

APPENDIX I1

Approved for Release by NSA on 30 September 2022, FOIA Case # 85643 Litigation

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: (U) IO Incident - IG Investigation
Date: Tuesday, June 18, 2013 6:27:00 PM
Importance: High

~~Classification: TOP SECRET//SI//NOFORN~~

[redacted]

Based on our discussion this evening, I am providing the allegations received in the OIG and some of the other information I have received thus far. I have also included some background information on the [redacted] [redacted] FYI.

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

My hope is to schedule the OIGs interview with the Technical Director, [redacted] for tomorrow. I will follow-up with you.

[redacted]

Allegations:

- ~~(TS//SI//REL TO USA//FVEY)~~ Since February 2013 and in violation of USSID SPOO18, [redacted] has allegedly been collecting or attempting to collect U.S. phone numbers without proper authorities and without a foreign intelligence purpose. The collection or attempted collection was done using [redacted]

[redacted]

- ~~(TS//SI//REL TO USA//FVEY)~~ Since February 2013 and in violation of [redacted] [redacted] has allegedly been collecting or attempting to collect [redacted] phone numbers without approval from the proper [redacted] authorities, without approval from an appropriate [redacted] and without a foreign intelligence purpose. The collection or attempted collection was done using [redacted]

[redacted]

- ~~(TS//SI//REL TO USA//FVEY)~~ Since October 2011 and in violation of violation of USSID SPOO18, [redacted] has allegedly collected or attempted to collect a large volume of phone numbers without any foreign intelligence purpose. The collection or attempted collection was done using [redacted]

[redacted]

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

[Redacted]

(U) BACKGROUND INFORMATION

(S//SI//REL TO USA//FVEY)

[Redacted]

[Redacted]

(S//SI//REL TO USA//FVEY)

[Redacted]

[Redacted]

(S//SI//REL TO USA//FVEY)

[Redacted]

[Redacted]

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (1)
(b) (3) -P.L. 86-36

[Redacted]

(U//~~FOUO~~) IO INCIDENTS - ALLEGATIONS

~~(TS//SI//REL TO USA//FVEY)~~ On 18 March 2013, it was discovered that [Redacted]

[Redacted]

~~(TS//SI//REL TO USA//FVEY)~~ [Redacted]

[Redacted]

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024(f)
(b) (3) -P.L. 86-36
(b) (6)

[Redacted]

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (1)
(b) (3) -P.L. 86-36
(b) (6)

~~(TS//SI//REL TO USA//FVEY)~~ [Redacted]

[Redacted]

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

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

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

[Redacted]

PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

~~Classification: TOP SECRET//SI//NOFORN~~

APPENDIX I2

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Collection meeting
Date: Wednesday, June 26, 2013 5:25:08 PM

[redacted]
That is MORE than reasonable IMO. **Thank you** for considering and for offering it.

I will ask my branch chief to attend - [redacted]

If this does not work out satisfactorily, I suppose we have no choice but to go for the larger meeting. Not really a bad thing, but it will need some structure to follow.

The other meeting was essentially, IMO, a free-flow gathering and was not especially focused.

R,

=====
~~Unclassified/For Official Use Only~~

[redacted]

[redacted]

[redacted]

~~Unclassified/For Official Use Only~~
=====

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

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

From: [redacted]
Sent: Wednesday, June 26, 2013 4:39 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Collection meeting

~~Classification: SECRET//SI//REL TO USA, FVEY~~

[Large redacted block]

(b) (3) -P.L., 86-36
(b) (5)

Thanks,

[redacted]

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

From: [redacted]
Sent: Wednesday, June 26, 2013 4:01 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Collection meeting

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

[redacted]

(U) Thank you for the note. I agree this needs to be put to bed once and for all.

~~(C//SI//REL)~~ You are correct in your assumptions:

- I did not suddenly, or ever, decide to intentionally target US [redacted] persons.
- This is a complicated process because the [redacted] world has become far more complicated from what it was in the old [redacted] days.
- The documentation is not really there – we were working on it

(b) (1)
(b) (3) -18 USC 798
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(b) (3) -P.L., 86-36

when the storm broke.

- Since then, the process is up in the air, so does it require documentation if it is shut down?

~~(S//SI//REL)~~ Let me give you my perspective, and the main reason I do not want to meet with a group:

- [redacted] has had months to present [redacted] interpretation of something [redacted] discovered and never bothered to attempt to understand.
 - [redacted] had ample opportunity to set [redacted] mind at ease; [redacted] blew it by calling me, weeks after the initial emails, and yelling at me – I don't appreciate verbal abuse.
- I have never been included officially on any of the email discussions.
 - I have seen some via indirect channels. They are full of allegations and suppositions:
 - I am *not* training and encouraging [redacted] analysts to do this sort of work.
 - US [redacted] numbers are *not* knowingly targeted.
 - [redacted]
- [redacted] has had, in effect, an uninterrupted run time to present [redacted] conclusions to a sizeable audience.
 - Only today did I get official notification of what the allegations actually are.
 - Now I'm expected to explain/defend my actions, from cold, in front of a group of people?
 - I believe that is very, very wrong. I deserve the chance to meet with knowledgeable persons in a clearly non-threatening setting to set the record straight.
- I attended a similar large-group meeting some months back.
 - Although I was in the room, I had to endure listening to a load of people talking about me, rather than with me, and discussing wrong conclusions / reasons for what I had done.
 - Even when I grabbed the floor, it was awkward explaining anything from such a cold start.

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(b) (1)
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(U//~~FOUO~~) I do not wish to attend a meeting in a large forum with [redacted] [redacted] present – the thought is doubly stressful. I will gladly meet, with [redacted] present, in a smaller setting.

I've attached a document which contains the allegations and my response regarding them.

R,

=====
~~Unclassified/For Official Use Only~~

[redacted]

[redacted]

[redacted]

=====
~~Unclassified/For Official Use Only~~

From: [redacted]
Sent: Wednesday, June 26, 2013 2:11 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Collection meeting

Classification: CONFIDENTIAL//REL TO USA, FVEY

Hi [redacted]

I get where you're coming from, but I think a meeting with at least you and [redacted] at the same

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(b) (6)

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

(b) (1)
(b) (3) -50 USC 3024 (f)
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(b) (5)

time is what I need to get me the facts I need



From: [Redacted]
Sent: Wednesday, June 26, 2013 11:35 AM
To: [Redacted]
Subject: FW: (U) Collection meeting

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

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

[Redacted]
Office Manager to the Deputy General Counsels
Office of General Counsel (D2)



(U//FOUO) [My Dropbox](#)

From: [redacted]
Sent: Wednesday, June 26, 2013 11:30 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Collection meeting

[redacted]

I am meeting with [redacted] and [redacted] tomorrow about some allegations made against me by [redacted]. I have no desire to attend any meeting with [redacted] present and no agenda.

R,

~~Unclassified/For Official Use Only~~

[redacted]

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

[redacted]

[redacted]

~~Unclassified/For Official Use Only~~

From: [redacted]
Sent: Wednesday, June 26, 2013 10:30 AM
To: [redacted]
[redacted]
[redacted]
Cc: [redacted]

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

Subject: (U) Collection meeting

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

[redacted] Senior Ops Attorney, OGC has asked that I schedule a meeting regarding [redacted]
[redacted] We were hoping to schedule this meeting soon but realize with the holiday coming up getting everyone together may present a challenge. The days I am looking at are Friday 1300, 1400 or 1500 and Monday at 1400. Please let me know which time will work best for you (please just reply to me) and I will try my best to get everyone together.

Thanks,

[redacted]
Office Manager to the Deputy General Counsels
Office of General Counsel (D2) [redacted]
Dropbox

(U//FOUO) My

(b) (3) - P, T, 86-36

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

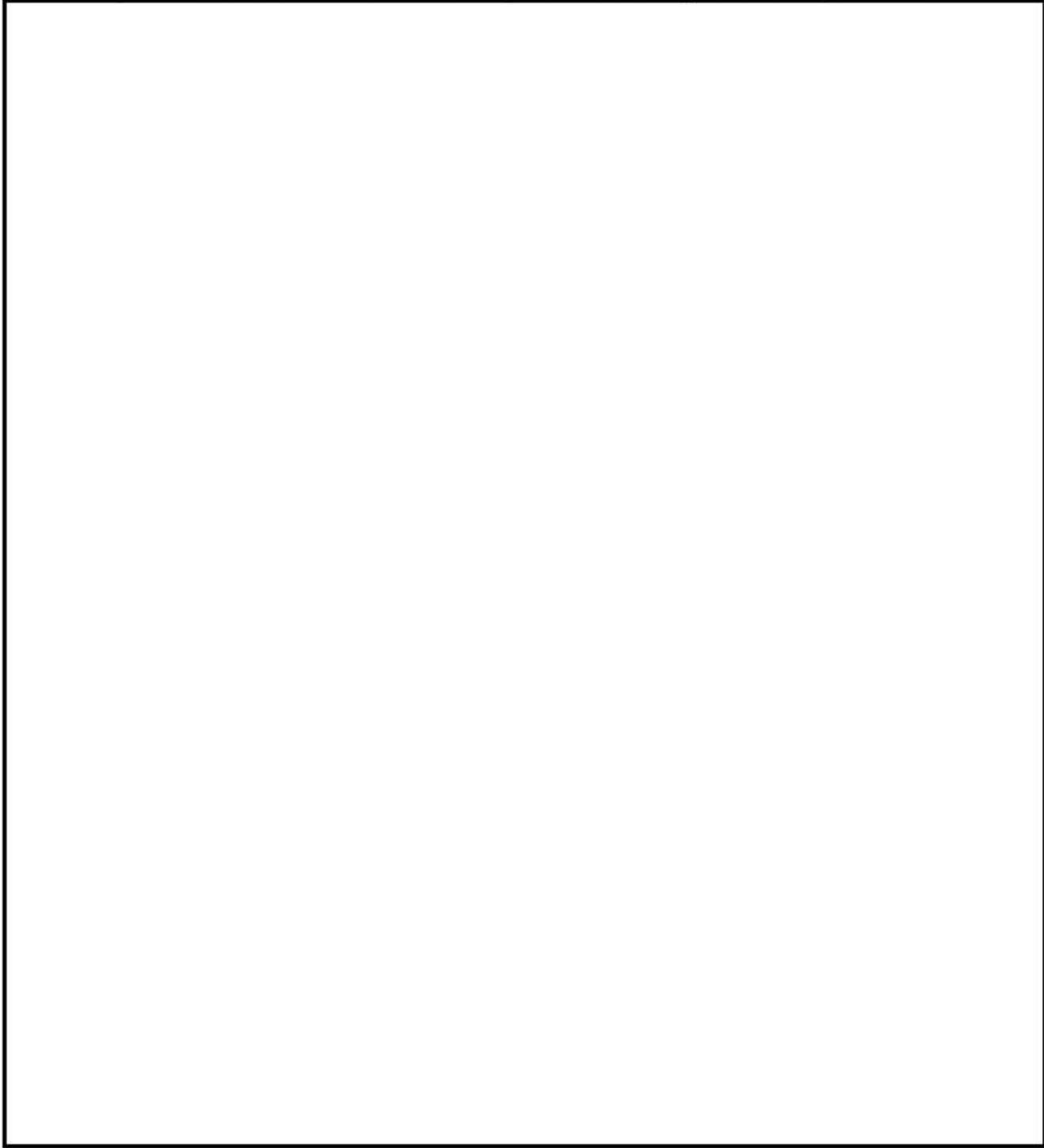
APPENDIX I3

From: [Redacted]
To: [Redacted]
Subject: RE: (U) Collection meeting
Date: Tuesday, July 02, 2013 2:17:25 PM

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (5)

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

Thanks to everyone for coming to the meeting yesterday. I can't say it was the most fun I've had here, and we're far from done with the issue, but I think we did get a few things clarified.



(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (f)
(b) (3) -P.L. 86-36
(b) (5)

[Redacted]

[Redacted]

From: [Redacted]
Sent: Friday, June 28, 2013 4:02 PM
To: [Redacted]
[Redacted]
[Redacted]
Cc: [Redacted]
Subject: RE: (U) Collection meeting

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

I think I have come up with a time for everyone. Monday July 1st from 1530-1700. The meeting will be held in the [Redacted] Conference Room. If I have mistakenly picked a time that will not work for someone, please let me know.

Thanks for the quick responses!

[Redacted]
Office Manager to the Deputy General Counsels
Office of General Counsel (D2)

[Redacted]
(U//FOUO) [My Dropbox](#)

From: [Redacted]
Sent: Friday, June 28, 2013 2:59 PM
To: [Redacted]
[Redacted]
[Redacted]
Cc: [Redacted]
Subject: (U) Collection meeting

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

[Redacted] Senior Ops Attorney, QGC has asked that I schedule a meeting regarding [Redacted]
[Redacted] We were hoping to schedule this meeting soon but realize with the holiday coming up getting everyone together may present a challenge. I would like to know everyone's availability for Monday & Tuesday of next week. Please let me know as soon as possible because the next available time to get everyone together is not until the week of the 8th and this meeting really needs to happen before then.

[Redacted] you may bring one attendee with you.

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(b) (6)

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

Thanks,

[Redacted]

Office Manager to the Deputy General Counsels
Office of General Counsel (D2)

[Redacted]

(U//FOUO) [My Dropbox](#)

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

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Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//SI//REL TO USA, FVEY~~