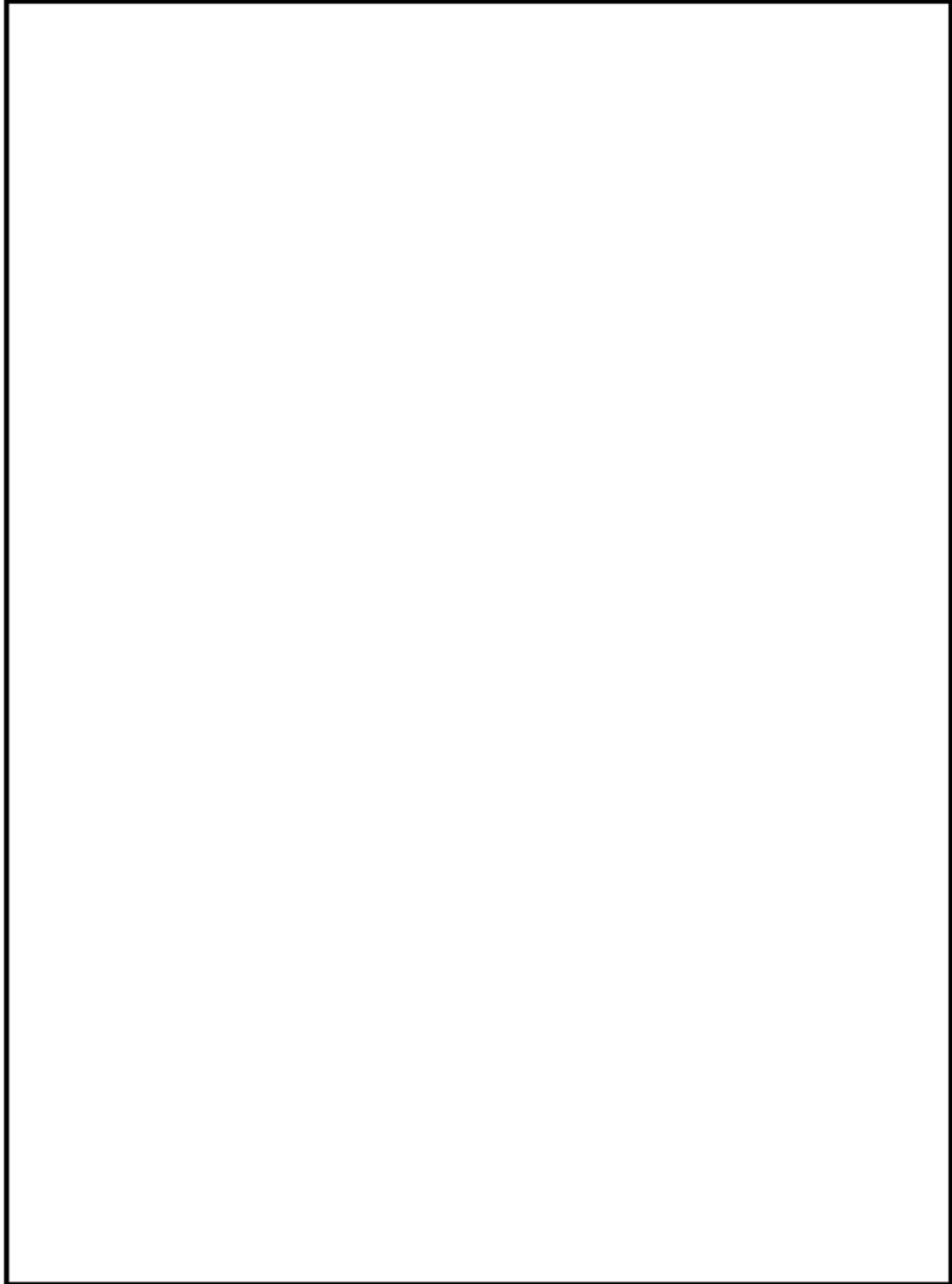
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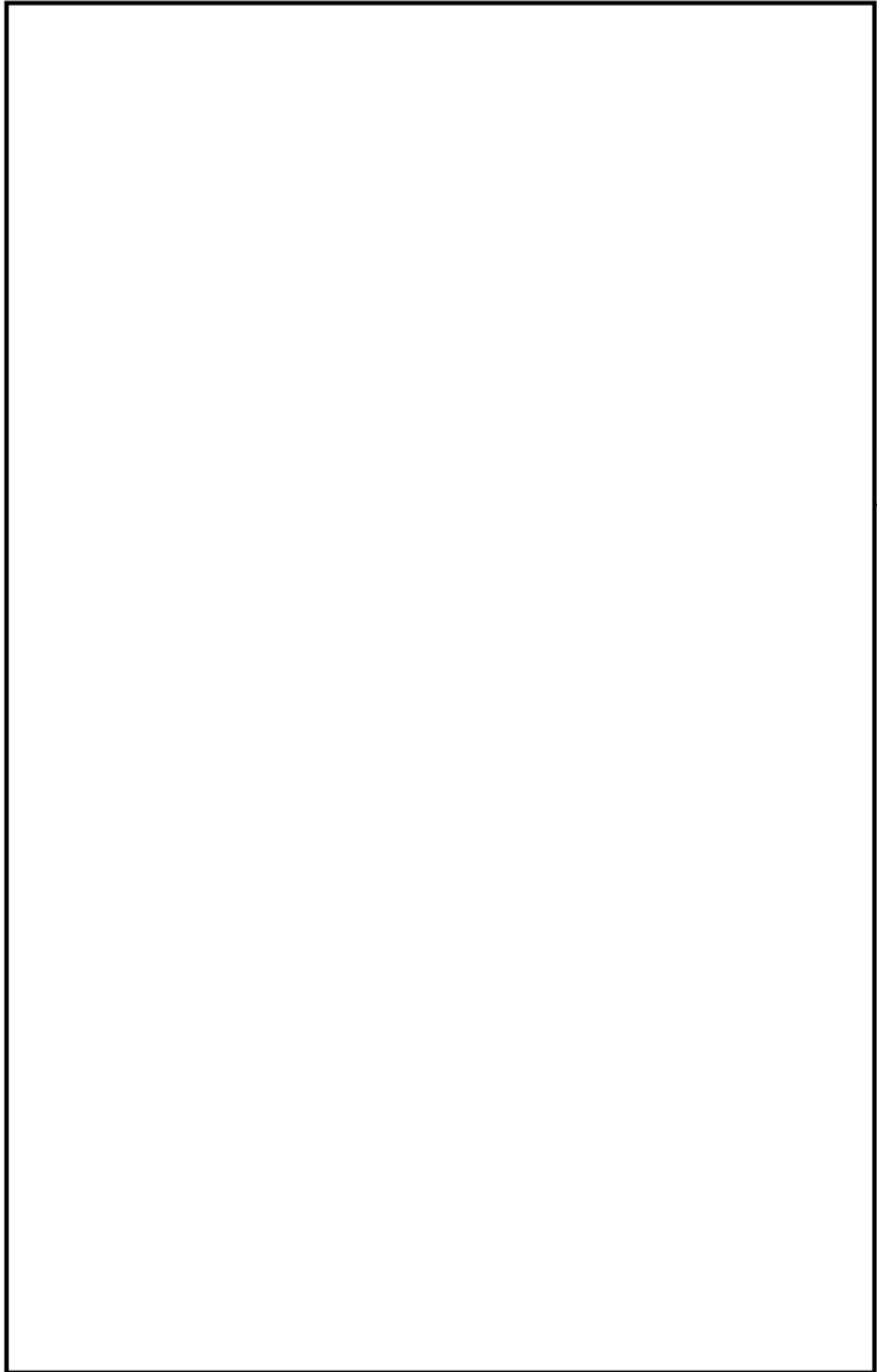
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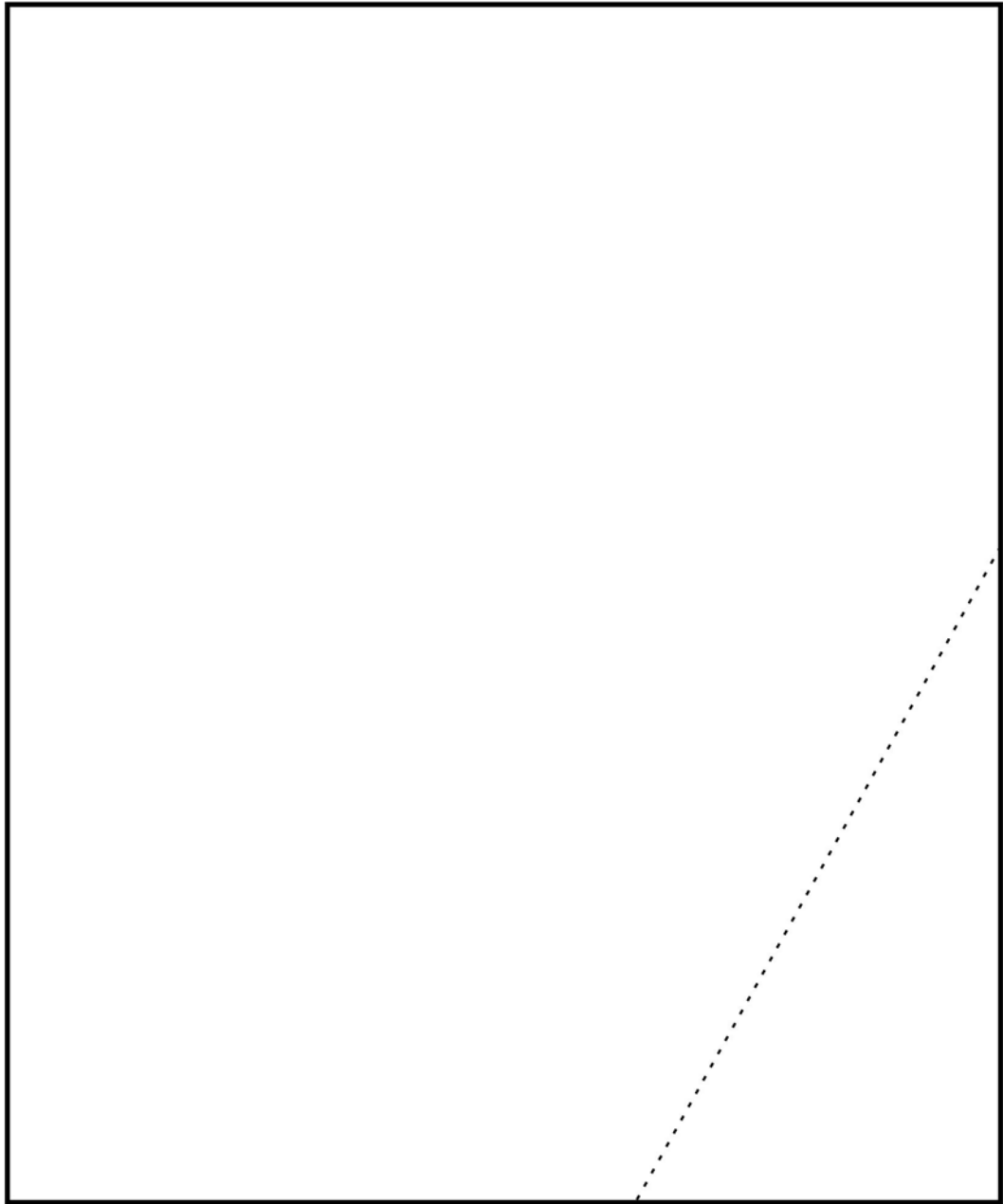


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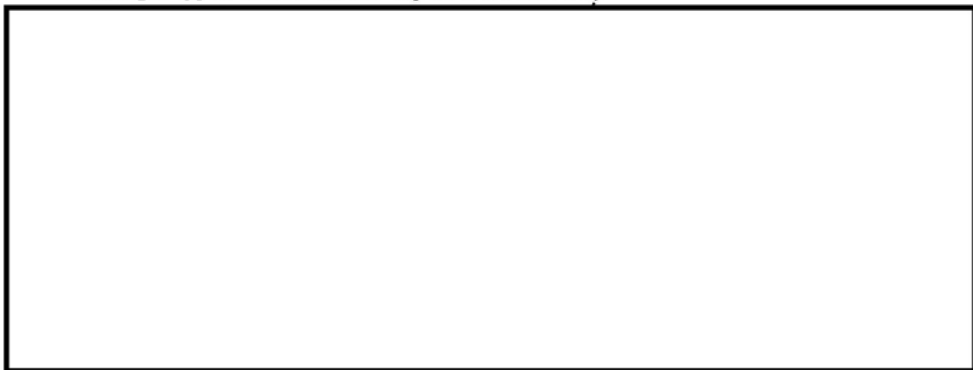
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05/17/2012 (messages typed in chat on the Top Secret Network)



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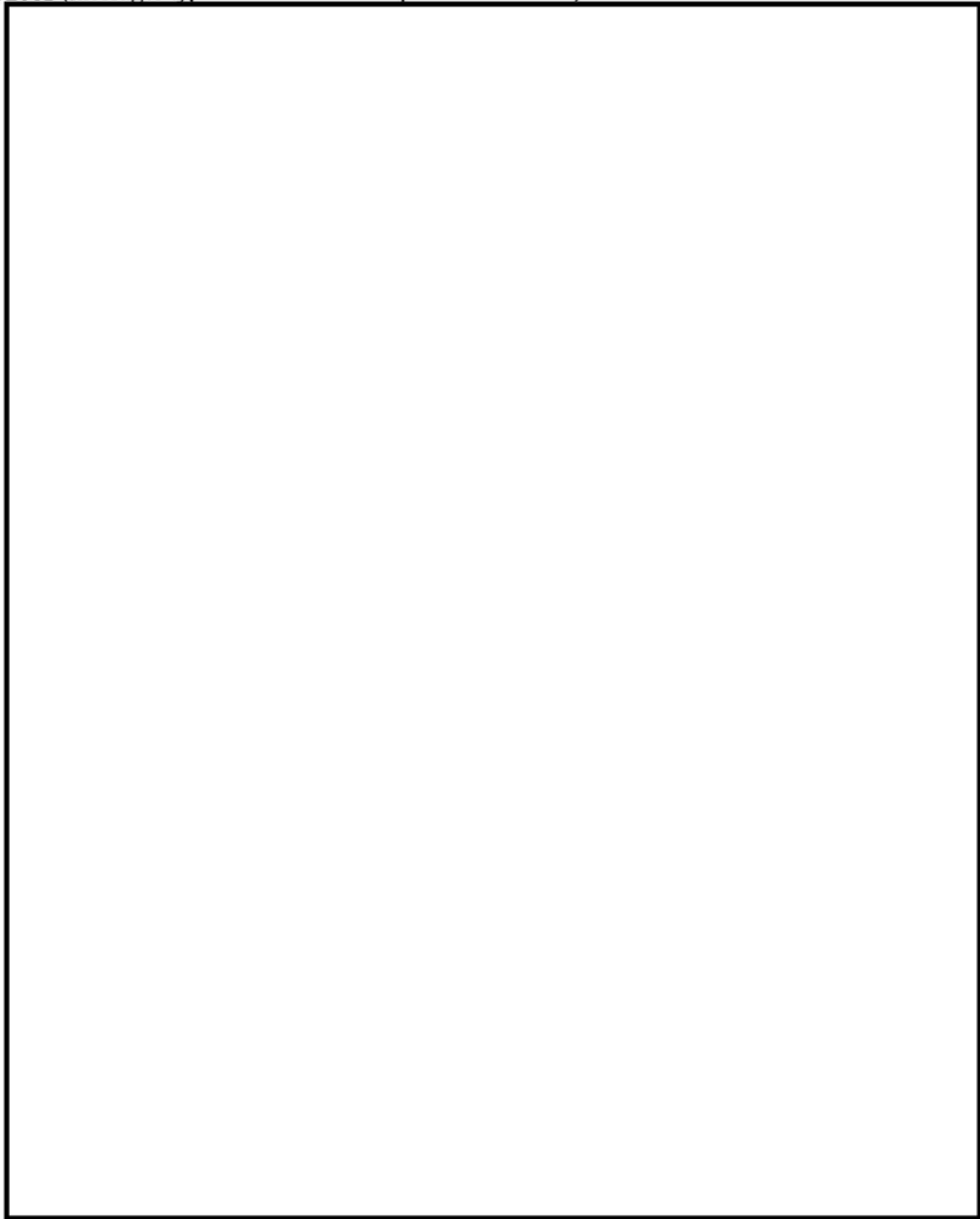
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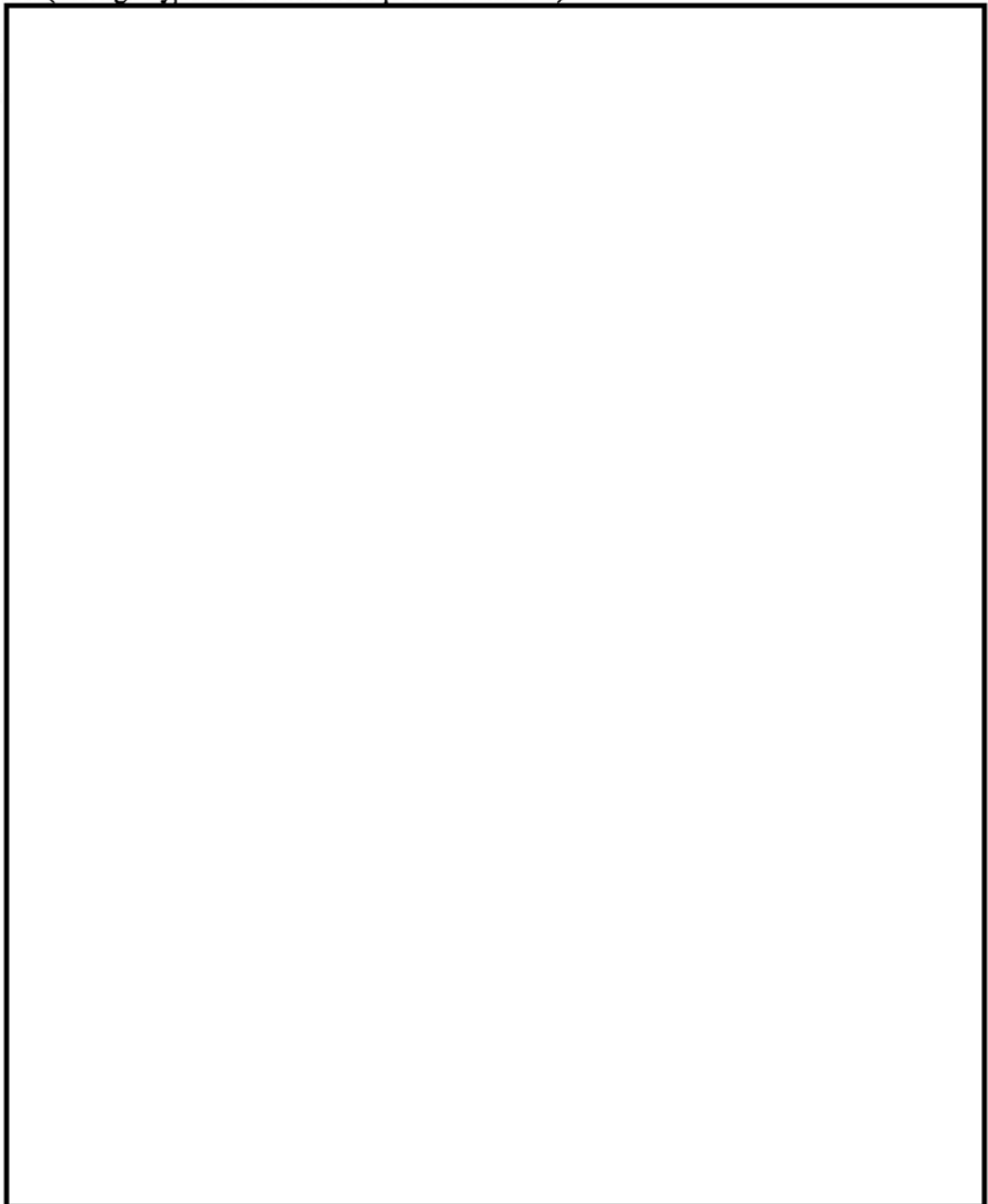
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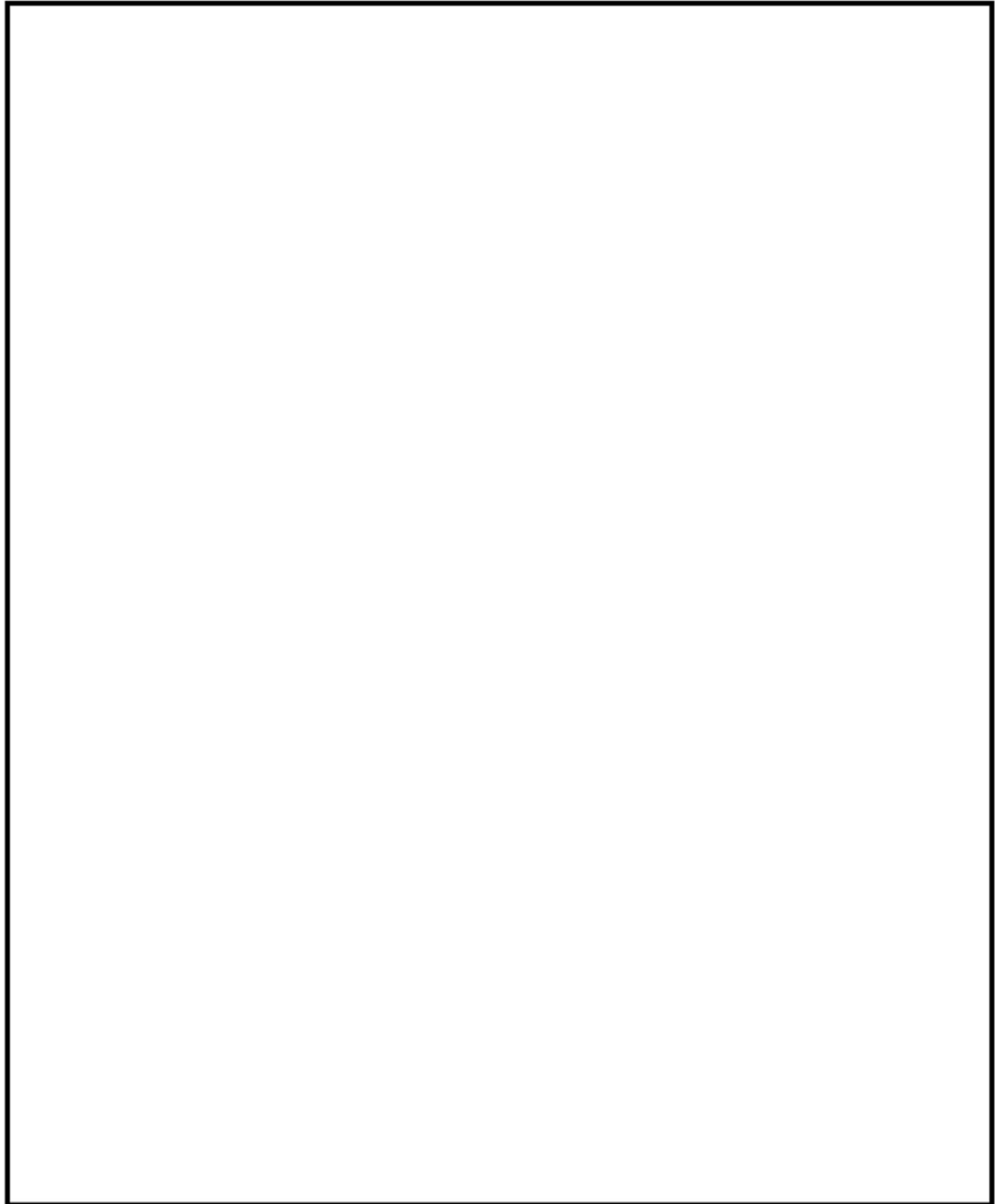
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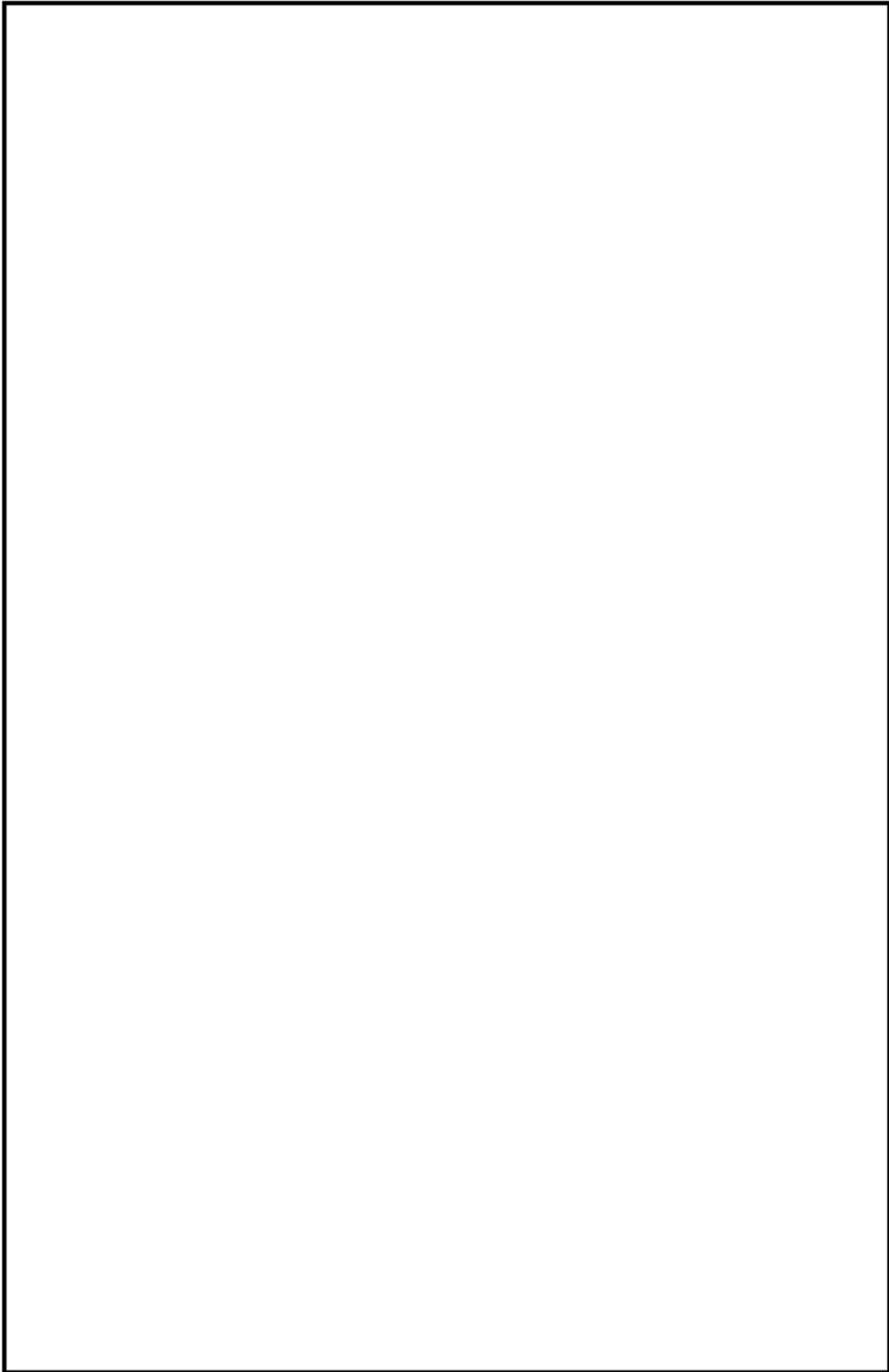
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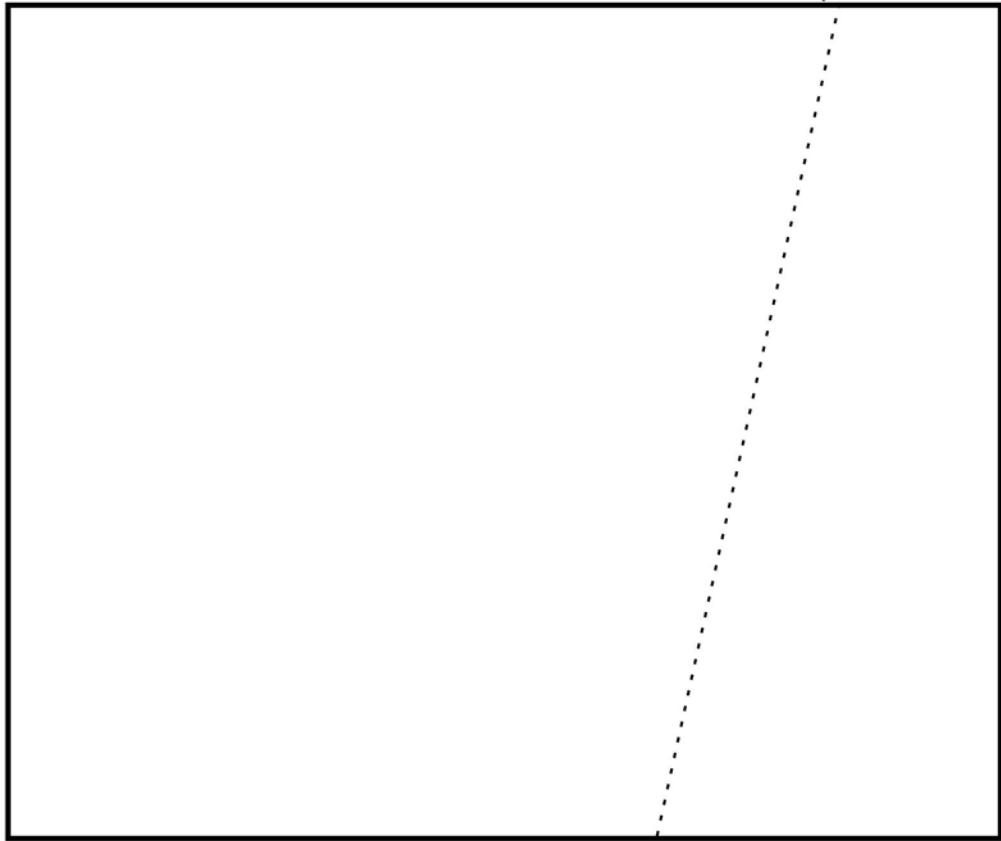
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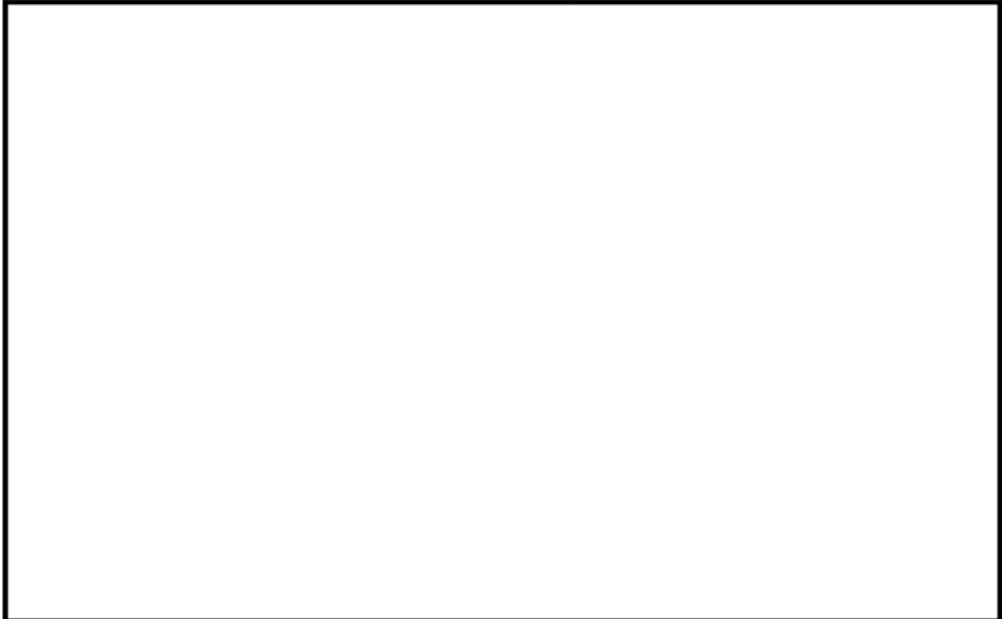
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(U//~~FOUO~~) A NISIRT Network Analyst provided the OIG with an analysis of [redacted] activities on the unclassified network. All of this activity occurred in his personal email account.

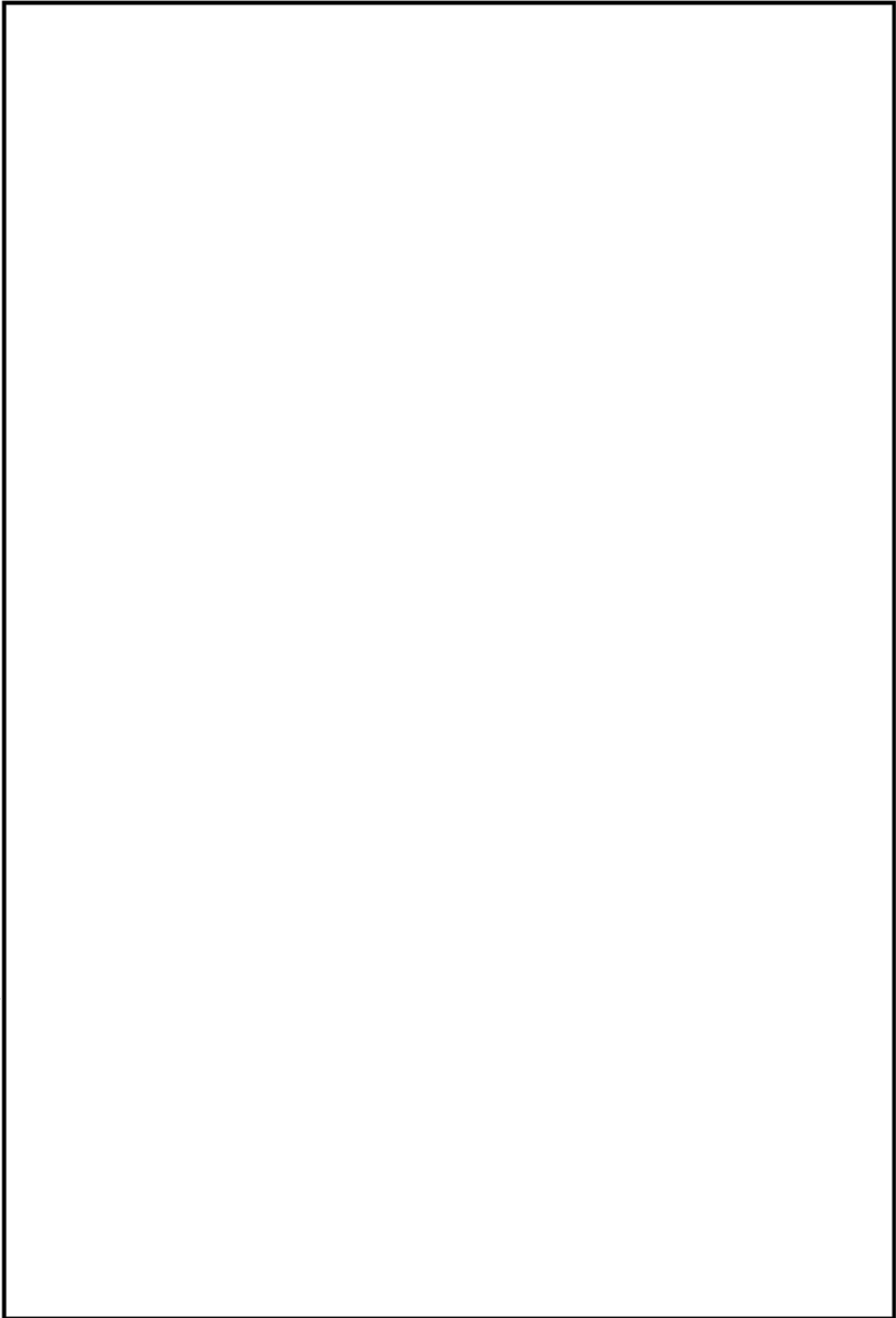
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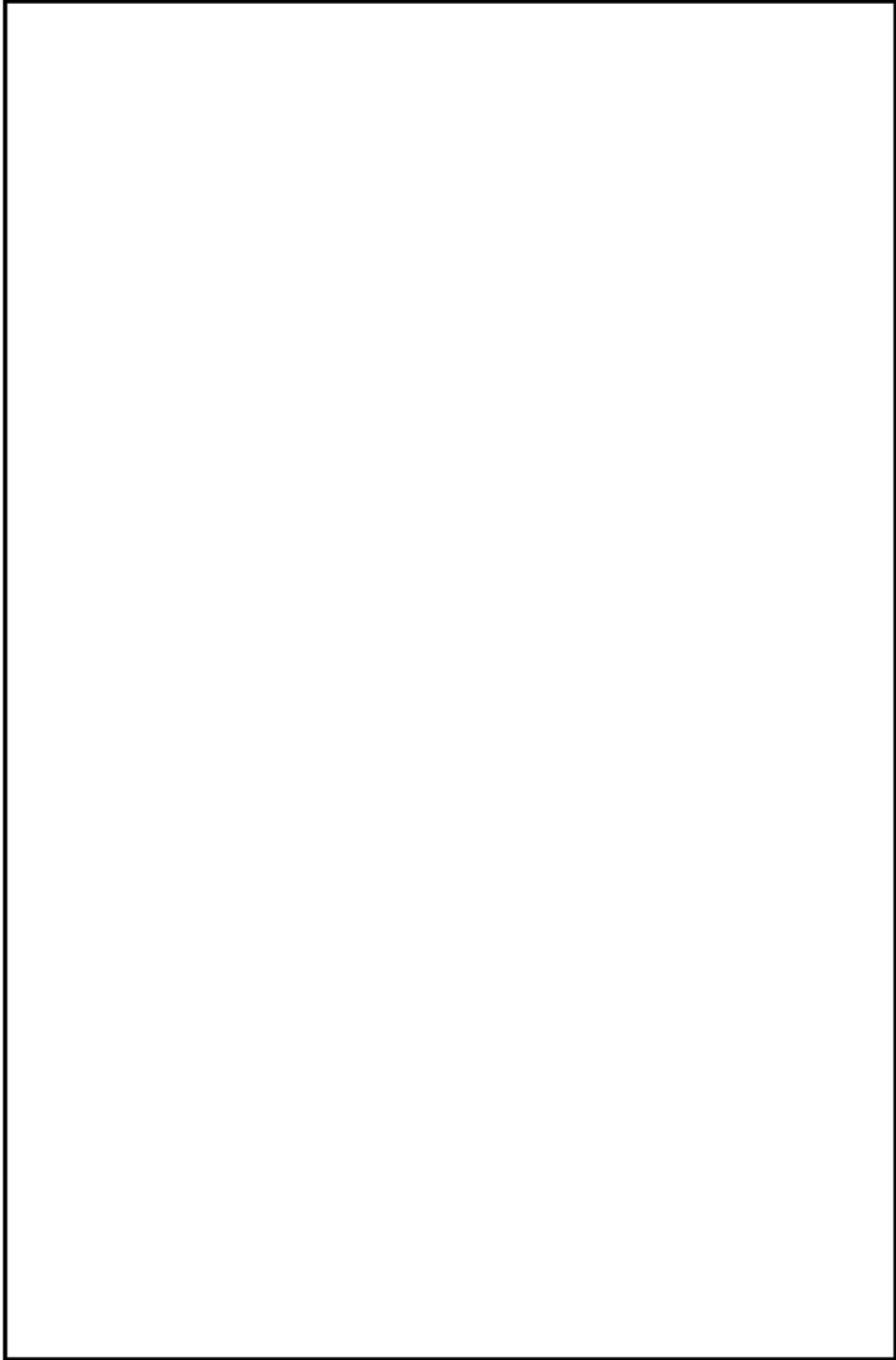


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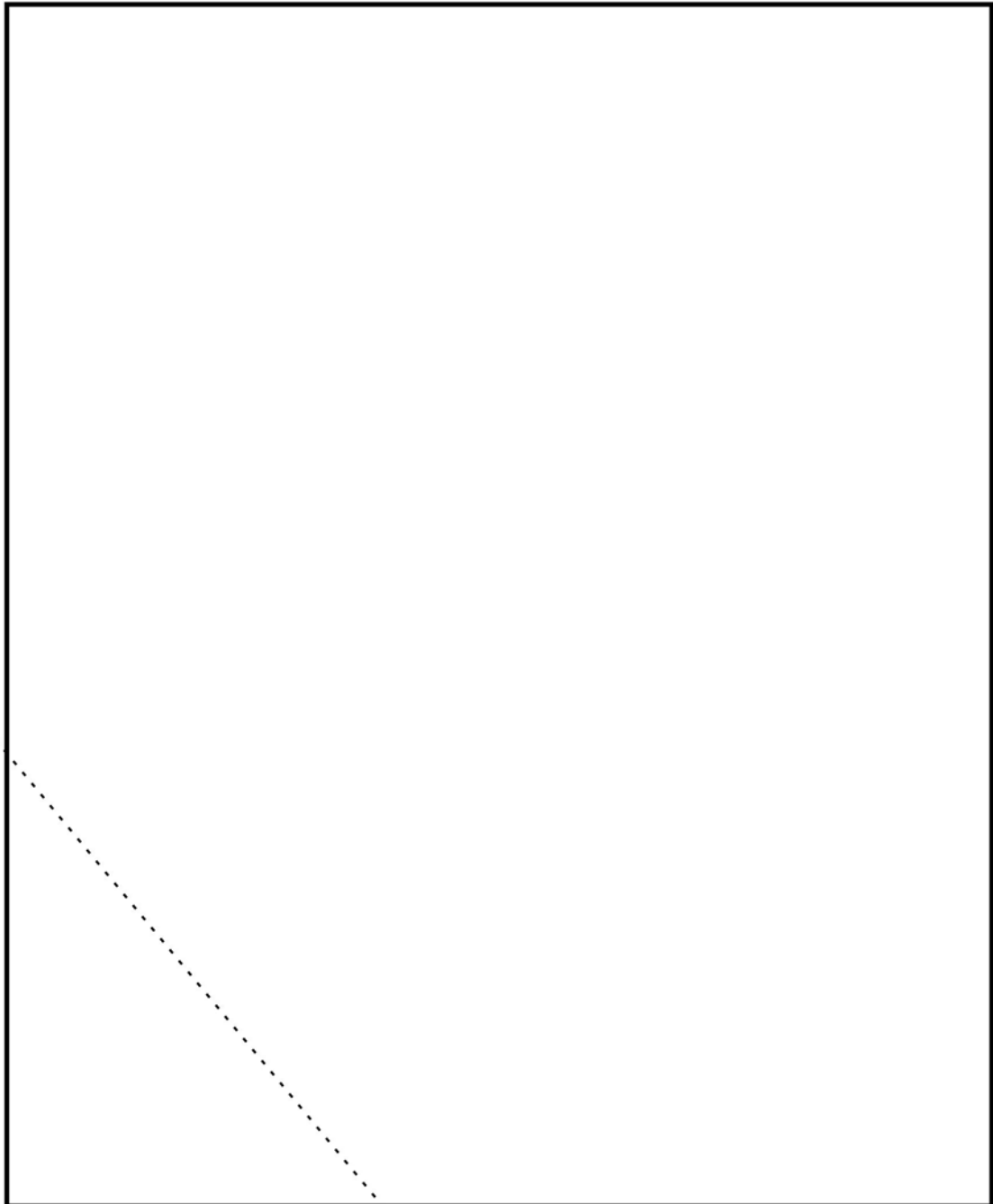
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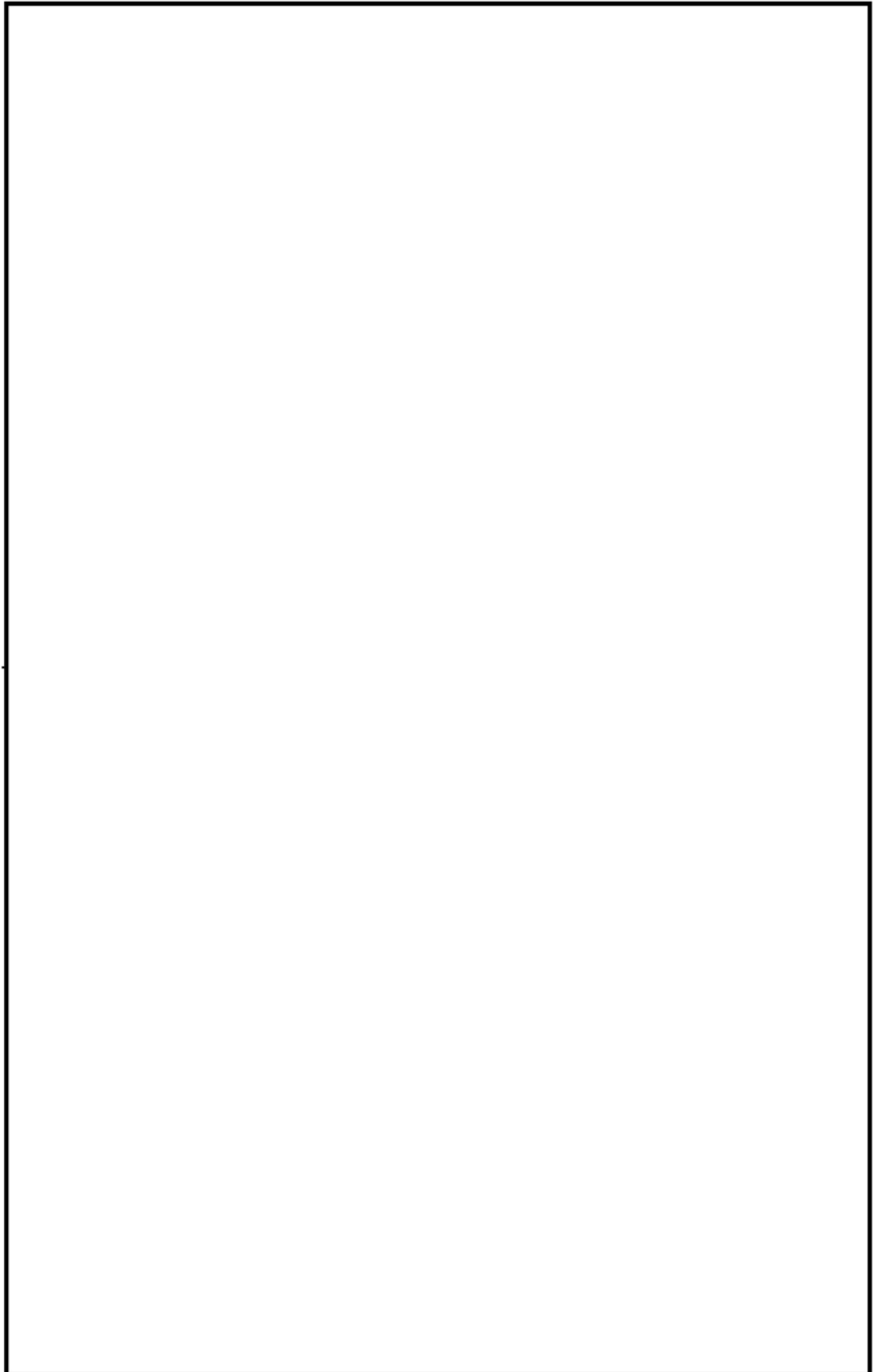
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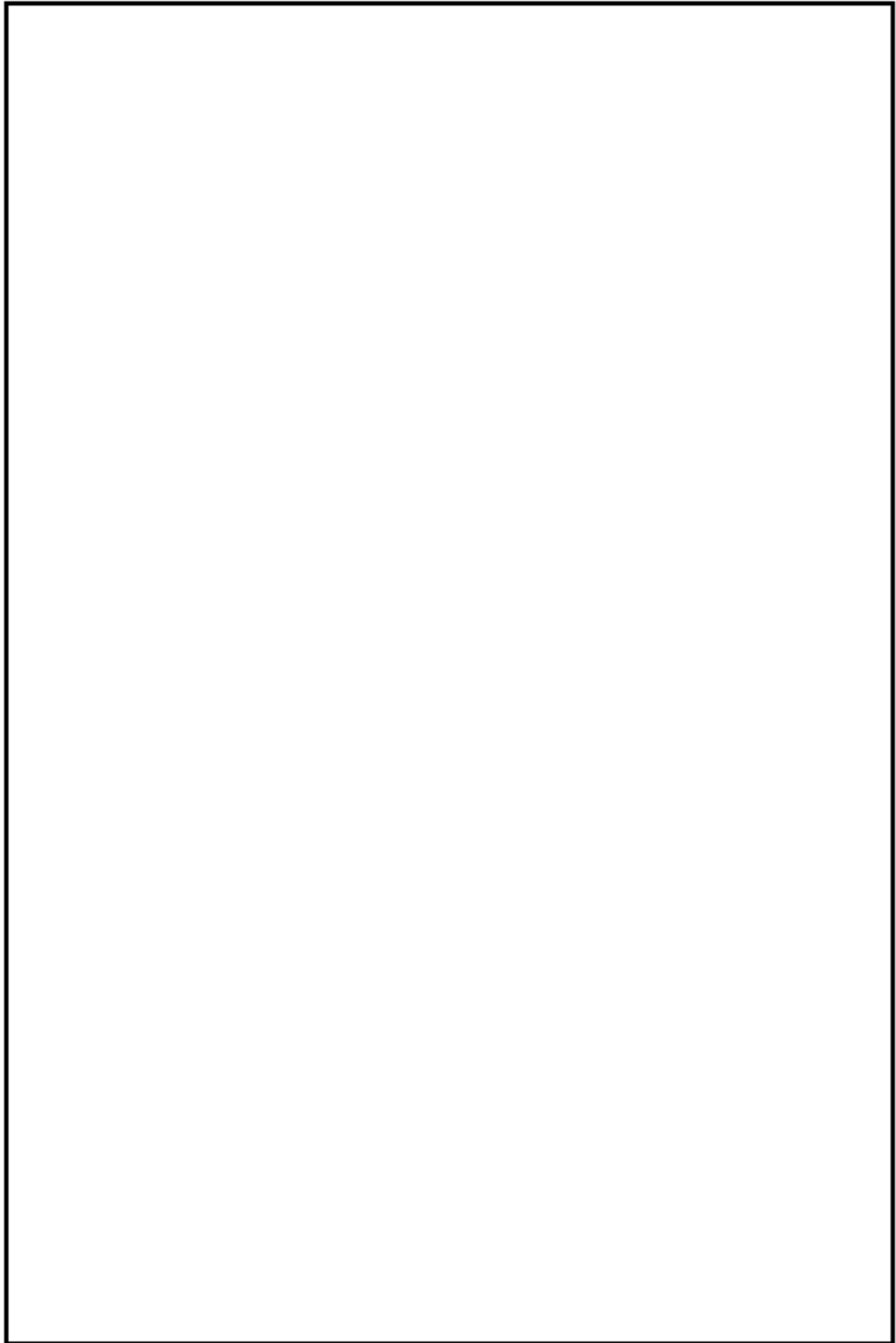


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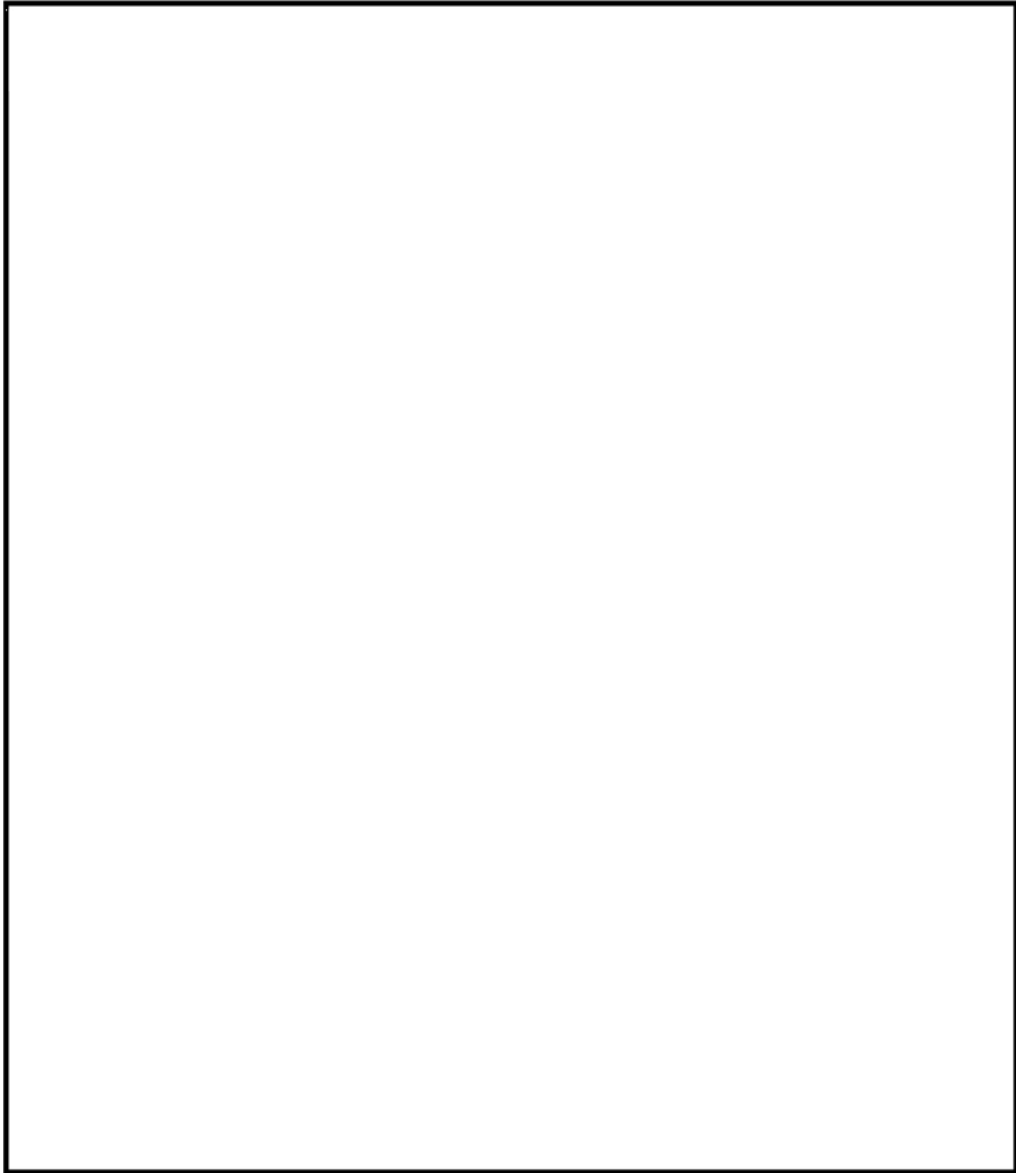
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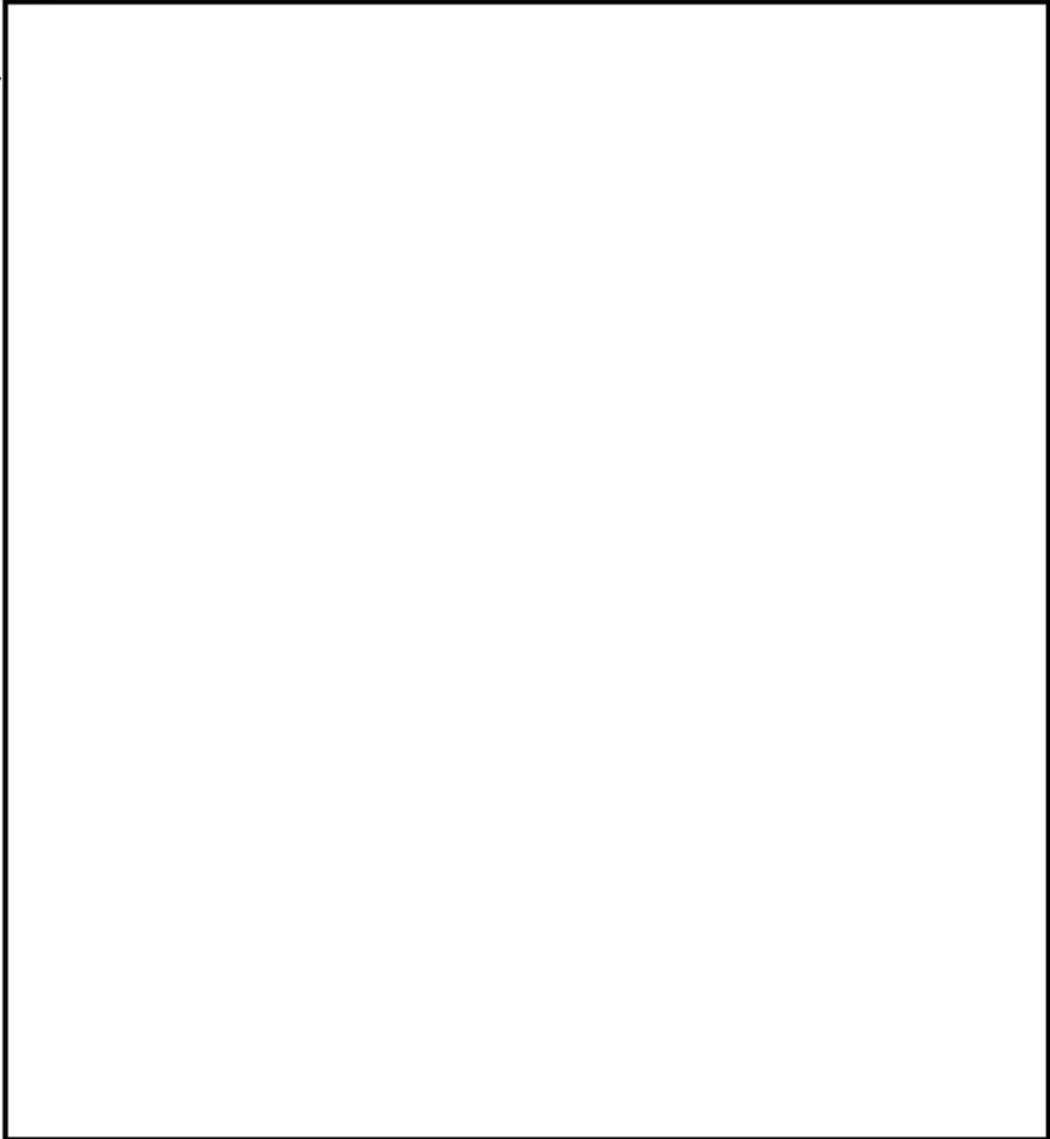
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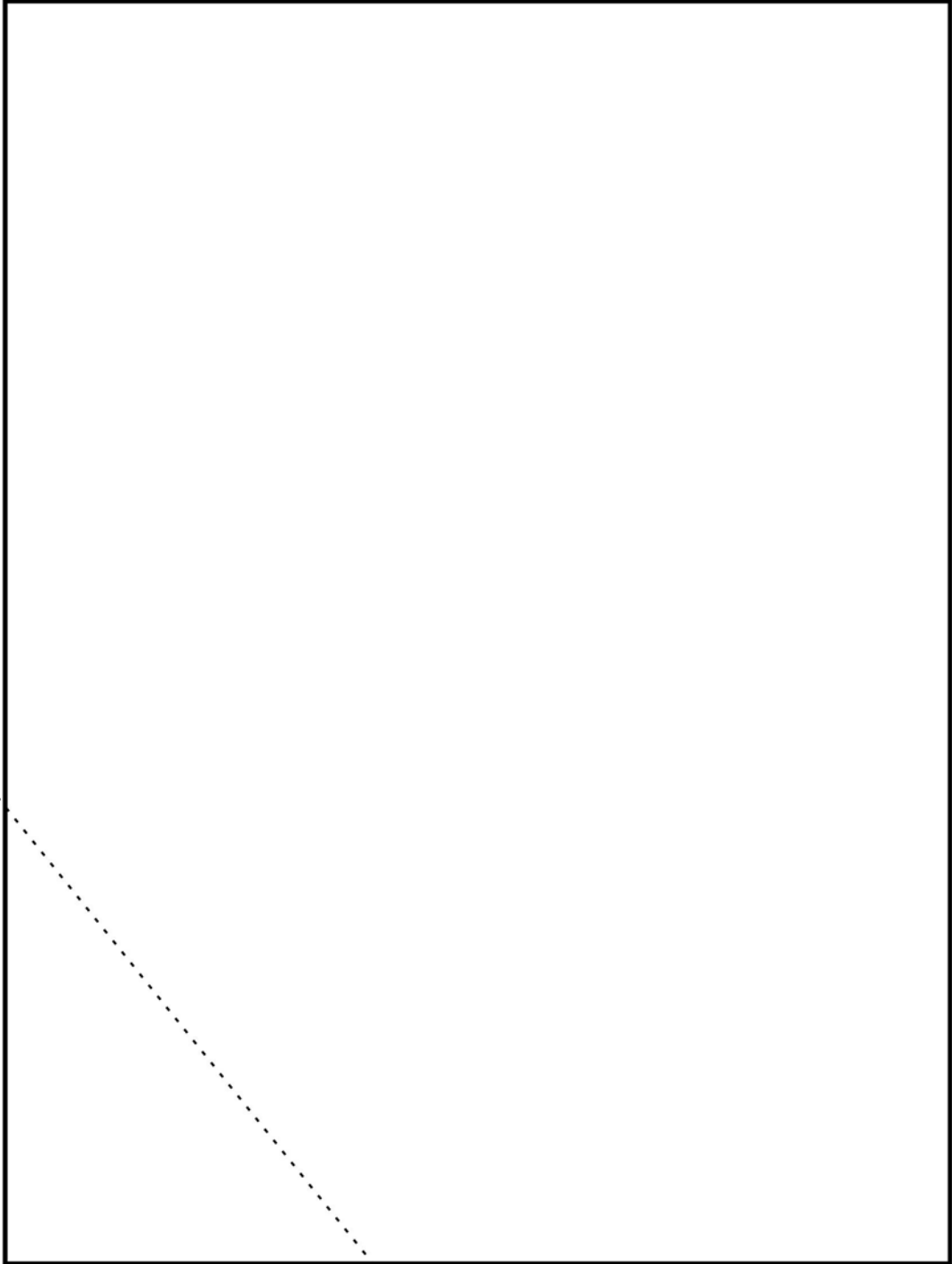
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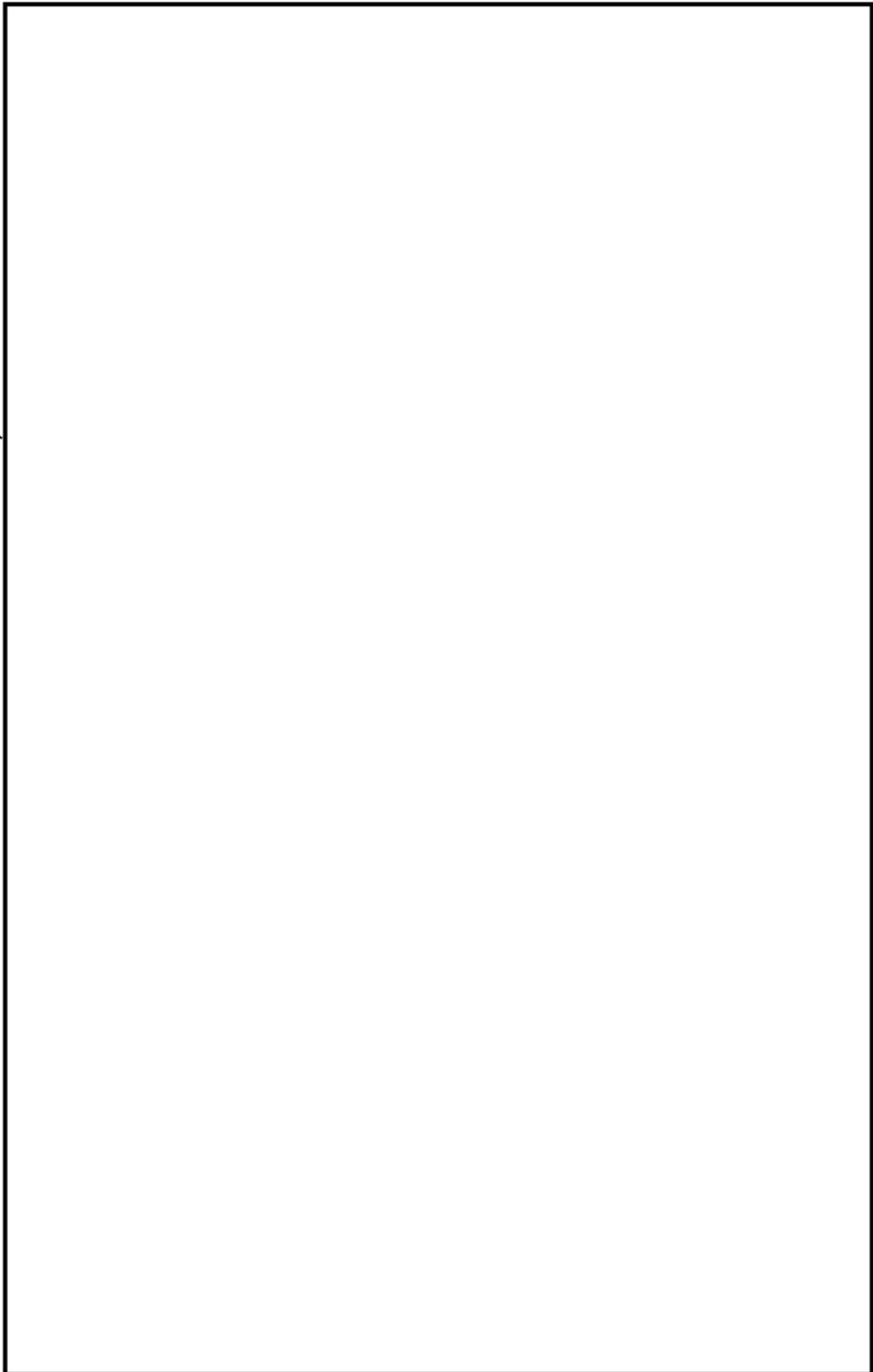
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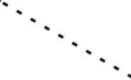


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(U//~~FOUO~~) NISIRT did not provide estimated time spent from 11 to 21 May 2012 in the activity detailed above. However, NISIRT did provide the OIG with the amount of time [redacted] spent on non-work related activities from 3 April to 10 May 2012. See below for the time estimated per day.

| Date | Time Spent |
|-----------|-----------------|
| 4/3/2012 | 4 hours |
| 4/19/2012 | 3 hours 45 mins |
| 4/20/2012 | 4 hours |
| 4/23/2012 | 4 hours |
| 4/30/2012 | 4 hours 44 mins |
| 5/1/2012 | 5 hours |
| 5/3/2012 | 4 hours 30 mins |
| 5/8/2012 | 4 hours |
| 5/10/2012 | 4 hours 30 mins |

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B. (U) Interview of [redacted]

(U//~~FOUO~~) On 11 June 2012, the OIG interviewed [redacted]. He admitted to typing adult-oriented, sometimes-sexually explicit messages, from his Government sponsored accounts. [redacted] stated that he read numerous emails from Eagle Alliance and his company reminding contractors on the proper use of resources. He stated that he moved the conversations to net send and email to avoid detection once the other person was detected in jabber. [redacted] admitted that he knew it was "wrong" and that he was not suppose to engage in such non-work related conversations at work.

(U//~~FOUO~~) After the interview, [redacted] was provided information in an email regarding the current policy and guidance. He was asked to respond to the OIG with regard to his intent to follow the policies in the future. Later that day, [redacted] responded, stating "I have reviewed the policies and will adhere to them in the future."

V. (U) Analysis and Conclusion:

(U//~~FOUO~~) Forensic evidence indicates [redacted] misused his Agency sponsored Top Secret and Unclassified accounts 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 NSA/CSS Policies 6-6, 6-4, and 6-12.

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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-12-0092
OGC

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