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**NATIONAL SECURITY AGENCY/CENTRAL SECURITY
SERVICE**



INSPECTOR GENERAL

REPORT OF INVESTIGATION

26 June 2014

IV-13-0081

Misuse of Government Resources

(U) This report might not be releasable under the Freedom of Information Act or other statutes and regulations. Consult the NSA/CSS Inspector General Chief of Staff before releasing or posting all or part of this report.

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NSA: 04258

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(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.

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I. (U) SUMMARY

(U//~~FOUO~~) On 31 January 2013 the Inspector General (IG) received an anonymous complaint identifying potential computer misuse by an NSA/CSS contractor, [redacted]

[redacted] On 6 August 2013 the IG initiated an investigation of [redacted] use of NSA/CSS Information Systems (ISs).

(U//~~FOUO~~) We obtained sworn testimony from [redacted] We also obtained NSA/CSS Information Systems Incident Response Team (NISIRT) records relating to her use of Government resources.

(U//~~FOUO~~) The preponderance of the evidence collected during the investigation substantiates that [redacted] misused her unclassified NSA/CSS IS. [redacted] used Government resources to perform tasks not authorized by the contract and for personal use in violation of NSA/CSS Policy 6-4.

(U//~~FOUO~~) A summary of the findings will be forwarded to the Maryland Procurement Office; Contractor Clearances, Associate Directorate for Security and Counterintelligence (ADS&CI); and Special Actions, ADS&CI for review and any action deemed appropriate.

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

II. (U) BACKGROUND

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(U) Introduction

(U//~~FOUO~~) [redacted] is an [redacted] contractor assigned to the [redacted] [redacted] working under contract number [redacted] on the [redacted] contract.

(U//~~FOUO~~) After receiving the anonymous complaint, the OIG requested the NISIRT review [redacted] unclassified U.S. Government account for misuse. The NISIRT reviewed the account for the period 17 January through 26 February 2013. The NISIRT provided their activity report to the Office of the Inspector General on 4 March 2013.

(U) Applicable Authorities

(U//~~FOUO~~) NSA/CSS Policy 6-4, "CONTRACTOR USE OF NSA/CSS INFORMATION SYSTEMS," issued 22 October 2013.

(U) See Appendix A for the full text of the applicable authorities.

III. (U) FINDINGS

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(U//~~FOUO~~) Did [redacted] an [redacted] contractor, misuse her unclassified NSA/CSS IS in violation of NSA/CSS Policy 6-4?

(U//~~FOUO~~) **CONCLUSION: Substantiated.** The preponderance of the evidence supports the conclusion that [redacted] misused her unclassified NSA/CSS IS. [redacted] used Government resources to perform tasks that were not authorized by contract and for personal use in violation of NSA/CSS Policy 6-4.

(U) Documentary Evidence

(U) NISIRT Report

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(U//~~FOUO~~) The NISIRT provided the OIG with an analysis of [redacted] activities on the unclassified NSA/CSS IS. [redacted] was observed performing non-work related activities. A sample of the non-work related activity can be found at Appendix B.

(U) Testimonial Evidence

(U//~~FOUO~~) On 13 March 2014, [redacted] was interviewed and provided the following sworn testimony:

(U) [redacted] has been an [redacted] contractor for the last [redacted] years. She moved to the [redacted] office in March/April 2013 and no longer has access to the unclassified network. Prior to that, [redacted] had an unclassified account while working in the [redacted]. She used the unclassified internet for research pertaining to her contract related work.

(U) [redacted] admitted to accessing the unclassified network for personal use and billing the time spent on personal activities to the Government contract. [redacted] used her Agency provided IS to [redacted]. She realizes now that she should not have conducted any personal activities using government resources, but at the time she was unaware that as a contractor, this activity was not allowed. [redacted] is now aware of the relevant policies and would not continue this activity if she had access to the unclassified IS.

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(U) Analysis and Conclusions

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(U//~~FOUO~~) Contractor's use of Agency IS for personal use is extremely limited. NSA/CSS Policy 6-4 permits contractor use of NSA/CSS ISs to perform tasks that are authorized by contract, approved by the Contracting Officer, and permitted by this policy. The NISIRT report and [redacted] testimony confirmed that she was [redacted] [redacted] using the NSA/CSS unclassified IS. This activity was not contract related. Additionally, NSA/CSS Policy 6-4 allows contractor personal use of NSA/CSS ISs for brief, infrequent communications to deal with urgent matters. Although [redacted] [redacted] activity was brief, her use was not to deal with urgent matters. Finally, [redacted] personal use of the unclassified IS was billed to the contract; an additional violation of NSA/CSS Policy 6-4 requiring that time spent using the NSA/CSS IS [for personal use] is not billed to the contract.

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IV. (U) RESPONSE TO TENTATIVE CONCLUSION(S)

(U//~~FOUO~~) [redacted] was provided the tentative conclusions on 24 April 2014. [redacted] was given a due date of 1 May 2014 for her response to the tentative conclusions. No response was received as of 6 May 2014.

(U//~~FOUO~~) The conclusion of this investigation remains unchanged.

[redacted]
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V. (U) CONCLUSION

(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that [redacted] misused her unclassified NSA/CSS IS. [redacted] used Government resources to perform tasks that were not authorized by contract and for personal use in violation of NSA/CSS Policy 6-4.

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

VI. (U) DISTRIBUTION OF RESULTS

(U//~~FOUO~~) A summary memorandum will be provided to the Maryland Procurement Office; Contractor Clearances, ADS&CI and Special Actions, ADS&CI for review and any action deemed appropriate.

[Redacted Signature]

Senior Investigator

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

Concurred by:

[Redacted Signature]

Deputy Assistant Inspector General
For Investigations

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APPENDIX A

(U) Applicable Authorities

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(U//~~FOUO~~) NSA/CSS Policy 6-4, "CONTRACTOR USE OF NSA/CSS INFORMATION SYSTEMS," issued 22 October 2013:

1. (U) Contractors shall only use NSA/CSS ISs to perform tasks that are authorized by contract, approved by the Contracting Officer, and permitted by this policy.

...

8. (U) Contractors shall not use NSA/CSS ISs or telephone services for personal use except for brief, infrequent communications to deal with urgent matters. This limited exception to the personal use prohibition applies only when:

- a. (U) Unavoidable personal matters arise such as, but not limited to, contacting a spouse, dependent family member, or other individuals responsible for a dependent's care; scheduling a physicians appointment; or vehicle maintenance;
- b. (U) The communication does not adversely affect the NSA/CSS mission or reflect poorly on NSA/CSS;
- c. (U) The communication does not result in other than minimal expense to the Government (e.g., the call is local, toll-free);
- d. (U) Time spent using the NSA/CSS IS or resource is not billed to the contract; and
- e. (U) The use is not associated with personal business activities outside the scope and purpose of the contract.

....

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APPENDIX B
(U) NISIRT Report

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The NISIRT Report

Edits were made by the OIG for readability purposes.

[Redacted] 01/17/2013 15:00 [Redacted] (b) (6)

01/17/2013 17:48 [Redacted]

01/24/2013 12:53 [Redacted]

01/30/2013 14:10 [Redacted]

01/30/2013 15:20 [Redacted]

01/30/2013 16:24 [Redacted]

02/04/2013 12:55 [Redacted]

02/04/2013 12:57 [Redacted]

02/12/2013 09:57 [Redacted]

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

02/26/2013 08:29 [Redacted]

[Redacted]

02/26/2013 09:11

[Redacted]

[Redacted]

02/12/2013 10:32

[Redacted]

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[Redacted]

02/19/2013 16:40

[Redacted]

02/19/2013 16:44

[Redacted]

02/19/2013 16:47

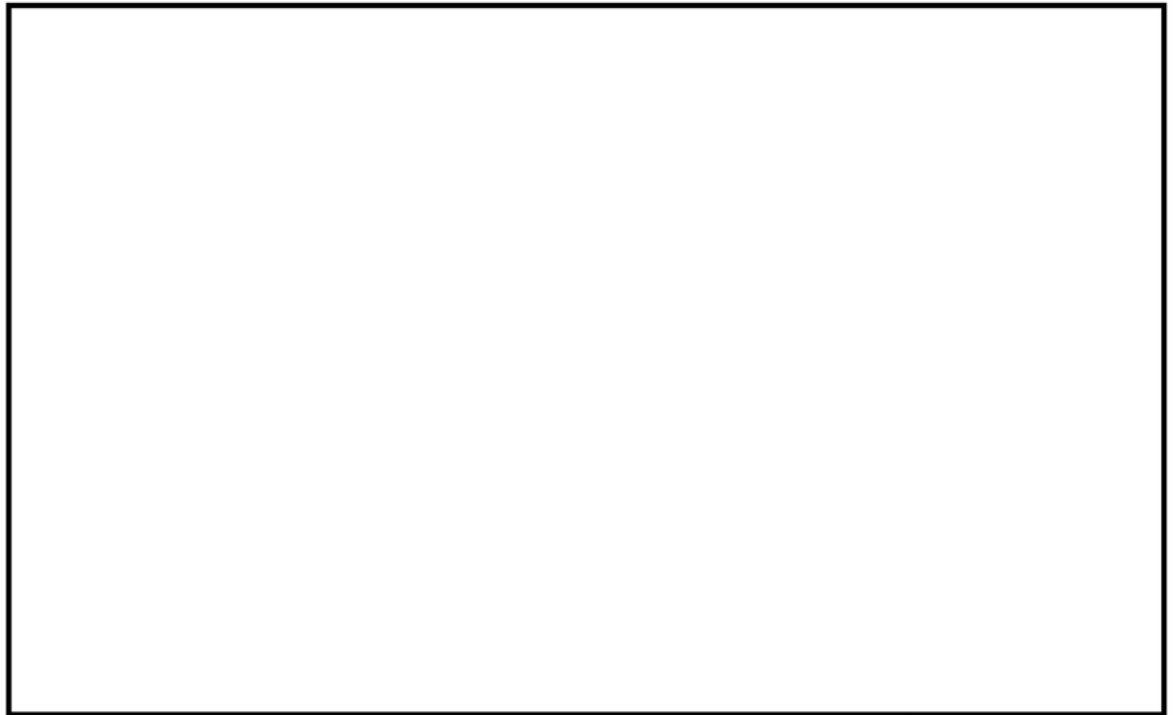
[Redacted]

02/19/2013 16:48

[Redacted]

02/19/2013 17:00:34

[Redacted]



02/20/2013 16:12

[Redacted]

[Redacted]

01/24/2013 12:50

[Redacted]

02/20/2013 12:11

[Redacted]

02/20/2013 12:13

[Redacted]

02/20/2013 12:15

[Redacted]

02/20/2013 12:16

[Redacted]

02/20/2013 13:19

[Redacted]

02/20/2013 14:27

[Redacted]

02/20/2013 14:31

[Redacted]

(b) (6)

