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**NATIONAL SECURITY AGENCY/CENTRAL SECURITY
SERVICE**



INSPECTOR GENERAL

REPORT OF INVESTIGATION

12 February 2016

IV-13-0077

Misuse of SIGINT Systems

(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.

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

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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. SUMMARY

(U//FOUO) This investigation was conducted in response to an allegation that [redacted] had misused the Signals Intelligence (SIGINT) System.¹

(TS//SI//NF) On 7 and 9 May 2013, the OIG received allegations that [redacted] had improperly tasked United States Person (USP) [redacted] phone numbers [redacted] for collection [redacted]

(TS//SI//NF) [redacted]

(TS//SI//NF) The complainant (hereafter "the Source") alleged that [redacted] was collecting or attempting to collect USP [redacted] communications without proper authorization and without a foreign intelligence purpose (FIP).² The Source also claimed that the tasking records [redacted] entered had been improperly entered [redacted]. The Source said [redacted]

(U//FOUO) Many of the officials who had knowledge of the allegations attempted to assess the matter. However, their reviews were insufficient to determine whether [redacted] had violated [redacted]

¹ (U//FOUO) [redacted] For a table of abbreviations and acronyms see Appendix A2; for definitions see Appendix A3.

² (U//FOUO) See Appendices F1 and F2 for emails from the Source to the OIG, dated 7 and 9 May 2013.

³ (U//FOUO) Foreign intelligence is defined in EO 12333 as information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, foreign persons, or international terrorists.

⁴ (TS//SI//NF) [redacted]

(TS//SI//NF) [redacted]

(b) (3) - 2, 4, 85-36
(b) (6)

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (a)
(b) (3) - 8, 1, 85-36

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (a)
(b) (3) - 8, 1, 85-36

(b) (3) - 8, 1, 85-36

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any law or regulation because, many of them told the OIG, they did not understand the work [redacted] performed. The OIG found that oversight officials and [redacted] management lacked an understanding of his work, did not believe that [redacted] was doing anything improper, and continued to approve his workings. Several officials, including some in SV, stopped looking into the allegations after they learned of the OIG's investigation, even though the OIG had advised them to proceed in whatever manner they believed appropriate.

(TS//SI//REL) CONCLUSION: Substantiated, [redacted]

[redacted] His activities resulted in, or were at least reasonably likely to result in, the unauthorized collection of communications to or from USPs or persons in the United States, or both. The preponderance of the evidence supports the conclusion that, by doing so, and failing to report the non-compliant activity, [redacted] violated the classified annex of DoD Regulation 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons* and its classified annex, NSA/CSS Policy 1-23, *United States Signals Intelligence Directive* (USSID) SP0018, *Legal Compliance and U.S. Minimization Procedures*, and USSID SP0019, *NSA/CSS Signals Intelligence Directorate - Oversight and Compliance Policy*.⁵

(TS//SI//REL) In addition, [redacted] also violated USSID DA3511, *Data Acquisition Directorate and Data Flow Management*, [redacted]

(TS//SI//REL) Finally, the preponderance of the evidence supports the conclusion that [redacted] violated [redacted] and USSID SP0019 when he [redacted] effected collection that resulted or was at least reasonably likely to result in the unauthorized collection of communications to or from [redacted] and did not report the non-compliant activity.⁷

(U//FOUO) OIG Investigations (D14) referred this matter to OIG Intelligence Oversight (D11), with a recommendation that D11 notify the NSA SIGINT Director of practices discovered during the investigation that may require his attention. [redacted]

⁵ (U//FOUO) This matter has been referred to the NSA Office of General Counsel regarding the possible violation of Titles I and/or VII of the Foreign Intelligence Surveillance Act.

⁶ (U//FOUO) The overarching authorities [redacted] violated are Executive Order (EO) 12333, *United States Intelligence Activities*, and Department of Defense (DoD) Directive 5240.01, *DoD Intelligence Activities*.

⁷ (U//FOUO) See Appendix B1 for the memorandum to the SIGINT Director regarding compliance concerns.

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(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526, 86-36

(b) (3) (C) (b)
(b) (6)
86-36 "A-1, 86-36

(b) (1)
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526, 86-36

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(U//FOUO) A copy of this report will be provided to Employee Relations. A summary of our findings will be referred to [redacted] supervisor and the Associate Directorate for Security and Counterintelligence, Special Actions (Q242).

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

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II. (U) BACKGROUND

(U) Introduction

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

(U//FOUO) Since [redacted] has been assigned to the [redacted] within the Signals Intelligence Directorate (SID), [redacted] supports the Agency's [redacted]

(S//SI//REL) [redacted] performs [redacted] as part of his official duties. [redacted]

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

(S//SI//REL) As part of his official duties, [redacted]

[redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

(S//SI//REL) [redacted]

[redacted]

(S//SI//REL) [redacted]

[redacted]

(TS//SI//REL) The following is an organizational chart showing where [redacted] were located within the Signals Intelligence Directorate (SID) and where [redacted] was assigned at the time the OIG initiated this investigation.

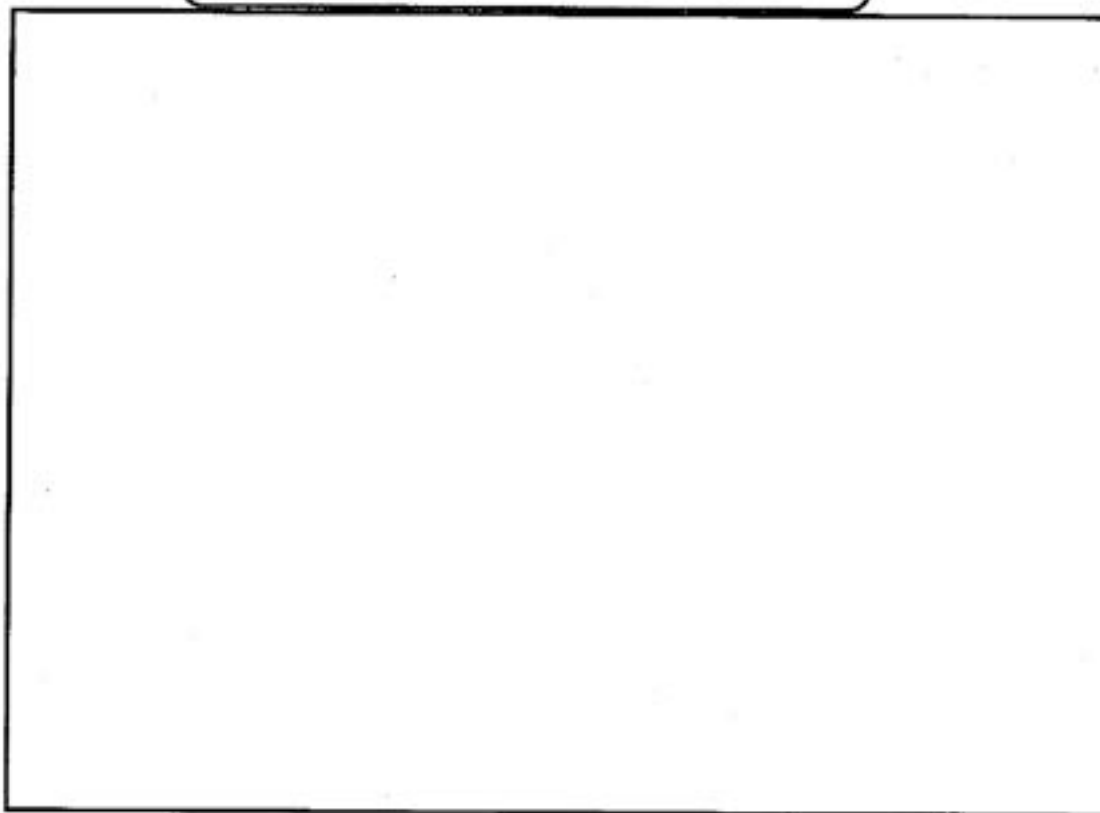
- 1 (S//SI//REL) [redacted]
- 2 (S//SI//REL) [redacted]
- 3 (U) [redacted]

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Signals Intelligence Directorate (SID)

(b) (1)
(b) (3) - P.L. 86-36
(b) (6)



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

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(U//FOUO) Employees from the following organizations were involved in trying to determine whether [redacted] had violated any law or regulation [redacted]

- Signals Intelligence Directorate (SID) [redacted] at various organizational levels
- SID Oversight and Compliance (SV)
- Office of the Director of Compliance (ODOC)
- Office of the General Counsel (OGC)

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

(U//FOUO) In addition to interviewing [redacted] the OIG obtained sworn testimony from the following employees:

Source

[redacted] Senior Executive, Senior Technical Leader, [redacted]

[redacted]

[redacted] GG15, Staff Officer and Compliance Officer, [redacted]

[redacted] GG15, Staff Officer and Compliance Officer [redacted]

[redacted] GG15, Manager, [redacted]

[redacted] Senior Executive, [redacted] Subject Matter Expert

(U//FOUO) The OIG also attended meetings with the following employees regarding the matter under investigation and memorialized relevant information in Memoranda for the Record:

- Mr. Ronald Moultrie, Senior Executive, Deputy Director, SID

[redacted]

[redacted] Senior Executive, Senior Technical Director, [redacted]

[redacted] Senior Executive, Deputy General Counsel for Litigation and Management, Office of the General Counsel (OGC) [redacted]

[redacted] Senior Executive, Deputy General Counsel for Operations, OGC

[redacted]

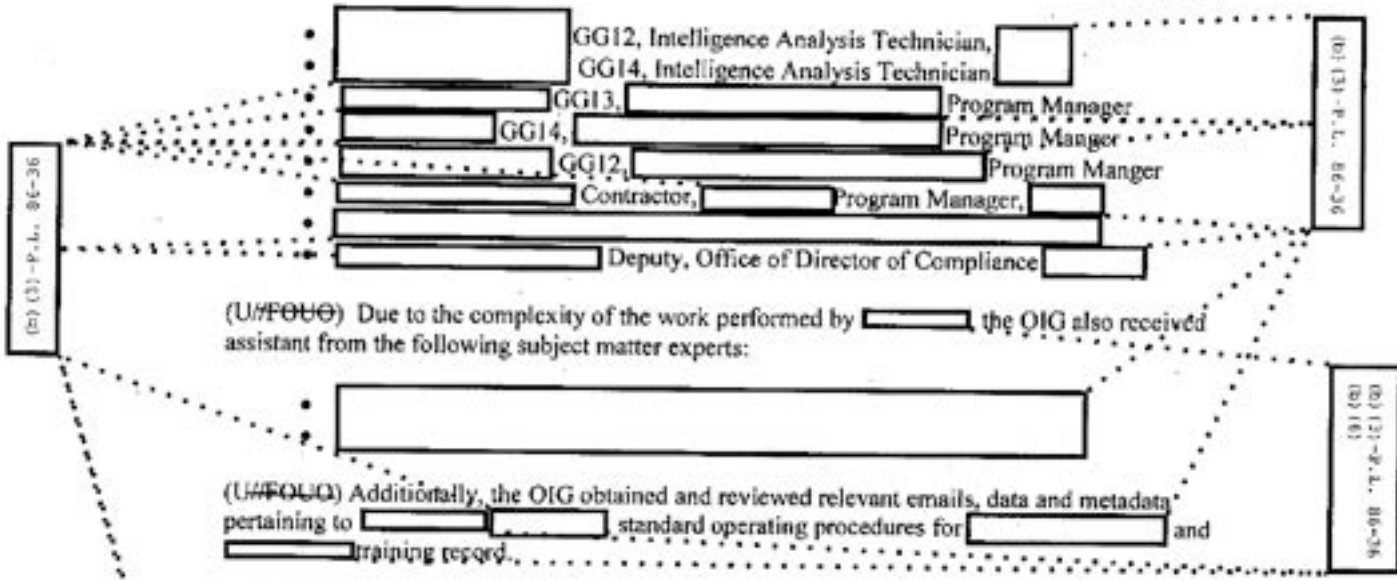
[redacted] Senior Executive, Chief, SID Oversight and Compliance, SV

[redacted] GG14, Manager, [redacted] SID Office of Oversight and Compliance (SV)

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(U) Applicable Authorities

(See Appendix A1 for a full table of authorities)

- (U) Executive Order (EO) 12333, *United States Intelligence Activities*, as amended
- (U) Department of Defense Directive (DoDD) 5240.01, *DoD Intelligence Activities*, 27 August 2007
- (U) Department of Defense (DoD) Regulation 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons*, and its Classified Annex
- (U) United States Signals Intelligence Directive (USSID) SP0018, *Legal Compliance and U.S. Persons Minimization Procedures*, 25 January 2011
- (U) USSID SP0019, *NSA/CSS Signals Intelligence Directorate - Oversight and Compliance Policy*, 13 November 2012, revised 7 May 2013
- (U) USSID DA3511, *Data Acquisition Directorate Targeting and Data Flow Management*, 28 November 2006
- (U) NSA/CSS Policy 1-23, *Procedures Governing NSA/CSS Activities That Affect U.S. Persons*, 11 March 2004, revised 30 July 2013

[Redacted]

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- (U) USSID SD4000, *Signals Intelligence Development*, 6 April 2011 (USSID SD4000 was superseded by SID Implementing Directive, *Annex F Governance of the Signals Intelligence Mission*, 25 February 2013)

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III. FINDINGS

(TS//SI//NF) **ALLEGATION:** Did [redacted] misuse the SIGINT system, in violation of DoD 5240.1-R and its Classified Annex, NSA/CSS Policy 1-23, USSID SP0018, USSID SP0019 [redacted]

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

(TS//SI//REL) **CONCLUSION:** Substantiated. [redacted]

[redacted] His activities resulted in, or were reasonably likely to result in, the unauthorized collection of communications to or from USPs or persons in the United States, or both. The preponderance of the evidence supports the conclusion that, by doing so, and failing to report the non-compliant activity, [redacted] violated the classified annex of DoD Regulation 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons* and its classified annex, NSA/CSS Policy 1-23, United States Signals Intelligence Directive (USSID) SP0018, *Legal Compliance and U.S. Minimization Procedures*, and USSID SP0019, *NSA/CSS Signals Intelligence Directorate - Oversight and Compliance Policy*.

(b) (1) -P.L. 86-36
(b) (3)

(TS//SI//REL) In addition, [redacted] also violated USSID DA3511, *Data Acquisition Directorate and Data Flow Management*, when he [redacted]

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

(TS//SI//REL) Finally, the preponderance of the evidence supports the conclusion that [redacted] violated [redacted] and USSID SP0019 when he [redacted] effected collection that resulted or was at least reasonably likely to result in the unauthorized collection of communications to or from [redacted] and did not report the non-compliant activity.¹²

¹² (U//FOUO) The overarching authorities [redacted] violated are Executive Order (EO) 12333, *United States Intelligence Activities*, and Department of Defense (DoD) Directive 5240.01, *DoD Intelligence Activities*.

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

(U) Documentary Evidence

~~(U//FOUO)~~ Oversight and Compliance Training

~~(U//FOUO)~~ [redacted] training record revealed that he had completed the following oversight and compliance training:

- *USSID SP0018 Training for Analytic Personnel* (OVSC1800), 6 May 2014, 20 June 2013, and 19 July 2012;¹⁴
- *Overview of Signals Intelligence Authorities* (OVSC1100), 10 February 2014, 10 April 2013, 2 August 2012, and 18 October 2011;
- *NSA FISA* (OVSC1201), 13 January 2014 and 12 February 2013;
- *NSA/CSS Intelligence Oversight Training* (OVSC1000), 4 November 2013 and 13 June 2012; and
- *Special Training on FISA* (OVSC1206), 15 May 2013.

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

~~(U//FOUO)~~ Complaints Made to the OIG and Supporting Data

~~(TS//SI//NF)~~ The Source provided emails and data spreadsheets to the OIG in support of the allegations.¹⁵

~~(U//FOUO)~~ Information provided to the OIG by [redacted]

~~(S//SI//REL)~~ During his interview with the OIG on 27 June 2013, [redacted] provided a copy of a paper he had written entitled, [redacted]. The paper is at Appendix G1. He also provided a list of [redacted] which is at Appendix G2. [redacted] also provided a list of [redacted]. The list is at Appendix G4.

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

(b) (3)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (L)
(b) (3) - P.L. 86-36

¹⁴ ~~(U//FOUO)~~ OVSC1800 was previously entitled, *Legal Compliance and Minimization Procedures*, which [redacted] completed on 17 October 2011 and 16 November 2010.

¹⁵ ~~(U//FOUO)~~ See Appendix F for emails pertaining to the allegations. The data files the Source provided to the OIG in support of his claims are labeled [redacted].

[redacted] The data files were too voluminous to include as attached Appendices and are retained in electronic format in the OIG as Appendices B3.1 through B3.15. A chart summarizing the allegations is at Appendix B3.

(U//FOUO) Information provided to the OIG by [redacted] Chief

(U//FOUO) In a 26 June 2013 email to the OIG, [redacted] provided a copy of briefing slides entitled [redacted]. The slides, which are at Appendix H1, provide information on the [redacted].

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

(S//REL) In a 28 June 2013 email to the OIG, [redacted] provided a copy of a Standard Processing Form (SPF) that he called a draft "Standard Operating Procedure" for work performed in the [redacted].

(U) Testimonial Evidence

(U//FOUO) The Source, *Global Network Analyst*¹⁷

(U//FOUO) The Source [redacted] was interviewed on 14 May 2013 and provided the following sworn testimony.

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3624(f)
(b) (3) - P.L., 86-36
(b) (6)

(S//SI//REL) The Source [redacted]

(TS//SI//REL) The Source believes that, since February 2013, [redacted] has been in violation of USSID SP0018 because he has been collecting or attempting to collect United States phone numbers without proper authorities and without a foreign intelligence purpose.

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

(TS//SI//REL) The Source also believes that [redacted] has been collecting or attempting to collect [redacted] without approval from [redacted] and an appropriate [redacted] and without a foreign intelligence purpose, in violation of [redacted].

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3624(f)
(b) (3) - P.L., 86-36

(TS//SI//REL) The collection or attempted collection, the Source said, was done using [redacted] [redacted] which [redacted] tasked to the SIGINT system. The tasking records [redacted] in violation of USSID SP0018, since October 2011 and in violation of USSID SP0018, the Source believes that [redacted] has collected or attempted to collect a large volume of telephone numbers without any foreign intelligence purpose. The

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

¹⁶ (U) See Appendix H3 for SPF. Also see Appendix H2 for email from [redacted] to the OIG dated 31 July 2013 pertaining to the SPF.

¹⁷ (U) Although the Source waived confidentiality, we have chosen to protect the Source's identity in the main body of this report.

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

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Source believes that [redacted] which harms NSA mission, the tasking does not qualify [redacted]

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

(TS//SI//REL) On 18 March 2013, the Source asked the [redacted] team [redacted] could assist with their workload. Another [redacted] employee told the Source that she had been trying to get [redacted] to research problems reported [redacted] and found that [redacted] discovered that [redacted] collection coming from [redacted] [redacted] when it should not have been.

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

(TS//SI//REL) [redacted]

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

(TS//SI//REL) [redacted]

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

(TS//SI//REL) The Source called [redacted] to discuss the fact that some of the [redacted] wanted to alert him, have him clean it up, and file an Intelligence Oversight incident report. [redacted]

(TS//SI//REL) The Source said that, according to an [redacted] analyst, [redacted] had told the analyst that he was [redacted] Based on some of the comments [redacted] out in [redacted]

¹⁸ (U) See Appendix C1 for related emails.

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

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(TS//SI//REL) After the Source spoke with [redacted] [redacted] called OGC for guidance on how to get [redacted] tasking shut down and the OGC suggested [redacted] Compliance Officer. The Source emailed [redacted] with a description of the incidents and soon thereafter, [redacted] referred the matter to [redacted] Compliance Officer.

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

(TS//SI//REL) After the Source called, [redacted] sent an email to the Source's supervisor, [redacted] and [redacted] supervision, [redacted] forwarded the email to [redacted] Division Chief, and [redacted] Deputy Division Chief.²⁰ The Source did not see the email, but [redacted] told the Source that it said that the Source had called [redacted] to tell him there was a problem with his tasking of United States [redacted] numbers and that [redacted] had hung up on the Source.

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

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

(S//SI//REL) After [redacted] sent his email to [redacted] various [redacted] managers met, including [redacted] and perhaps [redacted] the [redacted] Technical Director and Intelligence Oversight Officer. There were no [redacted] at the meeting, and the management officials were expected to come to an agreement as to whether there was a compliance problem and if so, to inform the NSA Office of Compliance (SV). The Source believes that [redacted] does not understand what [redacted] is doing and only repeats whatever [redacted] tells him.

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

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

(TS//SI//REL) On two or three occasions [redacted] told [redacted] [redacted] The Source did not think [redacted] understood that [redacted] [redacted] which the Source also reported to [redacted]

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

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

(U//FOUO) Initially, the Source was working with [redacted] to document an IQ incident, but this was never completed and to [redacted] knowledge, no one filed an IQ incident report with SV. The Source said that [redacted] that [redacted] personnel had decided that nothing was wrong with what [redacted] was doing and they should drop the issue. [redacted] told the Source that [redacted] had decided that what [redacted] was doing was acceptable. The Source thought that [redacted] did not have the technical expertise to understand what [redacted] was doing and, because they did not consult with [redacted] they did not understand why it was a violation. The Source said that [redacted] and [redacted] agreed with the Source that what [redacted] was doing violated USSID SP0018.

¹⁹ (U) See Appendix C2 for related emails.

²⁰ (U//FOUO) See Appendix C3 for email dated 18 March 2013 from [redacted] to [redacted]

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(U//FOUO) [redacted]

(U//FOUO) [redacted] GG15, was interviewed on 27 June 2013 and provided the following sworn testimony.

(S//SI//REL) Since [redacted] has worked in the [redacted] [redacted] previously known as the [redacted] He has performed [redacted] for approximately [redacted] years and considers himself the [redacted] in the Intelligence Community.

(S//SI//REL) [redacted] said that he started his own (unnamed) project [redacted] [redacted] provided the OIG with a copy of a paper he had written entitled [redacted]

(S//SI//REL) [redacted] [redacted] The collection [redacted] performs under his project, he said, falls under EO 12333.

(S//SI//REL) [redacted] said that the foreign intelligence purpose behind his project is to make the collection system healthier, the analytic process richer, and the system more efficient by [redacted]

(U//FOUO) When [redacted] began his project, he asked his senior manager at the time, [redacted] if he should pursue it. [redacted] said that [redacted] did not give him a "straight answer," which [redacted] interpreted as guidance for him to "be careful." [redacted] decided he would work on his project until someone told him he should stop.²⁴

²³ (S//SI//REL) [redacted] [redacted]

²² (U//FOUO) See Appendix G1 for [redacted] document.

²³ (S//SI//REL) [redacted] [redacted] To do so

intentionally would be a crime.
²⁴ (U//FOUO) [redacted] was [redacted] second level supervisor—[redacted] supervisor. The OIG interviewed [redacted] under oath, and he told the OIG that [redacted] did not ask for permission to pursue his project. When [redacted] learned about

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2.L., 86-36
(b) (16)

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2.L., 86-36

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

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

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

(U//FOUO) [redacted] current supervisor, [redacted] has been "fairly aware" of the project and has trusted [redacted] to do the right thing.

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

(U//FOUO) [redacted] has been accused of teaching other people how to task under his project. However, he has not done so because what he is doing is somewhat dangerous and unknown territory and he does not want anyone to end up in trouble by working on his project if it is determined that the project was not appropriate.

(TS//SI//REL) [redacted]

(b) (3)
(b) (3) - 18 000 798
(b) (3) - 40 000 3024 (1,3)
(b) (3) - P.L. 86-36
(b) (6)

(TS//SI//REL) [redacted]

(TS//SI//REL) [redacted] provided the OIG a copy of a 26 June 2013 email, subject, [redacted]

(S//SI//REL) [redacted]

[redacted] If he were training other people on the project, he said he would go through the process of determining appropriate audit mechanisms. [redacted] said he was the only person

what [redacted] was doing [redacted] he said he was very clear when he told [redacted] and [redacted] that they should not do what [redacted] was doing with [redacted] and [redacted] what to stop his project [redacted] complete statement is included in this section of the report, following [redacted] statement.

²⁵ (U) See Appendix G3 for email.

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

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

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working on the project, and each day he did not know what he might try to do, what made sense, was easily sustainable, repeatable, and defensible.

(S//SI//REL) [Redacted]

(S//SI//REL) [Redacted]

(S//SI//REL) [Redacted]

(S//SI//REL) As of 27 June 2013, [Redacted] complaints from other analysts that it was causing problems because [Redacted] Some were saying that [Redacted]

(S//SI//REL) There are approximately [Redacted] and other similar tools that analysts use [Redacted]

(TS//SI//REL) [Redacted] gave the OIG a list of [Redacted] [Redacted] If one of the [Redacted]

(S//SI//REL) [Redacted]

²⁷ (U) See Appendix G5 for a 24 September 2013 email from [Redacted] to the OIG stating he removed [Redacted] on 15 July 2013.

²⁸ (TS//SI//REL) The OIG, [Redacted] Program Managers, exchanged emails dated 2, 4, and 6 November 2013 pertaining to [Redacted]

[Redacted]

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

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L., 86-36
(b) (5)

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numbers turned out to be a United States number, [redacted], would file an IO incident report and

[redacted]

(S) (SI) (C)
96-98 - T-2 - (C) (S)

(TS//SI//REL) [redacted]

(S) (SI)
(S) (SI) - 18 USC 793
(S) (SI) - 50 USC 3024 (i)
(S) (SI) - 2, L., 88-36
(S) (SI)

(TS//SI//REL) [redacted] is one hundred percent sure that he has never [redacted] a United States number [redacted] he said there has never been any proof that the numbers [redacted]

(S//SI//REL) [redacted]

(TS//SI//REL) [redacted]

(TS//SI//REL) [redacted].
[redacted] For [redacted] knowledge, he has never collected [redacted] from a United States [redacted] person.³¹

(TS//SI//REL) [redacted]

²⁹ (U//FOUO) The list of [redacted] are at Appendix G2. Following the interview, [redacted] sent an email to the OIG dated 27 June 2013 and included an updated printout of the [redacted]. See Appendix G4 for email and attachment.

³⁰ (S//SI//REL) During a meeting on 28 June 2013, [redacted] from OGC informed the OIG that [redacted]. This meeting is documented in the OIG's MFR dated 28 June 2013.

³¹ (S//SI//REL) [redacted]

(S) (SI) (C)
96-98 - T-2 - (C) (S)

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(S//SI//REL) [redacted]

[redacted] did not know if entering these types of comments in [redacted] is a breach of policy but, if it is, he could delete the comments.

(S//SI//REL) Only the analysts in the [redacted] have access to the comments that [redacted]

(S//SI//REL) [redacted]

(S//SI//REL) As of early 2013, [redacted]

(S//SI//REL) [redacted] has never filed an Intelligence Oversight incident report, although some of his taskings may have resulted in IO incidents. [redacted]

(S//SI//REL) The OIG investigator presented to [redacted] copies of emails dated 27 and 29 March 2013, which he, [redacted] had exchanged. In the documents, [redacted] expressed concern about number's [redacted] had tasked [redacted]

(U//FOUO) Although [redacted] stated the identifying comments appeared in [redacted] the evidence showed the comments appeared [redacted]

(S//SI//REL) [redacted]

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

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

(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

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

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (4)
(b) (3) - P.L. 86-36

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[Redacted]

(TS//SI//REL) [Redacted] explained that the numbers were [Redacted]

[Redacted]

[Redacted] said that he supposes he would have to file an incident report. [Redacted]

[Redacted]

(S//SI//REL) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(TS//SI//REL) [Redacted]

[Redacted]

[Redacted]

(TS//SI//REL) The OIG investigator reminded [Redacted] that he had stated his criterion was [Redacted]

[Redacted]

(TS//SI//REL) [Redacted] responded that, sometimes [Redacted]

[Redacted]

[Redacted] If the number is of concern and could result in a violation, [Redacted] will remove it from tasking.

(TS//SI//REL) The OIG investigator asked [Redacted] about a 27 March 2013 email between [Redacted] in which [Redacted] asked about a number [Redacted] had tasked that [Redacted]

[Redacted]

(TS//SI//NF) [Redacted] believed there were about [Redacted] which did not pertain to [Redacted]

[Redacted]

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

³³ (U) See Appendix C5 for email.

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(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (4)
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (4)
(b) (3) - P.L. 86-36

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

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

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(TS//SI//REL) [redacted] did not know that the [redacted] were of concern because no one told him that his project was causing a problem with the [redacted]. [redacted] did not know how to exclude something from his collection. While working on his project, [redacted] would be excluded from [redacted] collection.

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

(U//FOUO) [redacted] has been proceeding with his project in a "kind of [by the] seat of the pants" mode, and, if he does receive approval to continue work on his project, he will need some guidance on the limitations for taskings. He is willing to "really tighten the reins" [redacted] and thinks that an SOP should be written to cover the scope, purpose, and minimization procedures for his project. Currently, he believes that his project may not be worth documenting, except as a case of bad judgment.

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (1)
(b) (3) - P.L., 86-36

(TS//SI//REL) [redacted] read USSID SP0018 as part of his mandatory training requirement. He knows it is unlawful to target United States persons, and he never intended to, and to his knowledge never has, [redacted] denied any willful wrongdoing or knowingly tasking a United States [redacted] person. He started his project to help find potential problems. Other than the [redacted] he has no doubt that numbers tasked through his project were not United States [redacted] persons.

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

(U//FOUO) [redacted] Division Chief, [redacted]

(U//FOUO) [redacted] GG15, was interviewed on 14 November 2014 and provided the following sworn testimony.

(U//FOUO) [redacted] has spent most of his career working on [redacted]. From around 2006 to 2012, he served as Branch Chief [redacted]. In 2009, the [redacted] team moved to his Branch: [redacted] was a member of the [redacted] team. In 2010, [redacted] became the Division Chief of the organization.

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

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

(S//SI//REL) When the [redacted] team joined [redacted] was the [redacted] Lead and was a direct report to [redacted]. [redacted] was a direct report to [redacted]. [redacted] has been doing [redacted] work for many years; he was the senior person in the [redacted] and he was good at it.

(U//FOUO) Within the first year of [redacted] working for [redacted] he read [redacted] monthly notes that he was using a new technique to help determine how to [redacted] numbers. When [redacted] asked [redacted] what the technique was, [redacted] could not explain it very well, so [redacted] met with [redacted] for an explanation.

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (1)
(b) (3) - P.L., 86-36

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

(S//REL) [redacted] told [redacted] that there were [redacted] [redacted] had already started to [redacted]

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[Redacted]

(TS//SI//REL) [Redacted]

had already begun doing this, without asking [Redacted] for permission. None of the other analysts were using [Redacted] technique.

(S//REL) [Redacted] told [Redacted] "You cannot do that," because he was intentionally

[Redacted] When the OIG Investigator told [Redacted] that [Redacted] had told the OIG that [Redacted] never gave him a straight answer about pursuing his new technique, [Redacted] stated he had been very clear when he told [Redacted] to stop the activity. He did not know whether [Redacted] had lied to the OIG, but perhaps [Redacted] does not remember the conversation clearly because [Redacted] has known [Redacted] to sometimes forget things he has been told.

(U//FOUO) [Redacted] believed that, after he told [Redacted] to stop using his technique, [Redacted] complied. However, he did not know if, at some point, [Redacted] began using it again. [Redacted] has had a lot of experiences with [Redacted] not remembering conversations they have had. He could see where [Redacted] may have restarted using his technique because he did not remember that [Redacted] had told him to stop using it. After [Redacted] told [Redacted] to stop using his technique, he did not see mention of it again in [Redacted] monthly notes. [Redacted] did not tell [Redacted] more than once that he should stop using his technique.

(TS//SI//NF) [Redacted] did not believe that any USP [Redacted] collection had occurred for which an incident report had to be filed. There did not appear to be any United States numbers on the link, and [Redacted]. However, he was still [Redacted] cautioned [Redacted] that he could be [Redacted] phone numbers, and [Redacted] pushed back stating something like, "Show me a case where that happened." [Redacted] told him that he did not have to show him an actual occurrence because the possibility of it occurring was enough; therefore, he could not do it any longer. [Redacted] did not think [Redacted] agreed with his decision.

(TS//SI//NF) [Redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2, E., 86-36
(b) (6)

(b) (3) - 2, E., 86-36

(b) (4)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2, E., 86-36

(b) (3) - 2, E., 86-36
(b) (6)

(b) (3) - 2, E., 86-36

(b) (3) - 2, E., 86-36
(b) (6)

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2, E., 86-36

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(U//FOUO) [redacted] was [redacted] auditor. He knew that [redacted] had problems with what [redacted] was doing, and he knew that [redacted] had told [redacted] not to use his technique anymore. [redacted] did not believe that [redacted] understood the nuances of [redacted] activity. He did not think that [redacted] understood that [redacted] was intentionally [redacted]

(b) (2) - P.L., 86-36

(b) (1) - P.L., 86-36
(b) (6)

(TS//SI//NF) [redacted]
[redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L., 86-36
(b) (6)

(U//FOUO) [redacted] Chief, [redacted]

(U//FOUO) [redacted] GG14, was interviewed on 13 August 2015 and provided the following sworn testimony.

(U//FOUO) In August 2007, [redacted] was assigned as chief, [redacted] [redacted] later called the [redacted] which was part of [redacted] USSID 4000, *Signals Intelligence Development*, states that [redacted] has the authority for signal development and discovery.

(b) (1) - P.L., 86-36

(U//FOUO) In 2009, [redacted] was transferred from [redacted] [redacted] took with it authority for [redacted] [redacted] was not clear where the authority for [redacted] mission was documented or whether it was still USSID 4000.

(b) (2) - P.L., 86-36

(U//FOUO) [redacted] personnel do not receive guidance from upper management on how to perform their mission because no one understands it. [redacted] is the sole authority for [redacted] mission. No decision has been made on whether [redacted] mission requires scrutiny.

(TS//SI//REL) [redacted] said that, in a memorandum dated 28 September 2011, [redacted] OGC provided approval [redacted] [redacted] did not formally document [redacted] process or seek approval within his chain of command to conduct [redacted] because, based on his experience, no one outside [redacted] cared about what they did. The process and procedures for [redacted] are found in working notes stored in [redacted] shared directory.

³⁶ (U) See Appendix H4 for the OGC opinion and related emails.

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(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L., 86-36
(b) (6)

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

(C//REL) [redacted]
[redacted]
[redacted]

(U//FOUO) In 2013, after allegations had been made to the OIG about [redacted] compliance officer asked [redacted] to write a standard operating procedure (SOP). [redacted] documented [redacted] process in a Standard Processing Form.²⁷

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

(U//FOUO) In late 2013 and through 2014, a new SOP was drafted for [redacted] but it was never finalized, and [redacted] does not know why. The new SOP states that the [redacted] Chief is responsible for reporting to the [redacted] compliance officer [redacted]. However, [redacted] personnel never reported to their compliance officer any [redacted].

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

(U//FOUO) Currently, there are [redacted] including [redacted]. These are the numbers on which [redacted] experiment focused.

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

(TS//SI//REL) [redacted]
[redacted]

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

(TS//SI//REL) [redacted] did not seek approval from or discuss anything with OGC or SV about [redacted] project [redacted]. When the project started, [redacted] immediate supervisor was [redacted]. Other than telling [redacted] that [redacted] was not aware of [redacted] project. [redacted] may have mentioned his project to [redacted] but

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

(U//FOUO) [redacted] the matter under investigation, was based on [redacted]. Throughout his interview, [redacted] referred to this activity as [redacted] "project" or "experiment," and it is referred to as such in this section of the ROI.²⁸ (U//FOUO) According to the technical experts who assisted the OIG in reviewing the data related to the allegations, [redacted].

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

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[redacted] never said whether [redacted] could do the project. [redacted] did not provide direction or ask [redacted] about [redacted] experiment.

(b) (7) - P.L., 86-36

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

(TS//SI//REL) [redacted]

(TS//SI//REL) [redacted] was the only one using [redacted] [redacted] decided that he did not want anyone else using [redacted] techniques until he and [redacted] determined whether the experiment was worthwhile. When the OIG investigator told [redacted] that evidence existed showing that he had approved requests for another [redacted] [redacted] said that he approved several [redacted] rather than [redacted] because [redacted] was having problems with [redacted] for [redacted].

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

(TS//SI//REL) [redacted]

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

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

(TS//SI//REL) When [redacted] submitted a [redacted] he would informally talk with [redacted] about what he did [redacted] Documentation [redacted] may have received from [redacted] about [redacted] has been destroyed.

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

(U//FOUO) [redacted] always approved [redacted] requests because he believed that [redacted] knew what he was doing.

(S//REL) [redacted]

(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

(TS//SI//REL, USA, FVEY) [redacted]
(S//REL, USA, FVEY) [redacted]

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~~TOP SECRET//SI//NOFORN~~

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(U//FOUO) [redacted]
[redacted] trusts [redacted] to do the right thing.

(C//REL) [redacted]
[redacted]

(S//REL) [redacted]
[redacted]

(C//REL) [redacted]
[redacted]

(U//FOUO) The value of [redacted] project was to [redacted].
[redacted] said: "To be honest with you, it was a work in progress. It had not been fully thought out as far as what you do with it at the end of the day."

(C//REL) No intelligence oversight incident reports have been filed as a result of [redacted] work. [redacted] relies on [redacted] to tell him if his collection resulted in USIP communications.

(U//FOUO) [redacted] never received a request to [redacted]
[redacted]

(C//REL) After the complaints had been filed with OIG, the [redacted] compliance officer suggested that a warning go out [redacted]
[redacted] never sent the warning because the activity stopped. He was not sure if anyone else sent a warning.

(C//REL) [redacted]
[redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - 2.1. 86-36
(b) (6)

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

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

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

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(b) (3) - F.L. 06-36
(b) (3)

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - F.L. 06-36

(TS//SI//REL) [redacted]
[redacted] said he had never seen the data before and, obviously, [redacted] had made an error and the data in the file was problematic. The collection from this activity should have resulted in an IO incident report.

[redacted]
[redacted] In hindsight, what he did was probably not the best approach.

(TS//SI//REL) [redacted]
[redacted]

(TS//SI//REL) [redacted]
[redacted]

(TS//SI//REL) [redacted]
[redacted]

(TS//SI//REL) [redacted]
[redacted]

(TS//SI//REL) [redacted]
[redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - F.L. 06-36
(b) (3)

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[Redacted]

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

(U//FOUO) [Redacted] Special Authorities and Compliance Lead for [Redacted]

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

(U//FOUO) [Redacted] GG14, was interviewed on 20 June 2013 and provided the following sworn testimony.

(U//FOUO) [Redacted] is assigned to [Redacted]. Since March, 2010, she has served as the [Redacted] Special Authorities and Compliance Lead and is responsible for matters associated with collection authorities and for ensuring that compliance procedures are followed.

~~(TS//SI//FVEY)~~ In March 2013, [Redacted] received a telephone call from the OIG Source, who expressed concern that [Redacted] was deliberately tasking and collecting information associated with phone numbers that were potentially United States [Redacted]

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

(U//FOUO) [Redacted] sent an email to [Redacted] dated 20 March 2013 and asked what he was doing and why he thought that what he was doing was appropriate. She explained that, if he had created an Intelligence Oversight (IO) incident, he would be responsible for submitting an incident report. She then called [Redacted] to discuss the matter, but he hung up on her. He later called [Redacted] back, apologized for hanging up, and told her to go through his chain of command if she had questions about his work.

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

(U//FOUO) In a 20 March 2013 email, the OIG Source told [Redacted] that [Redacted]

[Redacted]

(U//FOUO) In a 20 March 2013 email, [Redacted] asked [Redacted] the [Redacted] Compliance Officer, to look into the matter, verify what was happening, and determine if an IO incident had occurred. [Redacted] told [Redacted] that she wanted the Source and the other [Redacted] who had concerns about [Redacted] to document the concerns into one summary [Redacted] was not sure whether the summary was ever prepared.

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

~~(TS//SI//REL)~~ On 28 March 2013, [Redacted] and [Redacted] met with [Redacted] [Redacted] who provided a demonstration of the work [Redacted] does and why they believed that [Redacted] tasking, was appropriate. They explained that [Redacted]

[Redacted]

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[redacted]
[redacted] numbers are collected appropriately and only when authorized. They told [redacted] that EO 12333 was the authority for this activity.

(TS//SI//REL) [redacted] understood the [redacted] process when [redacted] [redacted] and [redacted] explained it to her, but the work was "over [her] head" and she did not believe that she could adequately describe it. To her understanding, [redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 95-36
(b) (6)

[redacted]

(b) (3) - P.L. 95-36

(TS//SI//REL) [redacted]
[redacted]

(b) (3) - P.L. 95-36
(b) (6)

(TS//SI//REL) [redacted] concluded there were no IO violations with regard to [redacted] work. [redacted] who had worked in the NSA Oversight and Compliance (SV) organization, had told [redacted] that she did not believe that an IO violation had occurred. [redacted] told [redacted] that she wanted to document [redacted] activity and the process he used so that it would be clearly understood by all that his activity was authorized. [redacted] did not know if the documentation had been completed, but she knew that [redacted] had been working with [redacted] involved to document the activity. She felt confident that [redacted] would have contacted SV, if she believed that an IO incident had occurred.

(b) (3) - P.L. 95-36

(b) (3) - P.L. 95-36

(TS//SI//REL) Following her meeting with [redacted] management, [redacted] received a call from [redacted] of OGC, who told her that the OIG Source had reported [redacted] activity to him as a problem. [redacted] did not believe that [redacted] thought that [redacted] activity was a problem, but he wanted [redacted] to look into the matter to make sure [redacted] told [redacted] Technical Director and Intelligence Oversight Officer, that she had received a call from OGC about [redacted] work. [redacted] told [redacted] that he had already tried to explain to the OIG Source that [redacted] work was authorized, and, if [redacted] still had concerns, [redacted] should talk with [redacted] management, rather than OGC.

(b) (3) - P.L. 95-36
(b) (6)

(TS//SI//REL) [redacted] did not believe that [redacted] had tasked anything [redacted] although she did not confirm this. She did not believe that the [redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 95-36

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[redacted] was now concerned that [redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(TS//SI//REL) [redacted] believed that an allegation from the OIG Source that [redacted] was should be examined. If [redacted] was doing what had been alleged, he should stop the activity and fix the tasking so that he only collects what he is authorized to collect and not United States numbers.

[redacted] thought that the activity was stupid and that [redacted]. However, if [redacted] was looking to see she could understand, but the description and purpose of the activity should be documented; there should be no tasking of numbers without documentation.

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

(U//FOUO) [redacted] did not have concerns about [redacted] technical ability and did not believe that [redacted] was doing anything malicious. She did, however, have some concerns about his work activity and planned to consult with [redacted] and [redacted] leadership to obtain documentation that explained what [redacted] was doing, how he was doing it, and why.

(U//FOUO) [redacted] Compliance Officer, [redacted]

(U//FOUO) [redacted] GO15, was interviewed on 24 June 2013 and provided the following sworn testimony.

(b) (3) - P.L. 86-36
(b) (1)

(U//FOUO) From 2006 through 2009, [redacted] worked on Foreign Intelligence Surveillance Act matters in the SID Oversight and Compliance Office (SV). For the past year and half she has served as a Compliance Officer in [redacted]

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

(TS//SI//REL) On 26 March 2013, [redacted] received an email from [redacted] the [redacted] Compliance Officer, stating that OGC had contacted her regarding a complaint OGC had received that [redacted] of the [redacted] was collecting on United States telephone numbers. [redacted] wanted [redacted] to look into the matter.

(U//FOUO) [redacted] and [redacted] Chief [redacted] told [redacted] that they did not believe that there were compliance concerns with [redacted] work. However, because of the concerns raised, they agreed to [redacted] was using until they met and reached an understanding that there were no compliance concerns. [redacted] did not verify [redacted]. In follow-on discussions with [redacted] management, it was determined there were no compliance concerns, and [redacted]

⁴² (U) See Appendix C4 for emails related to [redacted]

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(U//FOUO) On 22 March 2013, [redacted] attended a meeting with [redacted] Chief of Staff [redacted] Branch Chief, to discuss [redacted] work. [redacted] explained the work his branch was doing, and [redacted] said that some training might be needed so that [redacted] all have the same understanding of the procedures. Everyone seemed to agree that what [redacted] was doing was acceptable. [redacted] management said the authority for [redacted] work was USB/D 4000.

(b) (1) - P.L. 86-36

(S//SI//REL) [redacted] had to rely on management's technical explanations because [redacted] is a very complicated process. She asked [redacted] and [redacted] management if they were familiar with EO 12333 procedures, its privacy protections, minimization procedures and protection for United States Person communications. Emphatically and unequivocally, they all said "yes". This included [redacted] Chief, and [redacted]

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

(TS//SI//REL) [redacted]

(b) (1) (b) (2) - P.L. 86-36

(TS//SI//REL) [redacted] had emails from [redacted] the [redacted] Technical Director, stating that he had spoken to [redacted] and understood what [redacted] was doing. [redacted] only concern was [redacted]

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

(U//FOUO) Following the meeting with [redacted] management, [redacted] emailed the OIG Source and informed [redacted] that the meeting had occurred, the issue had been resolved, and the Source's manager would follow-up with the Source. The Source still had problems with what [redacted] was doing and sent many emails to [redacted] that included much technical detail. [redacted] told the Source that she could not make an assessment based on the level of technical detail [redacted] was providing and suggested the Source meet with [redacted] management so they could understand [redacted] concerns because, as far as [redacted] knew, the Source's manager had already determined that there was no problem with [redacted] work.

(b) (1) (b) (3) - P.L. 86-36

(U//FOUO) [redacted] repeatedly went back to [redacted] asking for a coordinated position on their concerns, but never received one. She also notified her leadership, as well as the [redacted] Chief of Staff about the Source's concerns.

(b) (1) - P.L. 86-36

(U//FOUO) [redacted] management continued to discuss the matter in email and in person. [redacted] had several emails from management asserting that the matter had been resolved by management. However, the OIG Source continued to email [redacted] who would refer the Source back to management and technical directors.

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(U//FOUO) Several weeks later, [redacted] Technical Director [redacted] contacted [redacted] and told her that the Source had contacted him. [redacted] said that he asked [redacted] and [redacted] of his organization look into the matter.

(S//SI//REL) On 15 April 2013, [redacted] and [redacted] management met. Everyone understood what was being done, and the only concern [redacted] raised was that [redacted]

(TS//SI//REL) [redacted] suggested to [redacted] management that they prepare a SOP or SPF that described the technical operation of [redacted] project and the procedures. [redacted] prepared an SPF that described the operation, mitigation procedures, and oversight measures that protect against collection of United States Person communications. The SPF was forwarded to [redacted] for comment.

(U//FOUO) In the SPF, [redacted] asked [redacted] for help in creating [redacted] which [redacted] had said that his organization would help to create. However, several weeks went by with no response from [redacted]. Eventually, [redacted] told [redacted] that [redacted] personnel had been too busy to review the SPF or help [redacted] but that they would eventually do both.

(U//FOUO) [redacted] *Target and Tasking Subject Matter Expert*

(U//FOUO) [redacted] Senior Executive, was interviewed on 11 December 2014 and provided the following sworn testimony.

(U//FOUO) [redacted] has been assigned to [redacted] since July 2013. Before that, he had been assigned to the [redacted] where, starting in August 2004, he served as the Deputy Chief and about three to four years later became the Technical Director.

(TS//REL) Around 4 April 2013, the Source told [redacted] that something strange was occurring, [redacted] and asked him to look into the matter. The Source said that [redacted]

(TS//SI//NF) [redacted]

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

(b) (3) (b) (3) - 18 USC 793 (b) (3) - 50 USC 3025 (a) (b) (3) - P, L, 86-36 (b) (6)

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

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

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[Redacted]

(TS//SI//NF) [Redacted]

(TS//SI//NF) [Redacted]

(S//REL) After the Source reported the concern to [Redacted] he sent an email on 4 April 2013 to colleagues in [Redacted] and asked them to check [Redacted] In a 4 April 2014 email to [Redacted]

(TS//REL) On 4 April 2013, [Redacted] told [Redacted] Compliance Officer, that he with [Redacted] Compliance Officer.

(TS//REL) [Redacted] was concerned that [Redacted]

(TS//SI//NF) Around that time, [Redacted] met with [Redacted] Chief [Redacted] and some others. [Redacted] could not remember who else was in the meeting or whether [Redacted] was present. [Redacted] said they were [Redacted]

(TS//REL) See Appendix C6 for emails. At Appendix J1 is an email dated 28 June 2013 from [Redacted]

(U) See Appendix C6 for email.

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(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(f1)
(b) (3) - E.O. 13526

(b) (3) - E.O. 13526
(b) (6)

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(f1)
(b) (3) - E.O. 13526

(b) (3) - E.O. 13526

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

[Redacted]

(TS//REL) [Redacted]

[Redacted]

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

(TS//REL) [Redacted]

[Redacted]

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

(TS//REL) [Redacted]

[Redacted]

(TS//REL) Because the data collected was EO 12333 data, [Redacted]

[Redacted]

(TS//SI//NF) Another concern [Redacted]

[Redacted]

(TS//REL) In a 17 April 2013 email to [Redacted] asked for guidance on [Redacted]

[Redacted]

⁴² (U) See Appendix C7 for email.

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(S) (1)
(S) (3)-18 USC 798
(S) (3)-50 USC 3624 (1)
(S) (3)-e.f., 86-36

(TS//REL) [Redacted]

(TS//SI//NF) in a 30 April 2013 email, [Redacted]

(TS//REL) [Redacted]

(TS//REL) [Redacted]

(TS//REL) [Redacted]

(TS//REL) [Redacted]

(TS//REL) [Redacted]

(S) (1)
(S) (3)-18 USC 798
(S) (3)-50 USC 3624 (1)
(S) (3)-e.f., 86-36

⁴⁶ (U) See Appendix C7 for email.

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

(TS//REL) [redacted]
[redacted]

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

(TS//REL) [redacted]
[redacted]

(U//FOUO) [redacted] did not believe that [redacted] was trying to get past people who would stop him from what he is trying to do. He probably simply saw his project as an easy way to accomplish his targeting and collection. [redacted]

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

(U//FOUO) [redacted] did not think [redacted] was doing anything malicious in his targeting and collection efforts, but he did think he was being careless and clumsy.

(U//FOUO) [redacted] would not expend resources [redacted] that [redacted] is trying to [redacted]

(b) (1)
(b) (3) - P.L. 86-36
(b) (6)

(U//FOUO) [redacted] Technical Director and Intelligence Oversight Officer (IOO)

(U//FOUO) [redacted] GG14, was interviewed on 19 June 2013 and provided the following sworn testimony.

(U//FOUO) [redacted] is assigned to the [redacted] and serves as the [redacted] Technical Director. He has served as the IOO for about two years and is responsible for submitting IO incident reports to the Office of the Inspector General for the IO quarterly report.

(S//SI//REL) Near the end of March 2013, the OIG Source and some other [redacted] analysts claimed that [redacted] was doing something unusual [redacted]

[redacted]

(S//SI//REL) To better understand what [redacted] was doing, [redacted] posed some questions to him in writing, to which [redacted] responded in an email dated 27 March 2013.⁴⁷

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

⁴⁷ (U) See Appendix C5 for email.

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(S//SI//REL) [redacted] did not fully agree with how [redacted] was going about his work but believed that it fell under technical development, which, perhaps, made it acceptable. [redacted] supervisor, told [redacted] that the work fell under USSID 4000 as technical development or protocol development, which made it okay.

(S//SI//REL) [redacted]

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

(S//SI//REL) [redacted]

(S//SI//REL) [redacted]

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

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

(S//SI//REL) [redacted] did not know of any instances of [redacted] activities having a negative impact [redacted] He asked the OIG Source and the other [redacted] analysts if they had examples of this, but they did not provide any.

(S//SI//REL) [redacted] was particularly concerned that [redacted]

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

(S//SI//REL) [redacted]

⁴⁴ (U//FOUO) Inadvertent collection occurs when NSA has intentionally targeted and collected communications to, from or about a valid foreign target, which later turns out to be a U.S. person.

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[Redacted]

(S//SI//REL) [Redacted]
[Redacted] was conducting,
and he did not believe that the work was auditable.

(b) (1)
(b) (3) - 18 USC 3024 (a) (1)
(b) (3) - F.T.L. 86-36

(U//FOUO) [Redacted] Compliance Officer [Redacted] told [Redacted] that she wanted to understand his position on the matter before moving forward. [Redacted] was supposed to have followed up with [Redacted] but never did. He drafted an email to [Redacted] but never sent it. He had wanted to discuss the email content with [Redacted] first but forgot to.⁵⁰

(b) (3) - F.T.L. 86-36

(b) (3) - F.T.L. 86-36
(b) (6)

(U//FOUO) [Redacted] believed that, if [Redacted] who had worked in the Oversight and Compliance Office (SV), had concerns about [Redacted], she would raise those concerns with SV or tell [Redacted] to stop his activity.

(U//FOUO) [Redacted] told [Redacted] that she had spoken with [Redacted] understood what he was doing, and was comfortable with it. [Redacted] took no further action.

(b) (3) - F.T.L. 86-36

(U//FOUO) Based on [Redacted] judgment, [Redacted] told the [Redacted] analysts that what [Redacted] was doing fell under technical development and there were no concerns. A few of the analysts shook their heads in disagreement, and the OIG Source remained adamant that [Redacted] activity was improper. [Redacted] described analysts in [Redacted] and [Redacted] as "fighting cats," and he believed that [Redacted] and the OIG Source do not like each other.

(U//FOUO) [Redacted] has no reason to doubt [Redacted] technical abilities and does not believe that [Redacted] is doing anything malicious or illegal. [Redacted] served as the Technical Director of the organization before [Redacted].

(b) (3) - F.T.L. 86-36

(b) (3) - F.T.L. 86-36
(b) (6)

(U//FOUO) [Redacted] is not entirely sure that what [Redacted] is doing is legitimate. He is about 98% sure. In hindsight, [Redacted] felt he should have checked with Oversight and Compliance and did not know whether anyone else advised Oversight and Compliance Office or the Office of the General Counsel of the concerns, but he believes that perhaps they should have been raised to those offices.

⁵⁰ (U//FOUO) See Appendix L5 for a copy of [Redacted] email dated 21 August 2013 stating [Redacted]

⁵¹ (U//FOUO) [Redacted] provided a copy to the OIG of the draft email. See Appendix C5.

(U//FOUO) Assessments of data related to [redacted] taskings

(U//FOUO) Due to the complexity of the work [redacted] performed, the OIG consulted with two technical experts, [redacted]. Both reviewed [redacted] and they provided assessments to the OIG. Their assessments have been consolidated in a chart at Appendix B3.

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

(b) (1)
(S) (3) - 18 USC 793
(S) (3) - 50 USC 3024(i1)
(b) (3) - P.L., 86-36
(b) (6)

(U//FOUO) [redacted] and [redacted] provided their comments regarding the [redacted] SOP covering [redacted] (See Appendices D3 and E7)

(TS//SI//NF) [redacted] concluded that [redacted]

(S//SI//REL) [redacted]

(TS//SI//NF) [redacted]

(TS//SI//NF) [redacted]

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

(b) (1)
(S) (3) - 18 USC 793
(S) (3) - 50 USC 3024(i1)
(b) (3) - P.L., 86-36

⁵¹ (U//FOUO) [redacted] Since [redacted] he has been assigned as a Technical Leader to the National Threat Operations Center (NTOC). Previously, he served as the Intelligence Analysis Technical Leader/Director in the SIGINT Development Strategy and Governance [redacted] Emails associated with [redacted] assessment are at Appendix D. From 2006 to 2009, [redacted] served as the Technical Director for [redacted]. He was responsible for overall [redacted] From 2009 until the present, he is the subject matter expert for data quality. [redacted] analysis are addressed later in this report and in an appendix.

⁵² (U//FOUO) On 1 July 2013 OIG personnel attended a meeting with [redacted] OGC, and others. During the meeting [redacted] to which [redacted] has access are limited to approximately [redacted]

(b) (6)

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(U//FOUO) [redacted] Senior Executive, Senior Technical Leader, [redacted]

(U//FOUO) [redacted] DISL, was interviewed on 18 December 2013 and provided the following sworn testimony.⁵¹

(U//FOUO) [redacted] has served as the Technical Director (TD) for the [redacted] Data Acquisition Organization [redacted] since January 2008 and the TD for the SIGINT Mission Functional Architect organization since April 2013. He will continue to serve in both positions until a replacement is identified for the [redacted] TD position.

(S//SI//REL) [redacted] recently attended meetings with representatives of [redacted] and [redacted] to discuss [redacted] SIGINT activities. The consensus was that, if [redacted] see

[redacted]

(U//FOUO) [redacted] an OGC Attorney, was present for the discussions and [redacted] [redacted] work [redacted] as well as [redacted] and [redacted] management. The general conclusion was that the [redacted] probably should put some procedures in place, but everyone in the meeting believed that the work [redacted] was doing was acceptable.

(S//SI//REL) [redacted] believes that [redacted] [redacted]. However, they should ensure that their process and policy was documented [redacted]

(S//SI//REL) [redacted] did not always understand the [redacted] pertaining to [redacted]

(S//SI//REL) [redacted] was surprised to learn that [redacted]

[redacted]

⁵¹ (U//FOUO) Before the OIG interviewed [redacted] he attended several meetings and exchanged many emails about [redacted] activities. [redacted] discussed concerns about [redacted] activities with OGC [redacted] and others. Emails are at Appendix L. The OIG memorialized the meetings the OIG participated in with [redacted] see Appendix M for memoranda for the record of those meetings.

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(U//FOUO) Using a computer projection screen, [redacted] pertaining to [redacted] work along with [redacted] and provided his assessment.

(S//SI//REL) In general, [redacted] said he would defer to [redacted] assessment.

[redacted]

(S//SI//REL) However, other analysts who looked at [redacted]

[redacted]

(S//SI//REL) [redacted] said that [redacted] had concluded that many of [redacted] files

[redacted]

(U//FOUO) [redacted] reviewed the following data files.

(U//FOUO) File: [redacted] (Appendix B3.7)

(S//SI//NOFORN)

[redacted]

(U//FOUO) File: [redacted] (Appendix B3.2)

(S//SI//REL) [redacted] stated that in [redacted] assessment of this file, [redacted]

[redacted]

and so he was deferring to [redacted] assessment and believed that [redacted] activity in this file "doesn't look good."⁵⁴

⁵⁴ [redacted]

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

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

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

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

(U//FOUO) File: [redacted] (Appendix B3.9)

(S//SI//REL) [redacted]

(U//FOUO) File: [redacted] (Appendix B3.6)

(U//FOUO) Although [redacted] did not fully understand the data in this file, he agreed with [redacted] assessment that [redacted]

(U//FOUO) File: [redacted] (Appendix B3.5)

(S//SI//REL) [redacted]

[redacted] agreed with [redacted] assessment of this file: [redacted]

(U//FOUO) Files: [redacted] Appendix B3.4 [redacted]

(S//SI//REL) [redacted]

[redacted] agreed with [redacted] written assessment of these files. [redacted] written assessment stated: [redacted]

(U//FOUO) Office of the General Counsel (OGC)

(U//FOUO) On 18 June 2013, the OIG received a telephone call from [redacted] GG15, Senior Operations Counsel, OGC. He said that the Source had contacted him with concerns about [redacted] and he did not fully understand what [redacted] was allegedly doing. He was considering scheduling a meeting with the Source and [redacted] to obtain additional information and was seeking additional information from the OIG about the allegations. The OIG responded to [redacted] by email on the same day and informed him of the allegations.⁵⁵

(U//FOUO) On 28 June 2013, the OIG met with [redacted] and [redacted] Technical Director, to discuss [redacted] conduct and obtain [redacted] legal opinion about whether [redacted] was breaking any law or regulation.⁵⁶

⁵⁵ (U) See Appendix 11 for email. Appendix 12 includes emails that were exchanged between [redacted] and [redacted].
⁵⁶ (U//FOUO) This meeting is documented in the OIG's MFR dated 28 June 2013.

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

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L., 86-36
(b) (6)

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L., 86-36

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

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

(TS//SI//NF) [redacted] wrote the following example on a white board for discussion purposes:

[redacted]

(TS//SI//NF) [redacted]
[redacted]

(TS//SI//NF) [redacted]
[redacted]

(TS//SI//NF) [redacted]
[redacted]

(S//SI//REL) In an email dated 2 July 2013 from [redacted] to the OIG, [redacted], [redacted] the Source, [redacted] and [redacted] summarized a meeting all the email recipients had attended on 1 July 2013.

- [redacted] is responsible for reviewing [redacted] targeting, and [redacted] is satisfied that it is permissible and that the Source's concerns are unfounded.

⁵⁷ (U) USSID SP0018 defines "communicant" as a sender or intended recipient of a communication.
⁵⁸ (TS//SI//NF) See Appendix I3 for email. Other points from the meeting documented in the OIG's MFR include [redacted]

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

(b) (1)
(b) (3) -10 USC 798
(b) (3) -50 USC 3024 (1)
(b) (3) -P.L. 86-36
(b) (5)
(b) (6)

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

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

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

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

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• [redacted]
and [redacted] approval of them. Typically, Oversight and Compliance would do this, but, since the OIG is involved, [redacted] was not sure how the matter would be addressed.

[redacted]

[redacted]

(U//FOUO) The OIG met with [redacted] ID, and [redacted] OGC, on 20 August 2013.³⁹

• (S//SI//REL) [redacted]

• (TS//SI//NF) [redacted]

• (U//FOUO) [redacted] was concerned that [redacted] seemed to be making changes in the [redacted] with no oversight.

• (S//SI//REL) [redacted] said that EO 12333 would be violated [redacted]

• (S//SI//REL) [redacted] said that the Foreign Intelligence Surveillance Act (FISA) would be violated [redacted]

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

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

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

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

³⁹ (U//FOUO) This meeting is documented in the OIG's MFR dated 20 August 2013.

~~TOP SECRET//SI//NOFORN~~

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

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- (TS//SI//NF) [redacted]
- (TS//SI//NF) [redacted]

(b) (1)
 (b) (1) - 18 USC 798
 (b) (1) - 50 USC 3024(i)
 (b) (1) - F.I., 86-36
 (b) (1)

(U//FOUO) [redacted] an OIG attorney who provided counsel to [redacted] alleged improper use of the SIGINT system, provided an email to [redacted] that, in summary, states [redacted]

(b) (1) - F.I., 86-36
 (b) (1)

(U//FOUO) SID Oversight and Compliance (SV)⁶¹

(U//FOUO) On 14 November 2013, the OIG met with the Source and [redacted] to discuss some of the Source's concerns about [redacted] use of the SIGINT system.⁶²

(TS//SI//NF) [redacted] said that, if the possibility existed to collect on a USP, the incident should have been reported. [redacted]

(b) (3) - F.I., 86-36

(b) (1)
 (b) (1) - 18 USC 798
 (b) (1) - 50 USC 3024(i)
 (b) (1) - F.I., 86-36
 (b) (6)

(TS//SI//NF) [redacted]

(b) (3) - F.I., 86-36
 (b) (6)

(U//FOUO) On 13 August 2015, during a meeting with the OIG [redacted] said that SV did not provide a super-audit of [redacted] queries to the OIG because the only data that [redacted] could audit applied to [redacted]. The system [redacted]

⁶¹ (U//FOUO) See Appendix L.11 for the email.
⁶² (U) See Appendix K for documentary evidence pertaining to or SV provided to the OIG.
⁶³ (U//FOUO) This meeting is documented in the OIG's MFR dated 14 November 2013.

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[redacted] Thus, SV was unable to determine whether [redacted] had caused an intelligence oversight incident because SV was [redacted] acknowledged that SV's support to the OIG regarding this investigation was disjointed because a number of people were involved. When [redacted] first became involved, the Source was not able to articulate the allegation properly and OGC [redacted]

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

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

(b) (1)
(b) (3) - P.L. 86-36

(S//REL) [redacted] asserted that [redacted]
[redacted]

(S//REL) Upon review of some of the file labeled [redacted] suggested that OGC determine whether the matter should be reported to DOJ because, even though the data had been collected under E.O. 12333, because of [redacted] it may be of interest to DOJ. [redacted] stated that, if [redacted] [redacted] reported as an IO incident.

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

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

(U//FOUO) [redacted] quickly reviewed [redacted] recent queries and said that he noticed [redacted]

(U//FOUO) Information Obtained from SIGINT System Program Managers

(U//FOUO) In a 28 June 2013 email, [redacted] Program Manager told the OIG [redacted]

[redacted]

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

(TS//SI//NF) In a 17 September 2013 email to the OIG, [redacted]

[redacted]

⁴⁰ (U//FOUO) The OIG included in the Management Advisory at Appendix B the fact that SV [redacted] queries [redacted] provided this information in an email to the OIG dated 13 August 2015, which is at Appendix K8.

⁴¹ (S//REL) See Appendix J1 for 28 June 2013 email. According to [redacted]
[redacted]

⁴² (U) See Appendix J3 for email.

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

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(TS//SI//NF) [redacted] Technical Director, gave the OIG [redacted] records from
[redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (i)
(b) (3) - P.L. 86-36
(b) (6)

[redacted]
[redacted]

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(U) Analysis and Conclusions

(U) DoD 5240.1-R implements DoD Directive 5240.01 and EO 12333, Section 2.3. This regulation contains the Attorney General-approved procedures for all DoD IC components and has a classified annex that governs SIGINT activities.⁶⁷ The Classified Annex to DoD 5240.1-R states that communications of or concerning USPs may be intercepted intentionally or selected deliberately only under certain specific circumstances. The Classified Annex requires the Director of NSA (DIRNSA), or his designee, to issue directives and instructions implementing the procedures found in the Classified Annex. USSID SP0018 is the Agency directive that implements the classified annex.⁶⁸

(U//FOUO) NSA/CSS Policy 1-23, paragraph 1, states that NSA/CSS shall collect, process, retain, and disseminate information about USPs only as prescribed in DoD Directive 5240.1, DoD 5240.1-R and its Classified Annex, and the Foreign Intelligence Surveillance Act (FISA). Paragraph 3 states that the SIGINT mission of the NSA/CSS is to collect, process, analyze, produce, and disseminate SIGINT information and data for foreign intelligence and counterintelligence purposes to support national and departmental missions. Paragraph 3 also states that NSA/CSS shall intentionally collect only foreign communications and shall not intentionally collect U.S. person communications without proper legal authorization.

(U//FOUO) USSID SP0018 § 3.1 also states that it is the policy of the U.S. SIGINT System (USSS) to target or collect only foreign communications and the USSS will not intentionally collect communications of or about USPs or persons or entities in the United States, except as set forth in USSID SP0018.⁶⁹

(S//SI//REL) USSID SP0018 § 4.1 states that communications known to be to, from, or about a USP, [redacted] will not be intentionally intercepted, or selected through the use of a selection term, except in certain specified instances with the approval of the Foreign Intelligence Surveillance Court (FISC), the Attorney General, or DIRNSA. USSID SP0018 § 4.1(c)(5) also states that voice and facsimile communications with one communicant in the United States may be targeted for collection only with the prior approval

(b) (1)
(b) (1) - 28 USC 793
(b) (1) - 50 USC 3024 (1)
(b) (1) - P.L. 86-36

⁶⁷ (U) DoD 5240.1-R and its Classified Annex were approved by the Attorney General prior to the creation of the Director of National Intelligence and the requirement for consultation with the Director of National Intelligence.

⁶⁸ (U//FOUO) USSID SP0018 incorporates the requirements of all the higher level authorities listed above; so compliance with USSID SP0018 generally ensures compliance with those higher level authorities. A violation of USSID SP0018, however, does not necessarily result in a violation of a higher level authority. In cases of noncompliance with USSID SP0018, the misconduct must also be examined against the requirements of the higher level authorities to determine whether additional violations have occurred.

⁶⁹ (U) In accordance with USSID SP0018, section 9.18.e., a person known to be currently in the United States will be treated as a USP unless that person is reasonably identified as a non-USP or circumstances give rise to a reasonable belief that such person is not a USP. A person known to be outside the United States, or whose location is not known, will not be treated as a USP unless such person is reasonably identified as such or circumstances give rise to a reasonable belief that such person is a USP.

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of DIRNSA (when the approval of the Attorney General or the FISC is not required⁷⁰) if technical devices (e.g. [redacted] are employed that limit . . . acquisition by the NSA to communications when the target is a non-USP outside the United States [redacted].⁷¹

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

(S//SI) USSID DA3511 states that the [redacted]

[redacted]

(S//SI//REL) Accordingly, SIGINT collection is permissible only if it is reasonably designed not to intentionally target communications of or about USPs, or persons in the United States, unless targeting a specific USP or person in the United States pursuant to the prior approval of the FISC, Attorney General, or DIRNSA.

(S//SI//REL) [redacted] activities violated these restrictions. Not only were his activities not reasonably designed not to intentionally target communications of or about USPs, his activities did in fact target and collect such communications.

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

(S//SI//REL) [redacted] told the OIG that he started his own [redacted] project in 2012.⁷²

[redacted]

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

⁷⁰ (U) FISA requires FISC authorization for the acquisition of the contents of wire communications to or from a person in the United States, without consent, if such acquisition occurs in the United States. 50 U.S.C. 1801(f)(2).

⁷¹ (S//SI//REL) The Classified Annex has similar provisions in § 4.A.1. Thus, a violation of § 4 of USSID SP0018 would also result in a violation of the Classified Annex, DoD 5240.1-R, DoDD 5240.01, NSA/CSS Policy 1-23, and EO 12333.

⁷² (S//SI//REL) In 2012, [redacted] worked in [redacted]. According to [redacted] second-level supervisor at the time he began to work on his project, he told [redacted] to stop the work because he was not allowed to [redacted].

[redacted] told the OIG that [redacted] never gave him a "straight" answer about working on his project and, therefore, [redacted] decided he would work on it until someone told him he should stop. [redacted] told the OIG that [redacted] was aware of [redacted] project, unless [redacted] had mentioned it to him, and if he did, [redacted] provided no guidance to [redacted].

In March 2013, [redacted] approved its own procedures that described [redacted] work (SPF signed by [redacted] at Appendix H3). As discussed above, the March 2013 procedures were revised significantly in May 2014 to include several restrictions after OIG review (Appendix L11).

[redacted]

[redacted]

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

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

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

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

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[Redacted]

(S//SI//REL) [Redacted]

[Redacted] Well-established procedures exist to request and document exceptions to these safeguards when validated foreign intelligence needs necessitate the targeting and collection of U.S. selectors.

(TS//SI//REL) [Redacted]

[Redacted]

(S//SI//REL) [Redacted] resulting in [Redacted] reasonably likely to result in the interception of communications to or from a U/SP [Redacted]

- (S//SI//REL) [Redacted]

- (TS//SI//NF) [Redacted]

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

[Redacted]

(TS//REL) A sample of [Redacted] The list is at Appendix J10.

(S//REL) See Appendix B3 and B3.1, B3.2, B3.3 for data regarding [Redacted]

(S//SI//REL) OIG findings regarding the examples were based on the assessments of data files performed by the technical experts with whom the OIG consulted. A summary of their assessments for all of the data files they reviewed, including the examples listed at this section, are at Appendix B3. Their complete assessments are at Appendices D and E.

(S//SI//REL) The data file reviewed by the technical experts regarding this example [Redacted] which is at Appendix B3.7.

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

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

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[Redacted]

(TS//SI//NF) [Redacted]

(b) (1)
(b) (3) - 1, 8 USC 798
(b) (3) - 59 USC 3024 (1)
(b) (3) - 2, 1, 86-36
(b) (6)

(b) (1)
(b) (3) - 1, 8 USC 798
(b) (3) - 59 USC 3024 (1)
(b) (3) - 2, 1, 86-36

(TS//SI//NF) Although [Redacted] told the OIG that he was completely sure that he had [Redacted] the evidence shows that he did. He told the OIG in an email that he was going to [Redacted]

[Redacted]

Further, during his testimony [Redacted]

(TS//SI//NF) [Redacted]

[Redacted]

(b) (3) - 2, 1, 86-36
(b) (6)

(TS//SI//NF) The data files reviewed by the technical experts regarding this example are entitled [Redacted] which are at Appendix B3.7, and B3.8.

(TS//SI//NF) The data file reviewed by the technical experts regarding this example is entitled [Redacted] which is at Appendix B3.6. Non-foreign communications shall be promptly destroyed unless the Attorney General or the DIRNSA waives the destruction requirement. Non-foreign communications are either communications solely between persons in the United States or solely between USPs. In the first case, only the Attorney General may waive the destruction requirement; in the second case, the DIRNSA may waive the destruction requirement, under certain conditions documented in USSID SPOQ18.

(TS//SI//NF) [Redacted]

(b) (1)
(b) (3) - 1, 8 USC 798
(b) (3) - 59 USC 3024 (1)
(b) (3) - 2, 1, 86-36

(b) (1)
(b) (3) - 1, 8 USC 798
(b) (3) - 59 USC 3024 (1)
(b) (3) - 2, 1, 86-36
(b) (6)

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[Redacted]

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

(TS//SI//NF) [Redacted] contends that his activity was compliant [Redacted]. We disagree. [Redacted] did not obtain approval from the Foreign Intelligence Surveillance Court, the Attorney General of the United States, the NSA Director, or the Signals Intelligence Director, before [Redacted]

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

[Redacted] targeting and collection of USPs without proper authority and without following established procedures violated USSID SP0018 §§3.1 & 4.1 and USSID DA 3511, which in turn resulted in a violation of NSA/CSS Policy 1-23 § 4, and DoD 5240.1-R, classified annex.

(S//SI//REL) Furthermore, because [Redacted] did not report and cease the non-compliant activity combined with the above described activities, he violated USSID SP0019 §3.6 which states:

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

...every individual must comply with applicable laws, statutes, directive, and regulations by: reporting any non-compliant activity to management, an IOO, SV, and OIG; taking measures to reduce the risk of non-compliant activity and to prevent future non-compliant activity; and exercising due diligence to remain compliant, i.e., make every reasonable attempt to adhere to the rules and standards.

(U//FOUO) Section 4.8 of USSID SP0019 defines reportable activity as any conduct that may be non-compliant with an Executive Order, Presidential Directive, or DoD policy or regulation. Section 4.10 states that, when non-compliant activities are detected, the activity that caused the non-compliant situation must be stopped immediately and the situation closely monitored to verify that the problem has been resolved.

(U//FOUO) Collection [Redacted]

(S//SI//NF) Signals Intelligence Directorate [Redacted]

[Redacted]

¹ (TS//SI//NF) See Appendices C1, C8, F3, and F11 for related emails.

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[Redacted]

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

(S//SI//REL) [Redacted]

(U//FOUO) Foreign Intelligence Purpose

(S//SI//REL) Many witnesses questioned whether [Redacted] for his activities.⁸⁴ Some witnesses, including OGC personnel, were willing to accept that [Redacted] however, they were unsure [Redacted] because they had difficulty understanding his complex and technical work. Other witnesses, including subject matter experts, agreed that [Redacted]

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

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

[Redacted]

(b) (3) - P.L. 86-36
(b) (5)
(b) (6)

(U//FOUO) The OIG concludes that determining whether [Redacted] had a valid foreign intelligence purpose for each of his activities is unnecessary because, even assuming that he did, he failed to comply with the authorities and procedural safeguards governing SIGINT activities that target and collect USP [Redacted] communications.

(S//SI//REL) [Redacted] said that, when the [Redacted] was transferred to [Redacted] it took with it the authority for [Redacted] [Redacted] was unsure where the authority for [Redacted] mission was documented but believed that it may have been USSID#000.

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

⁸⁴ (S//SI//REL) [Redacted]

⁸⁴ (S//SI//REL) The data file reviewed by the technical experts regarding this example, [Redacted] which is at Appendix B3.7.

⁸⁵ (U//FOUO) EO 12333, § 1.7(e) states that NSA shall conduct its SIGINT activities "for foreign intelligence and counterintelligence purposes to support national and departmental missions."

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"Signals Intelligence Development."⁸⁵ However, it is unclear whether [redacted] activities were SIGDEV as defined and described in USSID SD4000. Assuming his activities were SIGDEV, [redacted] (and [redacted]) failed to comply with USSID SD4000 (and Annex F) because, for example:

- USSID SD4000 says that [redacted] governs SIGDEV activities, but [redacted] initiated his project on his own with no coordination with [redacted] (or anyone else);⁸⁶
- USSID SD4000 requires that all SIGDEV activities comply with EO 12333, USSID SP0018, etc.; however, as discussed above, [redacted] activities did not comply with those authorities; and
- USSID SD4000 requires auditing of queries; however, SV is unable to audit [redacted] queries because the system [redacted] that [redacted]

(U//FOUO) [redacted] actions should be considered in context of the conflicting guidance he was given.⁸⁷ Although [redacted] was told by different supervisors, oversight officials, and attorneys that his activities were acceptable, he was also told by others to stop immediately. Many officials involved in trying to determine what [redacted] was doing and whether he had violated policies or regulations relied on [redacted] explanations or on other officials involved in the matter because they did not fully understand the technical details of [redacted] project. More detailed information regarding the actions or non-actions of individuals with regard to [redacted] activities will be forwarded to appropriate Agency officials in a separate report.⁸⁸

(S//REL) The OIG found that, even if [redacted] was truly unaware that he had tasked and collected BSP [redacted] and whether or not his management or officials responsible for intelligence oversight directed [redacted] to stop his project due to non-compliant activity, [redacted] acted with reckless disregard of the regulations, policies, and procedures that govern the use of the SIGINT system when he started his project and continued to work on it.

(TS//SI//REL) [redacted] is an experienced analyst who has worked [redacted] years. He touts himself as [redacted]. [redacted] acknowledged to the OIG that he had been proceeding with his project in a "kind of [by the] seat of the pants" mode and that his project was "kind of dangerous . . . and is unknown territory . . . at the very least." He said that he had not trained anyone else on the techniques of his project because he did not want anyone to end up in trouble, if it was determined that the project was not appropriate. [redacted] acknowledged that he needed guidance on the limitations for his

⁸⁵ (U//FOUO) USSID4000 was superseded by SID Implementing Directive, Annex F, *Governance of the Signals Intelligence Mission*, 25 February 2013.

⁸⁶ (TS//SI//REL) See Appendix H3 for [redacted] dated 6 May 2009, which formalized an agreement between [redacted] [redacted] started his project in 2012, after the mission had been transferred to [redacted]

⁸⁷ (U//FOUO) The new [redacted]

⁸⁸ (U//FOUO) See Appendix B2 for the memorandum to the SIGINT Director regarding management accountability.

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taskings. He also told the OIG that his project may not be worth documenting except "as a bad choice of judgment."

(TS//SI//REL) Based on his technical knowledge, experience, and self-awareness that his project was, at minimum, questionable, [redacted] was careless and exercised poor judgment when he started his project without having his project officially and completely vetted through his management chain and the Agency offices responsible for oversight of such activities, such as SV and OGC.

(TS//SI//REL) [redacted] said that he knew that no one was [redacted]
[redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36
(b) (1)

(TS//SI//REL) Although [redacted] contends that his activity was compliant and he did not task U.S. selectors or collect USP [redacted] the OIG found that [redacted] had tasked and collected on USP [redacted] [redacted] an analyst with extensive experience in [redacted] and trained on the use of and rules pertaining to the SIGINT system, knew or should have known that his taskings, at the very least, were likely to result in the interception of communications to or from USPs [redacted] without the requisite prior approvals.

(TS//SI//REL) CONCLUSION: Substantiated. [redacted]
[redacted]

[redacted] His activities resulted in, or were at least reasonably likely to result in, the unauthorized collection of communications to or from USPs or persons in the United States, or both. The preponderance of the evidence supports the conclusion that, by doing so, and failing to report the non-compliant activity, [redacted] violated the classified annex of DoD Regulation 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons* and its classified annex, NSA/CSS Policy I-23, *United States Signals Intelligence Directive* (USSID) SP0018, *Legal Compliance and U.S. Minimization Procedures*, and USSID SP0019, *NSA/CSS Signals Intelligence Directorate - Oversight and Compliance Policy*.

(TS//SI//REL) In addition, [redacted] also violated USSID DA3511, *Data Acquisition Directorate and Data Flow Management*, when he [redacted]
[redacted]

(b) (3) - P.L. 86-36
(b) (1)

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36
(b) (1)

⁸⁷ (U//FOUO) The overarching authorities [redacted] violated are Executive Order (EO) 12333, *United States Intelligence Activities*, and Department of Defense (DoD) Directive 5240.01, *DoD Intelligence Activities*.

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(TS//SI//REL) Finally, the preponderance of the evidence supports the conclusion that [redacted] violated [redacted] and USSID SP0019 when he [redacted] effected collection that resulted or was at least reasonably likely to result in the unauthorized collection of communications to or from [redacted] and did not report the non-compliant activity.⁹⁰

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

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

(U) [redacted]

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

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IV. (U) RESPONSE TO TENTATIVE CONCLUSION

(U//FOUO) The OIG provided a copy of the tentative conclusion to [redacted] on 18 December 2015. [redacted] provided his response to the OIG in three emails dated 18 December 2015 and one email dated 21 December 2015.⁹⁹

V. (U) CONCLUSION

(U//FOUO) [redacted] response provided no new or substantive information relative to the conclusion or requiring additional investigation; therefore, the conclusion remains unchanged.

(b) (1) - F.L. 84-36
(b) (6)

⁹⁹ (U) See Appendix N for a copy of [redacted] responses to the OIG's tentative conclusion.

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VI. (U) DISTRIBUTION OF REPORT

(U//FOUO) OIG Investigations (D14) will refer this matter to OIG Intelligence Oversight (D11), with a recommendation that D11 notify the NSA SIGINT Director of practices discovered during the investigation that may require his attention. Some practices appear to increase the risk of unauthorized collection and mishandling of USP [redacted] information and have the potential for misuse of the SIGINT system.⁹²

(U//FOUO) A copy of this report will be provided to Employee Relations. A summary of our findings will be referred to the Associate Directorate for Security and Counterintelligence, Special Actions (Q242), and [redacted] supervisor.

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

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

[redacted]

Senior Investigator

[redacted]

Assistant Inspector General
for
Investigations

⁹² (U//FOUO) See Appendix B1 for the memorandum to the SIGINT Director regarding compliance concerns.

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APPENDICES

(U//FOUO) The following appendices are included as attachments to this ROI.

- o Appendix A
 - A1: Table of Authorities
 - A2: Table of Abbreviations and Acronyms
 - A3: Definitions
- o Appendix B
 - B1: Memorandum for the SIGINT Director - Intelligence Oversight of [redacted] Activities
 - B2: (not used)
 - B3: Summary Chart of Allegations, Data File References, and Technical Experts' Assessments of Data
- o Appendix N: [redacted] response to the OIG's tentative conclusion.

(U//FOUO) The following appendices are on file in the OIG and are available upon request.

- o Appendices B3.1 through B3.15 : Data files referenced in Appendix B3
- o Appendix C: Documentary evidence covering events prior to the filing of the OIG complaint.
- o Appendix D: Assessment of technical expert #1
- o Appendix E: Assessment of technical expert #2
- o Appendix F: Emails and other documentary evidence from the Source regarding the allegations
- o Appendix G: Documentary evidence provided by or pertaining to [redacted]
- o Appendix H: Documentary evidence provided by or pertaining to [redacted] Chief [redacted]
- o Appendix I: Documentary evidence provided by or pertaining to the OGC
- o Appendix J: Documentary evidence provided by various [redacted] Program Managers
- o Appendix K: Documentary evidence provided by or pertaining to SID Oversight and Compliance (SV)
- o Appendix L: Documentary evidence provided by or pertaining to [redacted] Management (other than [redacted])
- o Appendix M: OIG Memoranda For The Record

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

(b) (3) - P.L., 86-36
(U//FOUO)

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APPENDIX A.1

Table of Authorities

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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20390901

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APPENDIX A.1

(U) Applicable Authorities

- **(U) Executive Order 12333, United States Intelligence Activities (As amended by Executive Orders 13284 (2003) 13355 (2004) and 13470 (2008))**
 - (U) Part 2.3 Collection of information. Elements of the Intelligence Community are authorized to collect, retain, or disseminate information concerning United States persons only in accordance with procedures established by the head of the Intelligence Community element concerned or by the head of a department containing such element and approved by the Attorney General, consistent with the authorities provided by Part 1 of this Order, after consultation with the Director. Those procedures shall permit collection, retention, and dissemination of the following types of information:
 - (b) Information constituting foreign intelligence or counterintelligence, including such information concerning corporations or other commercial organizations. Collection within the United States of foreign intelligence not otherwise obtainable shall be undertaken by the Federal Bureau of Investigation (FBI) or, when significant foreign intelligence is sought, by other authorized elements of the Intelligence Community, provided that no foreign intelligence collection by such elements may be undertaken for the purpose of acquiring information concerning the domestic activities of United States persons;...
- **(U) Department of Defense Directive Number 5240.01, DoD Intelligence Activities, dated 27 August 2007**
 - (U) POLICY. It is DoD policy that:
 - 4.1. All DoD intelligence and CI activities shall be carried out pursuant to the authorities and restrictions of the U.S. Constitution, applicable law, E.O. 12333...and other relevant DoD policies... Special emphasis shall be given to the protection of the constitutional rights and privacy of U.S. persons.
- **(U) Department of Defense Regulation 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, dated December 1982.**
 - (U) C5. CHAPTER 5
 - (U) PROCEDURE 5. ELLECTRONIC SURVEILLANCE
 - (U) C5.3 PART 3: SIGNALS INTELLIGENCE ACTIVITIES
 - (U) C5.3.1. Applicability and Scope
 - (U) C5.3.1.1. This procedure governs the conduct by the United States Signals Intelligence System of signals intelligence activities that involve the collection, retention, and dissemination of foreign communications and military tactical communications. Such activities may incidentally involve the collection of information concerning United States persons without their consent, or may involve communications originated or intended for receipt in the United States, without the consent of a party thereto.

~~SECRET//SI//NOFORN~~

~~SECRET//SI//NOFORN~~

(U) C5.3.1.2. This part of Procedure 5 shall be supplemented by a classified Annex promulgated by the Director, National Security Agency/Chief, Central Security Service, which shall also be approved by the Attorney General. That regulation shall provide that signals intelligence activities that constitute electronic surveillance, as defined in Parts 1, and 2 of this procedure, will be authorized in accordance with those parts. Any information collected incidentally about United States persons shall be subjected to minimization procedures approved by the Attorney General.

(U) C5.3.3. Procedures.

(U) C5.3.3.1. Foreign Communications. The United States Signals Intelligence System may collect, process, retain, and disseminate foreign communications that are also communications of or concerning United States persons, but only in accordance with the classified annex to this procedure.

Classified Annex E to Department of Defense Procedures Under Executive Order 12333 [Annex to DoD 5240.1-R]

(U) Sec. 3: Policy

(U) The Director, National Security Agency, is assigned responsibility for signals intelligence collection and processing activities and communications security activities. In order to assure that these activities are conducted in accordance with the provisions of Executive Order 12333, the Director, or his designee, will issue appropriate directives and instructions implementing these procedures and governing the conduct of the United States Signals Intelligence System and the activities of communication security entities.

~~(C)~~ It is the policy of the United States Signals Intelligence System to collect, retain, and disseminate only foreign communications and military tactical communications. It is recognized, however, that the United States Signals Intelligence System may incidentally intercept non-foreign communications, including those of or concerning United States persons, in the course of authorized collection of foreign communications. The United States Signals Intelligence System makes every reasonable effort, through surveys and technical means, to reduce to the maximum extent possible the number of such incidental intercepts acquired in the conduct of its operations.

...Specific communications sent from or intended for receipt by United States persons are not intercepted deliberately by the United States Signals Intelligence System unless specific authorization for such interception has been obtained in accordance with these procedures.

(U) Sec. 4: Procedures

(U) A.1. Collection.

(a) ~~(S//SI)~~ Communications of or concerning a United States person may be intercepted intentionally or selected deliberately through use of a selection term or otherwise only:

(1) with the consent of such United States person...; or

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~~SECRET//SI//NOFORN~~

- (2) with specific prior court order pursuant to the Foreign Intelligence Surveillance Act of 1978 where applicable...; or
- (3) with the specific prior approval of the Director, National Security Agency ...; or
- (4) with specific prior approval by the Attorney General...

- **(U) United States Signals Intelligence Directive USSID SP0018, Legal Compliance and U.S. Persons Minimization Procedures, dated 25 January 2011**

- Section 3 – (U) Policy

- 3.1 (U) The policy of the USSS is to target or collect only foreign communications. The USSS will not intentionally collect communications to, from or about U.S. persons or persons or entities in the U.S. except as set forth in this USSID. If the USSS inadvertently collects such communications, it will process, retain and disseminate them only in accordance with this USSID.

(b) (1)
 (b) (3) - 18 USC 798
 (b) (3) - 50 USC 3924 (1)
 (b) (3) - P.L. 86-36

- Section 4 – (U) Collection

- 4.1 (S//SI//REL) Communications which are known to be to, from, or about a U.S. person will not be intentionally intercepted, or selected through the use of a selection term, except in the following instances:...

- 4.1.a. (U//FOUO) With the approval of the United States Foreign Intelligence Surveillance Court either under the conditions outlined in Annex A of this USSID or as permitted by other FISA authorities.

- 4.1.b. (U) With the approval of the Attorney General of the United States, if...

- 4.1.c. (U//FOUO) With the approval of the Director, National Security Agency/Chief, Central Security Service (DIRNSA/CHSS), so long as the collection need not be approved by the Foreign Intelligence Surveillance Court or the Attorney General...

- **(U) United States Signals Intelligence Directive USSID SP0019, NSA/CSS Signals Intelligence Directorate – Oversight and Compliance Policy, dated 13 November 2012, Revised 7 May 2013**

- Section 3 – (U) Responsibilities

- (U) Individuals and Managers

- 3.6. (U) Every individual must comply with applicable laws, statutes, directive, and regulations by:

- (U//FOUO) Reporting any non-compliant activity to management, an IOO, SV, and OIG;
 - (U) Taking measures to reduce the risk of non-compliant activity and to prevent future non-compliant activity; and
 - (U) Exercising due diligence to remain compliant, i.e., make every reasonable attempt to adhere to the rules and standards.

- Section 4 – (U) Policy and Procedures

- 4.5 (U//FOUO) ...All personnel engaged in activities that include access to SIGINT or visibility of raw SIGINT data must successfully complete OVSCI 100,

~~SECRET//SI//NOFORN~~

~~SECRET//SI//NOFORN~~

"Overview of Signals Intelligence Authorities;" and either OVSC1800, "Legal Compliance and Minimization Procedures" or OVSC1806 ...

4.8 (U//~~FOUO~~) What is reportable activity? ...Non-compliant activity includes, but is not limited to:

(U) Mishandling of U.S. persons information;

(U//~~FOUO~~) Queries against raw SIGINT data which are inadvertently, intentionally, or carelessly likely to target/retrieve United States or Second Party communications;...

4.10 (U) When non-compliant activities are detected, the following actions must be taken:

(U//~~FOUO~~) The activity/action that caused the non-compliant situation must be stopped immediately and the situation closely monitored to verify that the problem has been resolved. Specific corrective actions depend on the situation, but may include de-tasking of selectors, stopping database queries, cancelling reports, etc. ...

- (U) NSA/CSS Policy 1-23, Procedures Government NSA/CSS Activities That Affect U.S. Persons, dated 11 March 2004, Revised 30 July 2013

(U) POLICY.

1. (U) NSA/CSS shall collect, process, retain, and disseminate information about U.S. persons only as prescribed in DoD Directive 5240.1, DoD Regulation 5240.1-R, orders issued by the Foreign Intelligence Surveillance Court..., and the Classified Annex to DoD Procedures under Executive Order 12333 (hereafter referred to as the Classified Annex...)

2. (U) NSA/CSS shall follow compliance standards to protect the privacy rights of U.S. persons during the conduct of NSA/CSS missions.

(U) PROCEDURES

3. (U) Signals Intelligence. The signals intelligence (SIGINT) mission of the NSA/CSS is to collect, process, analyze, produce, and disseminate SIGINT information and data for foreign intelligence and counterintelligence purposes to support national and departmental missions. NSA/CSS shall intentionally collect only foreign communications. NSA/CSS shall not intentionally collect U.S. person communications without proper legal authorization. The Director, NSA/Chief, CSS (DIRNSA/CHCSS) may authorize exceptions only pursuant to the procedures contained in DoD Regulation 5240.1-R (Reference e) and the Classified Annex thereto (Reference f).

- (U) NSA/CSS PMM, Chapter 366: Personal Conduct

Section 1-2 Responsibilities

B. If an employee violates any of these standards, management officials are responsible for initiating the appropriate action.

J. Avoid the appearance of violating the law or these standards.

Section 1-3 General Principles for On-The-Job Conduct

Generally, every employee is expected to:

E. Give thorough, efficient, and industrious service in the performance of assigned duties including...exercising courtesy and respect in dealings with fellow

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~~SECRET//SI//NOFORN~~

workers and the public; and exercising reasonable care in carrying out one's assigned duties;...

Section 5 Reporting Suspected Violations

Executive Order 12333, "United States Intelligence Activities," imposes responsibilities and restrictions on all employees of the intelligence community concerning their role in the conduct of intelligence activities. All violations of the provisions of Executive Order 12333 will be reported to the OIG.

- (U//FOUO) United States Signals Intelligence Directive USSID DA3511, Data Acquisition Directorate Targeting and Data Flow Management, dated 28 November 2006

Section 1 - (U) Purpose

1.2 (U//FOUO)

[Redacted]

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

Section 2 - (U) Policy

(U) Selector Management.

2.2 (S//NF)

[Redacted]

(b) (3)
(b) (3) - 13 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

- (U//FOUO) Signals Intelligence Directorate [Redacted]

[Redacted]

(S//NF) General Guidelines for Targeting [Redacted]

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

~~SECRET//SI//NOFORN~~

~~SECRET//SI//NOFORN~~

(U) Targeting.

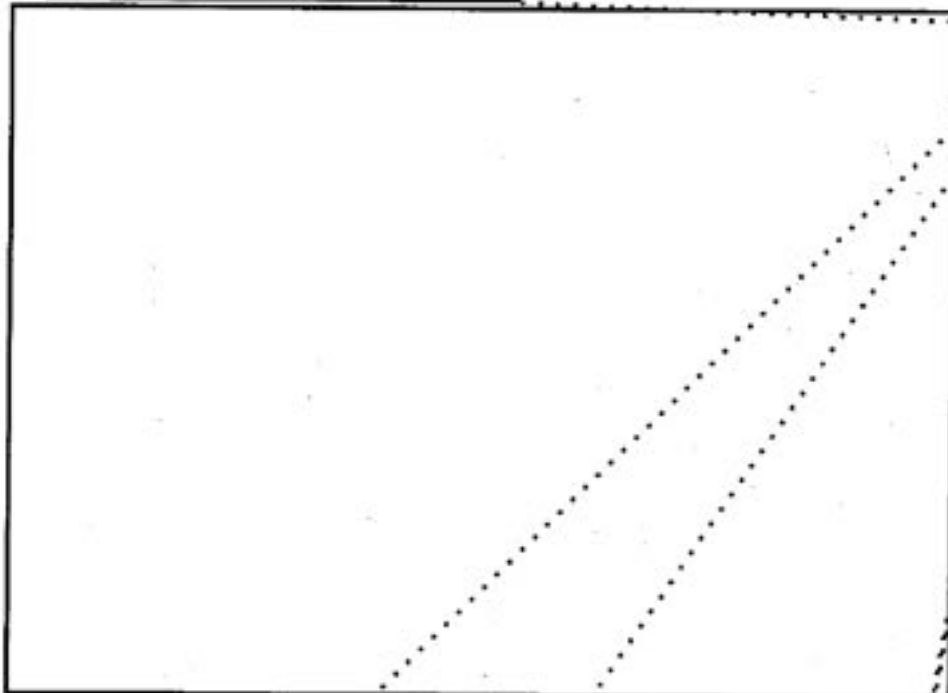
2. (S//SI//NF) "Targeting" applies to [redacted]

[redacted]

(U) Standard Guidelines.

3. (S//NF) The following charts depict the standard guidelines governing the targeting [redacted]

[redacted]



(b) (1)
(b) (1) - 50 USC 3024 (a)
(b) (1) - 2.2. RF-38

(U) Targeting [redacted]

(U) [redacted]

5. (S//SI//NF) [redacted]

[redacted]

(U) Incident Reporting [redacted]

33. (S//NF) [redacted]

[redacted]

~~SECRET//SI//NOFORN~~

~~SECRET//SI//NOFORN~~

[Redacted]

34. (U) The following conditions require submitting an incident report:

(S//NF) [Redacted]

[Redacted]

35. (S//NF)

[Redacted]

36. (S//NF)

[Redacted]

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

(U) SID Implementing Directive, Annex F, Governance of the Signals Intelligence Development Mission, dated 25 February 2013¹

1.1 (U//FOUO) The Associate Deputy Directorate for SIGINT [Redacted] is responsible for developing requirements for, and providing governance of discovery activities in all elements performing SIGDEV functions across the USSS.

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

¹ (U//FOUO) Annex F superseded USSID4000

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APPENDIX A.2

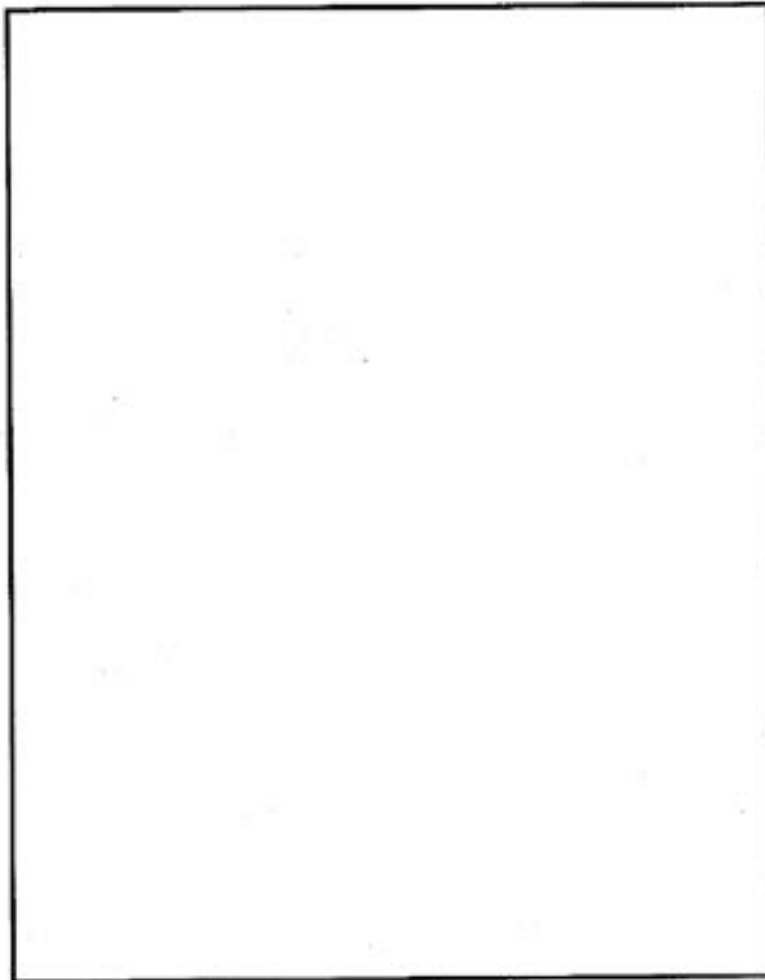
Abbreviations and Acronyms

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Appendix A.2

Table of Abbreviations and Acronyms

% is a wildcard for an undefined character length.



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

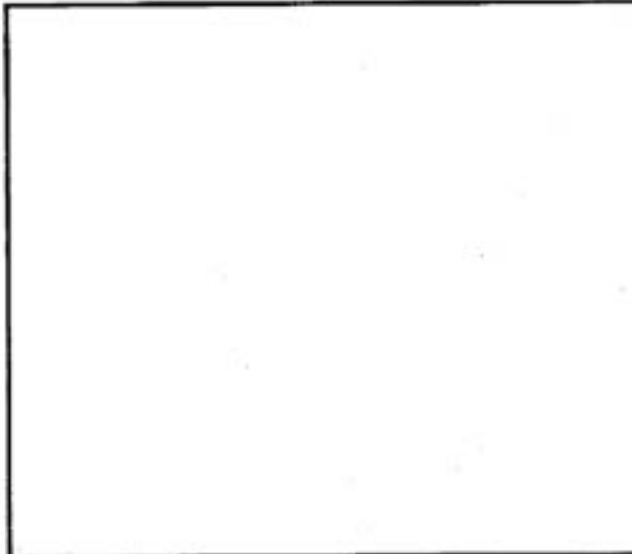
F

FIP - Foreign intelligence purpose

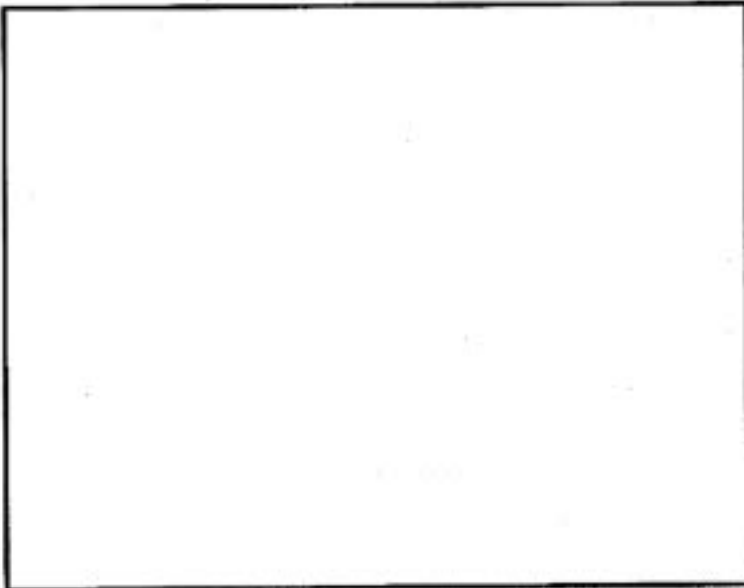
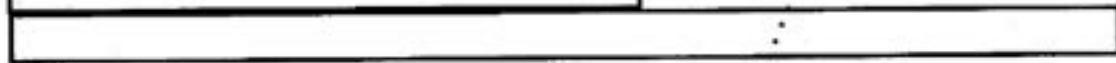
~~TOP SECRET//SI//NOFORN~~

G

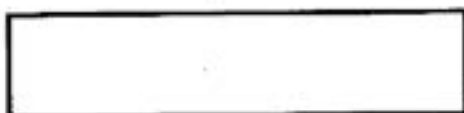
GCM – Global Capabilities Manager



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



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(b) (1)
(b) (2)-18 USC 793
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36

USP - United States person

~~TOP SECRET//SI//NOFORN~~

APPENDIX A.3

Definitions

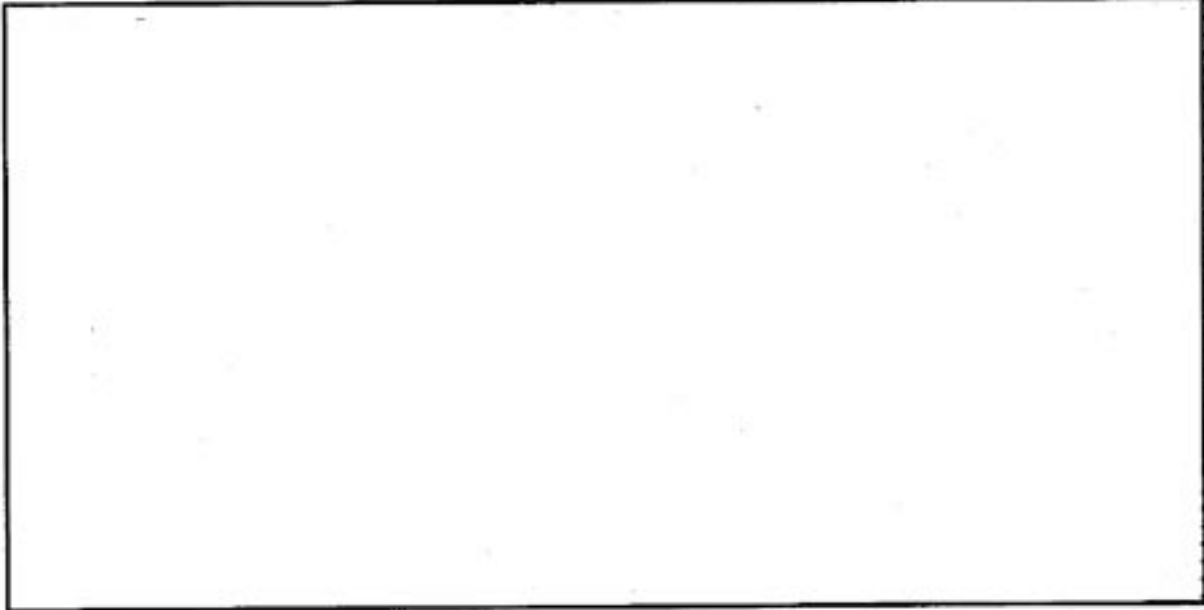
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~~TOP SECRET//SI//NOFORN~~

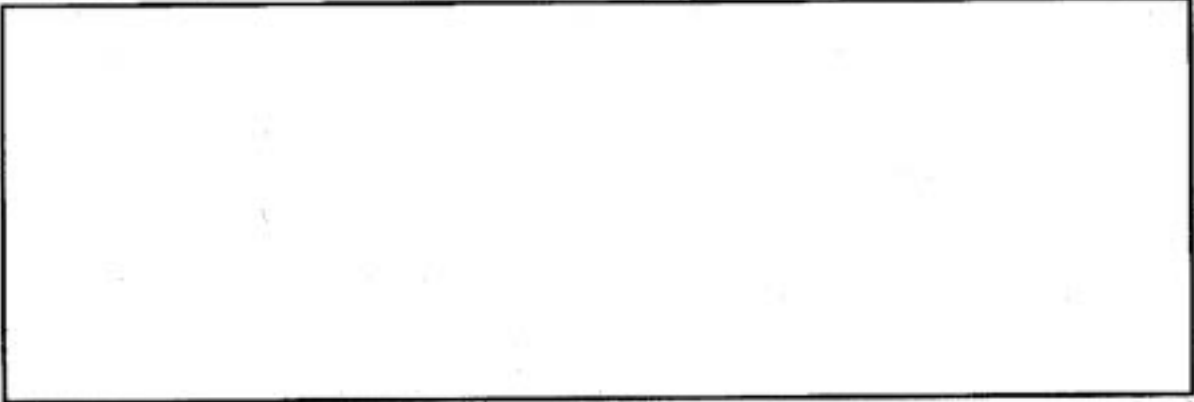
Appendix A.3

Definitions

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

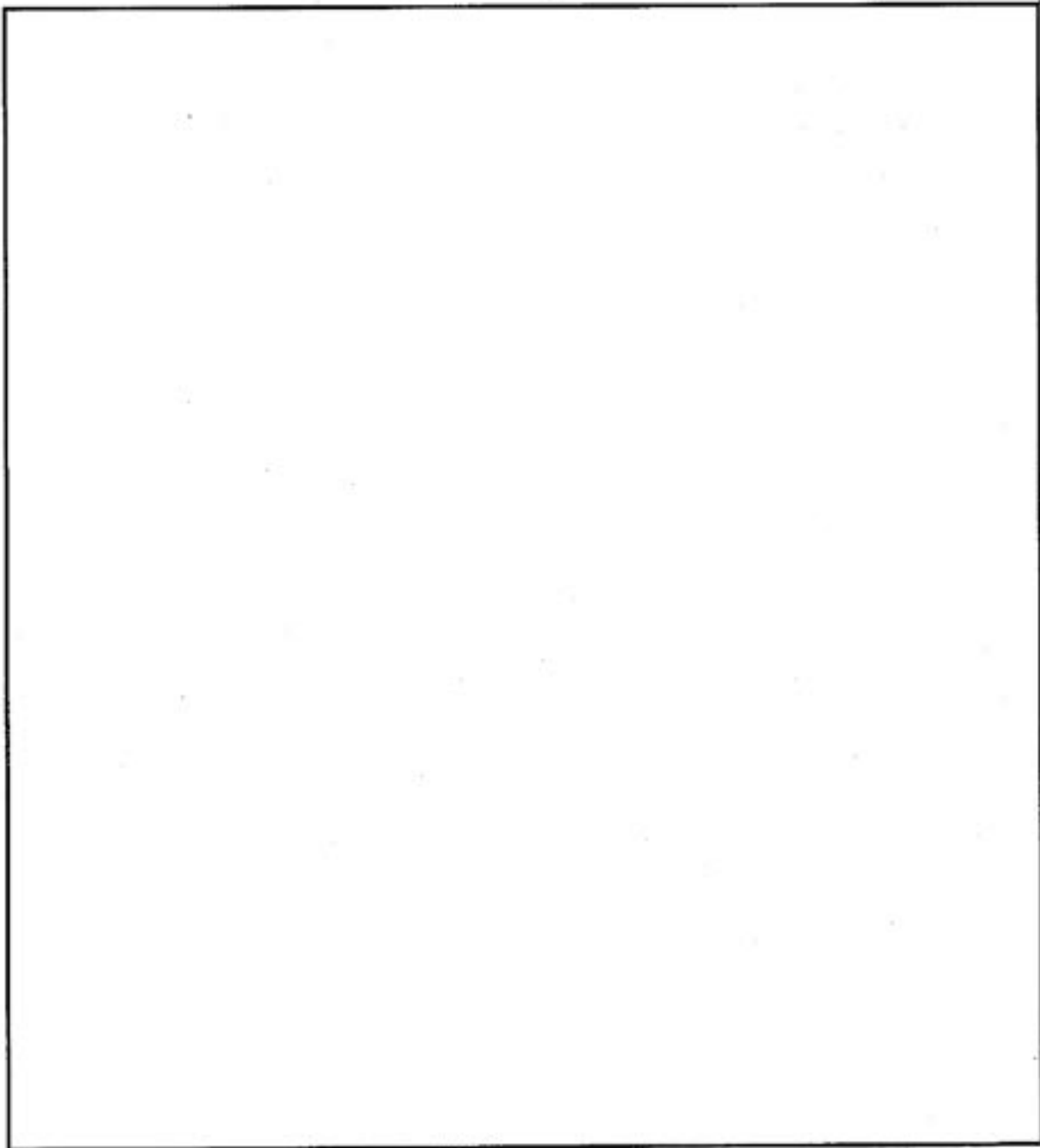


(U) **Communicant** is defined in USSID SP0018 as a sender or intended recipient of a communication. (Source: USSID SP0018)



~~TOP SECRET//SI//NOFORN~~

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



~~TOP SECRET//SI//NOFORN~~

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

(U//~~FOUO~~) **FIP - Foreign intelligence (foreign intelligence purpose)** is defined in EO 12333 as information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, foreign persons, or international terrorists.

[Redacted]

I

(U//~~FOUO~~) **Inadvertent collection** occurs when NSA has intentionally targeted and collected communications to, from or about a valid foreign target which later turns out to be a U.S. person. *(You think your target is foreign, but it ends up being U.S.)*

(U//~~FOUO~~) **Incidental collection** occurs when collection is directed against legitimate foreign intelligence targets result in the acquisition of information to, from, or about U.S. persons or entities (See USSID SPOQ18 Section 4.3) *(You targeted a valid number (knew it was foreign) and got a USP (because the foreign target was talking to a USP)).*

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

L

(U//~~FOUO~~) [Redacted] is the Agency's [Redacted] collection software.

M

(~~C//SI//REL USA, FVEY~~) **Minimization** is a process that provides for the protection of U.S. person information during the phases of SIGINT collection and processing. It involves the identification of U.S. person information and then decisions regarding how that information may be used or identified during the various phases of SIGINT production. These phases include SIGINT collection, SIGINT processing, SIGINT retention and SIGINT dissemination.

N

(~~S//SI//REL~~) [Redacted]

(~~C//SI//REL USA, FVEY~~) [Redacted]

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

~~TOP SECRET//SI//NOFORN~~

~~(C//SI//REL USA, FVEY)~~ [Redacted]

~~(C//REL)~~ [Redacted]

~~(S//SI//REL)~~ [Redacted]

O

~~(C//SI//REL USA, FVEY)~~ [Redacted]

P

~~(S//SI//REL)~~ [Redacted]

~~(C//SI//REL USA, FVEY)~~ [Redacted]

R

~~(S//SI//REL)~~ [Redacted]

~~(S//SI)~~ [Redacted]

S

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526

(b) (1)
(b) (3) - 50 USC 3024 (1)
Release 2025-10-16
NSA 21995

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

[Redacted]

~~(S//SI//REL)~~ SIGINT system is any system or capability that is used for one or more of the following SIGINT functions:

[Redacted]

~~(C//SI//REL-USA, FVEY)~~ [Redacted]

[Redacted]

(b) (1)
(b) (3) -18 USC 796
(b) (3) -50 USC 3024 (1)
(b) (3) -P.L. 86-36

T
~~(C//REL-USA, FVEY)~~ [Redacted]

[Redacted]

~~(U//FOUO)~~ [Redacted] responsible for reporting on a given topic.

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

~~(S//REL-TO-USA, FVEY)~~ [Redacted]

[Redacted]

~~(S//SI//REL)~~ [Redacted]

[Redacted]

~~(C//SI//REL-USA, FVEY)~~ [Redacted]

[Redacted]

U
~~(S//SI//REL)~~ [Redacted]

[Redacted]

~~TOP SECRET//SI//NOFORN~~

(U) **United States person (USP)** is defined in USSID SP0018 as: a. A citizen of the United States; b. An alien lawfully admitted for permanent residence in the United States; c. Unincorporated groups and associations of a substantial number of members of which constitute a. or b. above, or d.; Corporations incorporated in the United States including United States flag nongovernmental aircraft or vessels, but not including those entities which are openly acknowledged by a foreign government or governments to be directed and controlled by them.

W

(U//FOUO)

[Redacted]

(b) (3)-2.L. 85-36

Y

~~(S//SI//REL)~~

[Redacted]

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 2024 (1)
(b) (3)-F.I. 96-30

Z

~~(S//SI//REL)~~

[Redacted]

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

APPENDIX B1
Memorandum for SIGINT Director

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

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



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
OFFICE OF THE INSPECTOR GENERAL



12 February 2016
IG-11850-16

(U) MEMORANDUM FOR SIGINT DIRECTOR

SUBJECT: (U//FOUO) Intelligence Oversight of [redacted] Activities—ACTION MEMORANDUM

(U//FOUO) The Office of the Inspector General (OIG) identified practices in the Signals Intelligence Directorate (SID) that are inconsistent with NSA/CSS policies and procedures.

[redacted]
[redacted]; they therefore require your attention.

I. (U//FOUO) Improper Use of [redacted]

(S//SI//REL) [redacted]
[redacted]

(S//SI//REL) [redacted]
[redacted]

(S//SI//REL) [redacted]
[redacted]

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

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 2024 (a)
(b) (3) - P.L. 86-36

¹ (U//FOUO) This information resulted from an OIG investigation of a [redacted] alleged misconduct. Questions concerning that investigation should be directed to the Assistant IG for Investigations.

² (U) Association analysis, also called link analysis or network analysis is a method to gain analytic insight by visualizing social, business, and other connections among people and groups, as well as infrastructure, logistics, and production chains.

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20410212

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

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

[Redacted]

~~(C//SI//REL)~~ The OIG consulted with SID technical experts, who concluded that, on some occasions, [Redacted]

[Redacted]

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

II. (U//FOUO) Bypassing Controls

A. (U//FOUO) [Redacted]

~~(C//SI//REL)~~ [Redacted]

B. (U) Wildcards

~~(S//SI//REL)~~ [Redacted]

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

(U) [Redacted]

~~(S//SI//REL)~~ [Redacted]

~~(S//SI//REL)~~ [Redacted]

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

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

C. (U//FOUO) [redacted]

(S//SI//REL) [redacted]

(S) (U)
(S) (U) - 18 0900 798
(S) (U) - 50 0900 3024 (U)
(S) (U) - 2, L. 50-16

III. (U//FOUO) Deficient Auditing

(C//SI//REL) SID Oversight and Compliance (SV) could not audit all queries [redacted]

[redacted]

(C//SI//REL) Although an audit log of all transactions performed in [redacted]

[redacted]

IV. (U//FOUO) Negative Effect on Mission

(U//FOUO) When we attempted to verify in [redacted]

[redacted]

(C//SI//REL) The collection resulting from [redacted]

[redacted]

⁶ (U//FOUO) Data verification was based on capabilities available in September 2013.

⁷ (U//FOUO) Non-foreign communications must be promptly destroyed unless the Attorney General or the DIRNSA waives the destruction requirement. Non-foreign communications are either communications solely between persons in the United States or solely between USPs. In the first case, only the Attorney General may waive the destruction requirement; in the second case, the DIRNSA may waive the destruction requirement, under certain conditions documented in USSID SP0018.

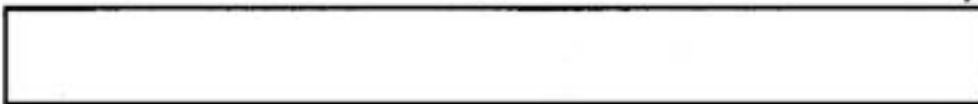
⁸ (U//FOUO) Some numbers collected under this project [redacted]

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

(b) (3) - P, L. 80-36

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

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



V. (U//FOUO) Potential Violation of NSA Minimization Procedures and Internal Policies

(U//FOUO) The investigation uncovered targeted telephone numbers that were at least reasonably likely associated with a USP [redacted] Because it is possible that this activity constitutes a violation of Title I and/or Title VII of the Foreign Intelligence Surveillance Act as a result of targeting telephone numbers used by USPs and/or persons in the United States that require preauthorization by the Foreign Intelligence Surveillance Court or the Attorney General, this matter has been referred to the Office of General Counsel (OGC).

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

(C//SI//REL) FINDING: Some [redacted] practices increase the risk of mishandling USP [redacted] information and have the potential for abuse and misuse of the SIGINT collection system.

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

(U) RECOMMENDATION 1

(U//FOUO) [redacted]

- a. (U//FOUO) A risk assessment of [redacted] has been completed and a mitigation strategy has been developed and
- b. (U//FOUO) Procedures are established to ensure that [redacted] are transparent, documented, and approved by SID management with the advice of the OGC.

(ACTION: NSA Washington (NSAW)/SID Director, with OGC)

(U//FOUO) Accepted for action by:
(U) Target Completion Date:

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

(U) RECOMMENDATION 2

(C//SI//REL) [redacted]

[redacted]

(ACTION: NSAW/SID Director, with OGC)

(U//FOUO) Accepted for action by:
(U) Target Completion Date:

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

(C//SI//REL) [redacted]

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

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

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

(U) RECOMMENDATION 3

(U//FOUO) [Redacted]

(ACTION: NSA/SID Director, with OGC)

(U//FOUO) Accepted for action by:
(U) Target Completion Date:

(U) RECOMMENDATION 4

(U//FOUO) [Redacted]

(ACTION: NSA/SID Director)

(U//FOUO) Accepted for action by:
(U) Target Completion Date:

(U//FOUO) If you require clarification or additional information, please contact [Redacted] on 963-2623 (s) or by e-mail at [Redacted]

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

George Ellard
DR. GEORGE ELLARD
Inspector General

(b) (7)-50 USC 3024 (1)
(b) (3)-P.L. 86-36
(b) (5)

(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.

Copy:
General Counsel
CLPO

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

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APPENDIX B3
Summary Chart of Allegations, Data File References,
And Technical Experts' Assessments of Data

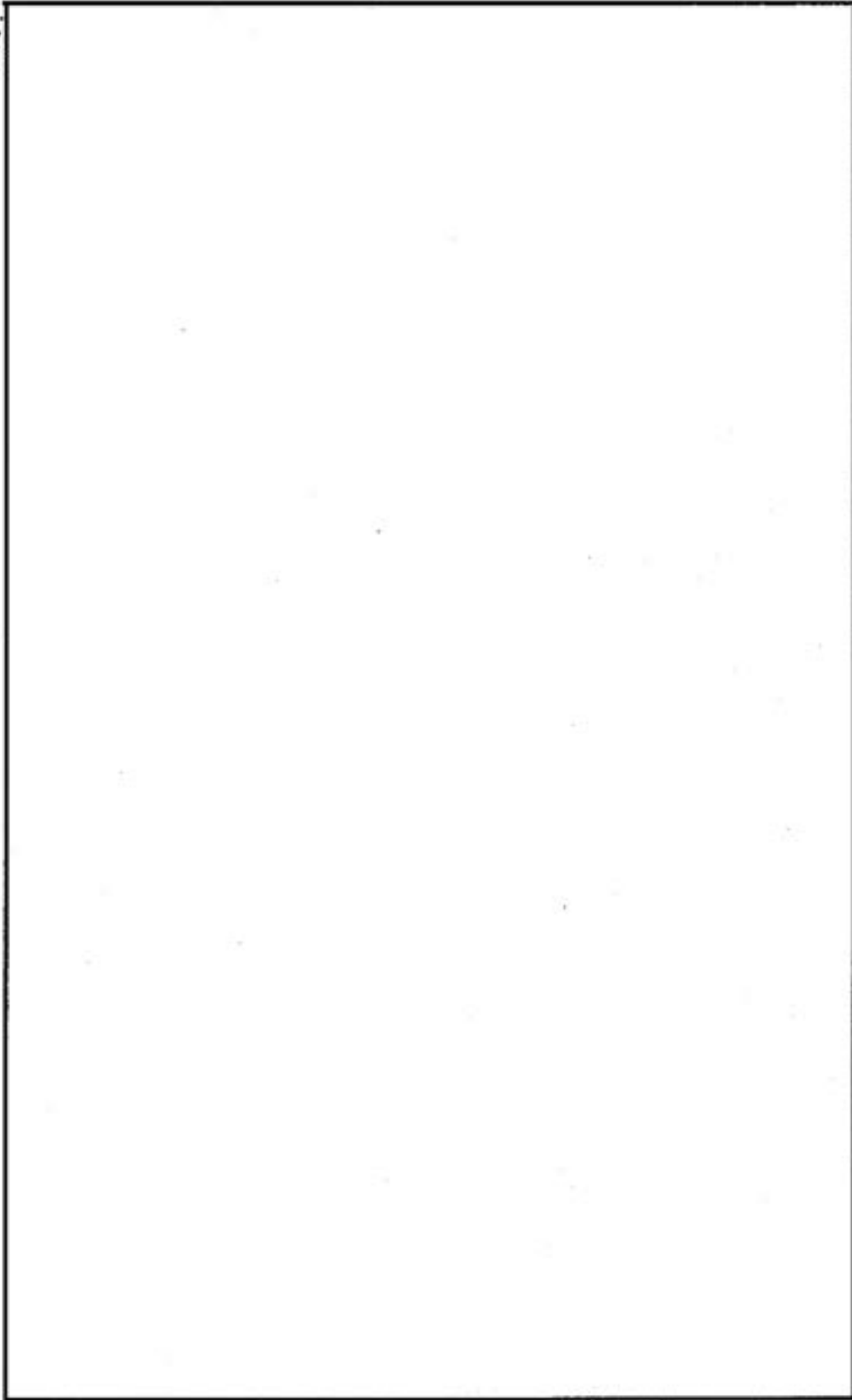
(b) (3) - P.L. 86-36

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20410201

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(b) (1)
(b) (3) - 1B USC 798
(b) (3) - 50 USC 3624 (1)
(b) (3) - F.T. - 86-36
(b) (5)

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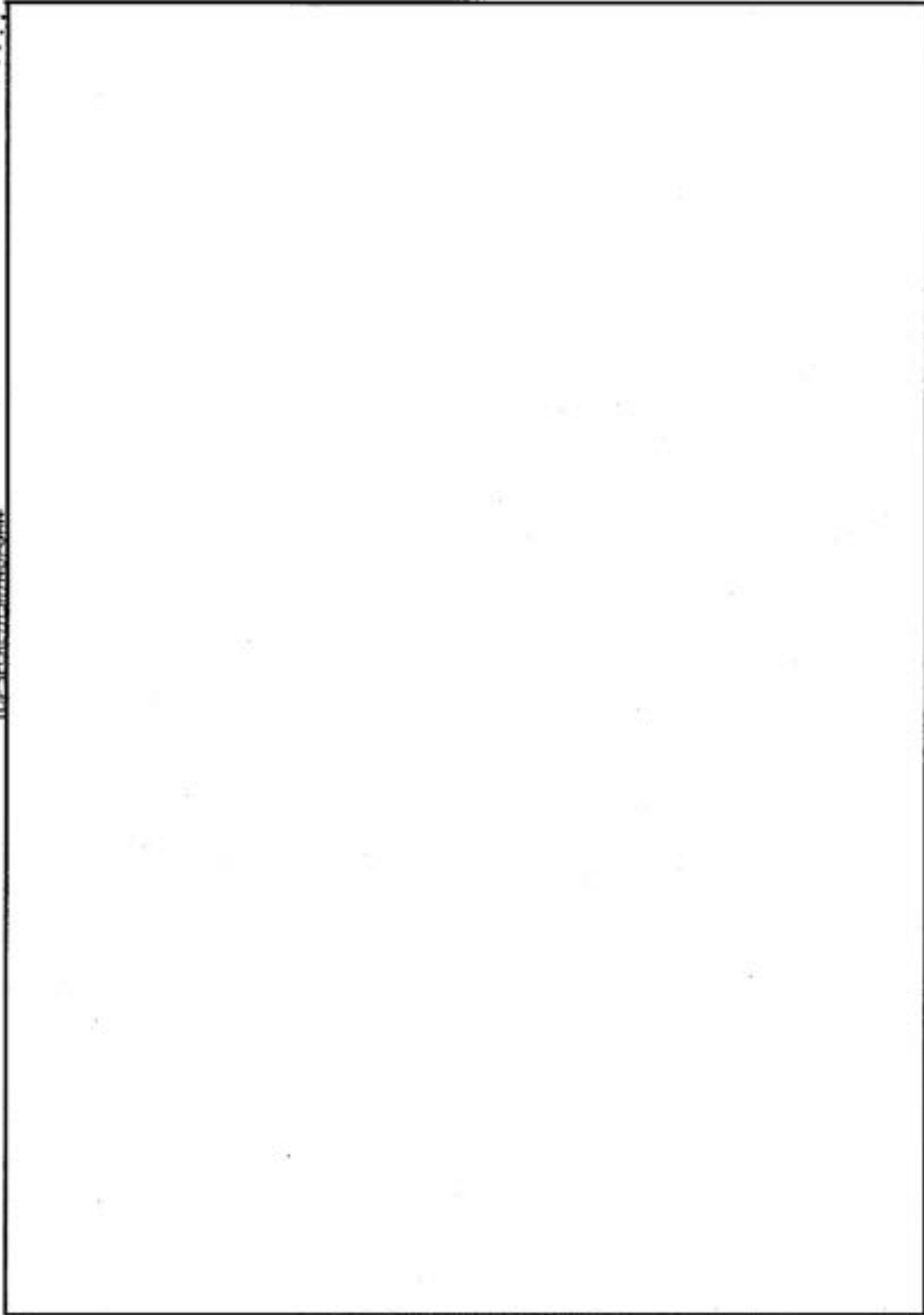


Page 1 of 9

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(b) (1)
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(b) (3) - P.L. 96-36
(b) (3)

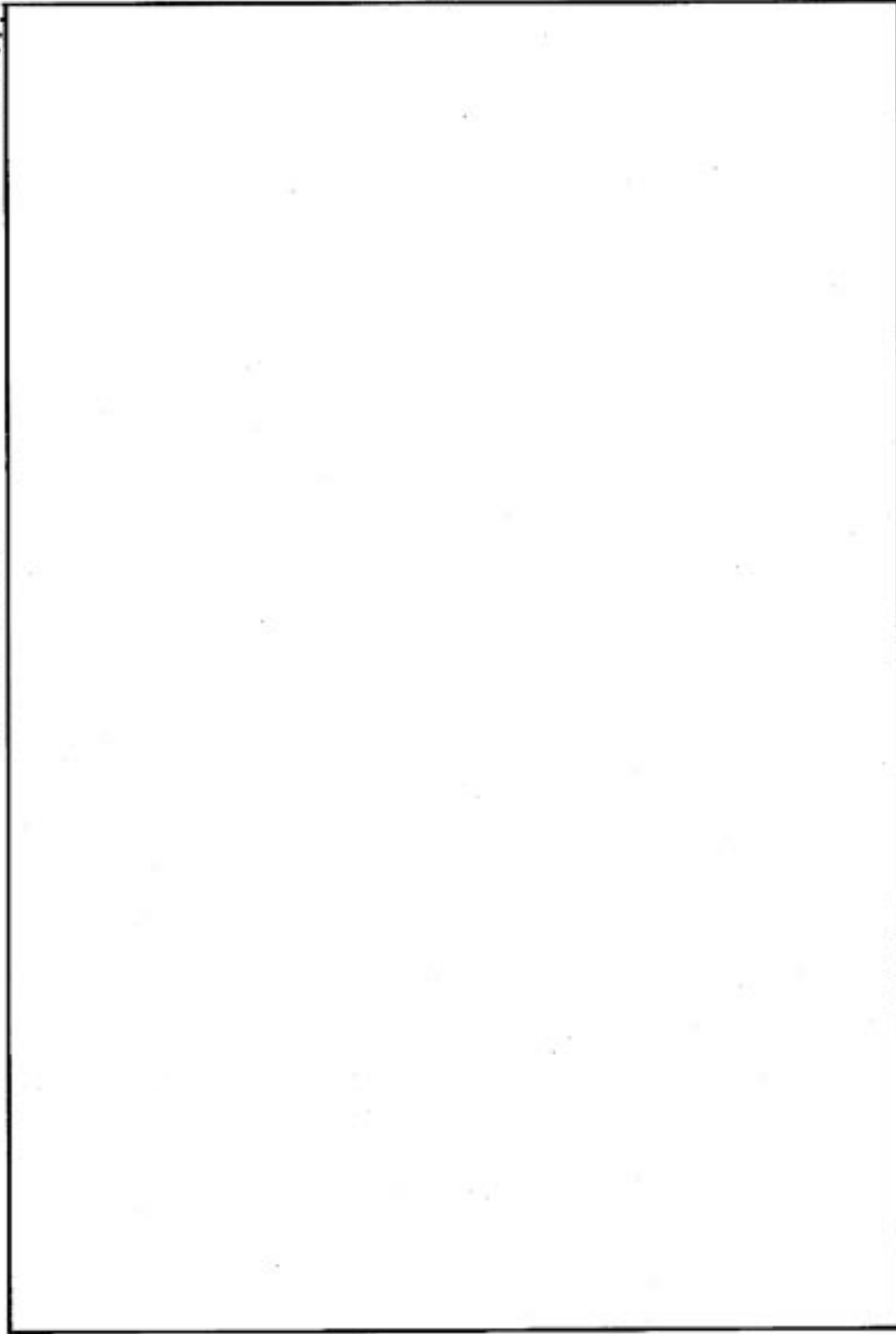
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(b) (3) - P.L. 86-36
(b) (3)

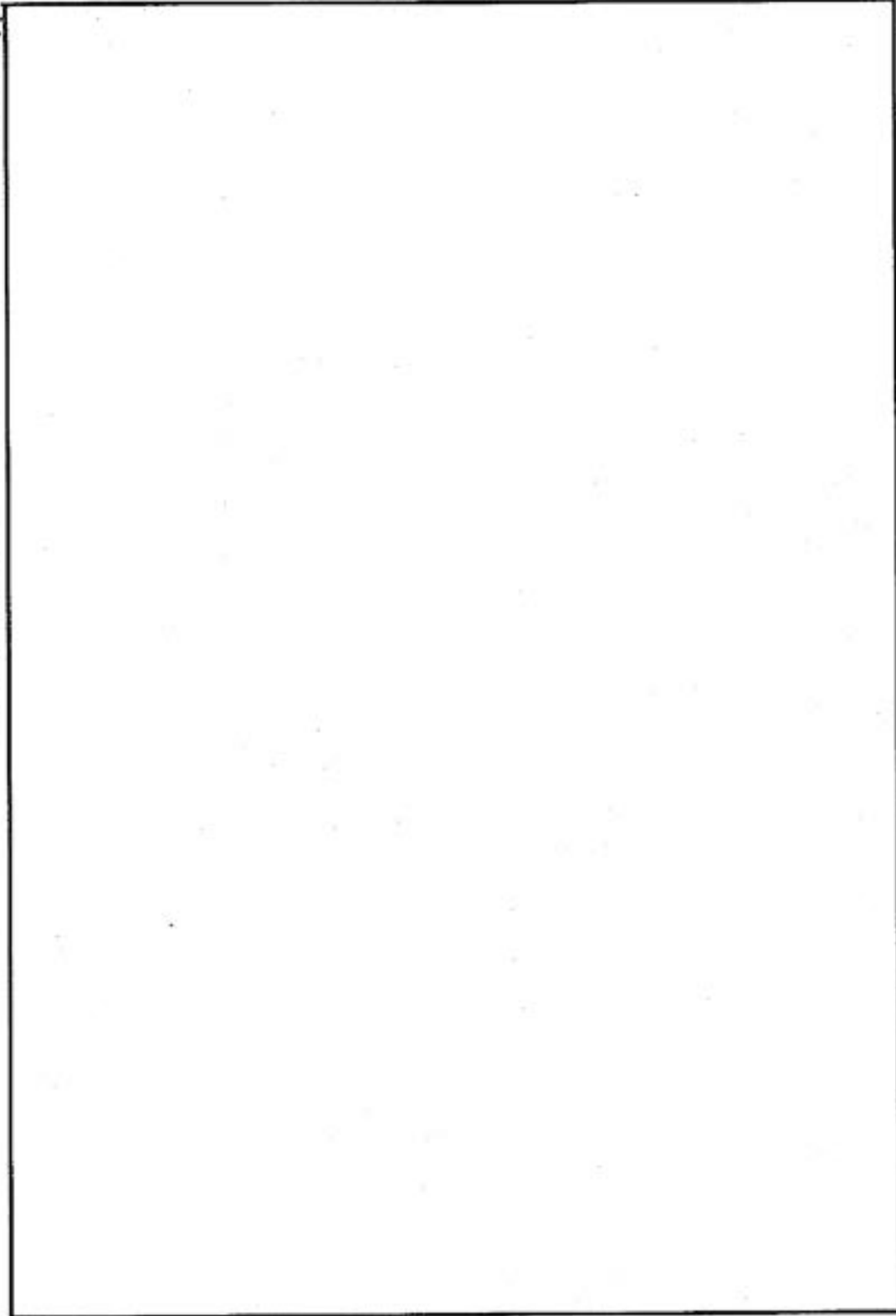
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(b) (1)
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(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526
(b) (5)

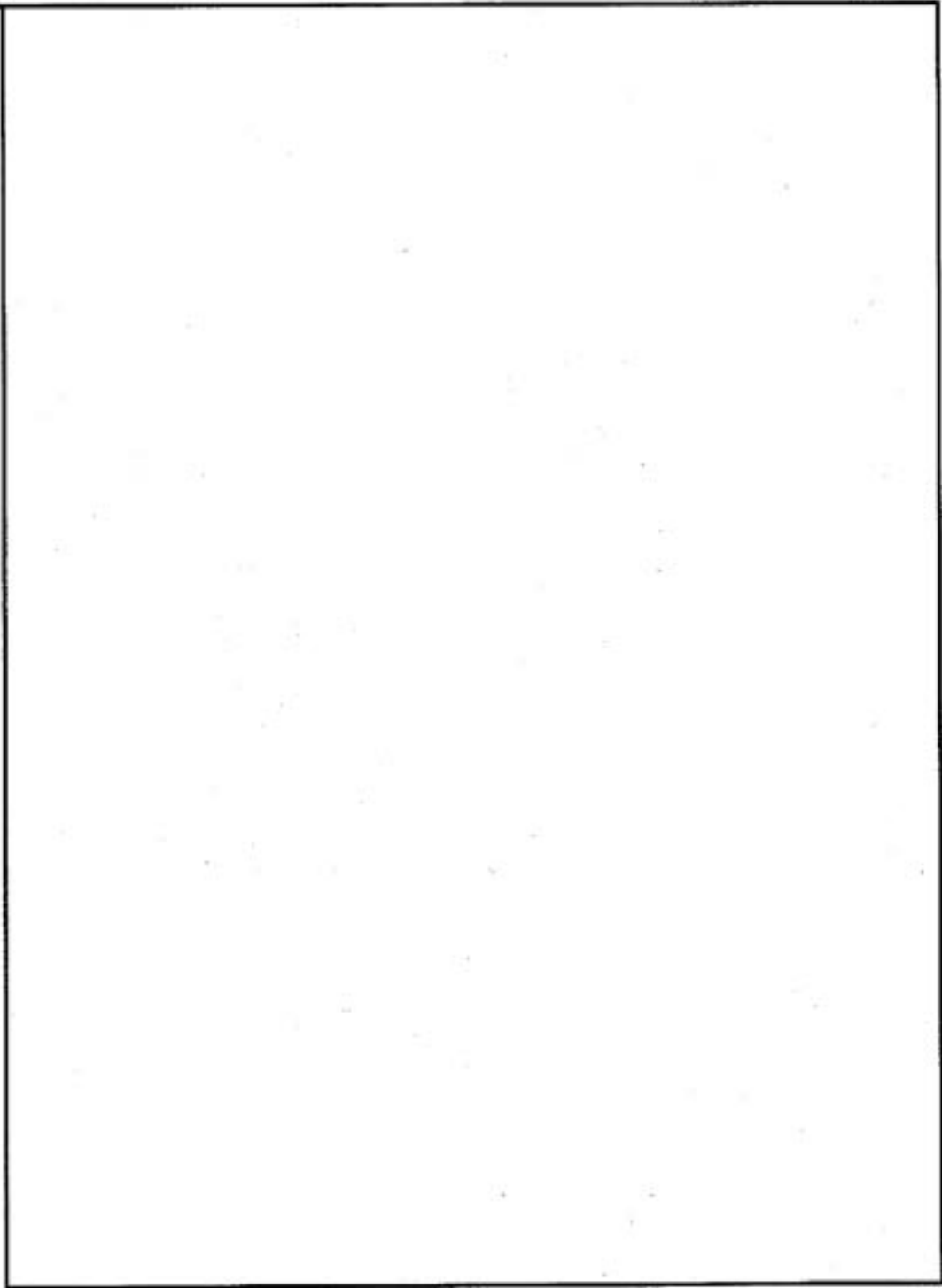
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(b) (3) - A
(b) (3) - C
(b) (3) - D

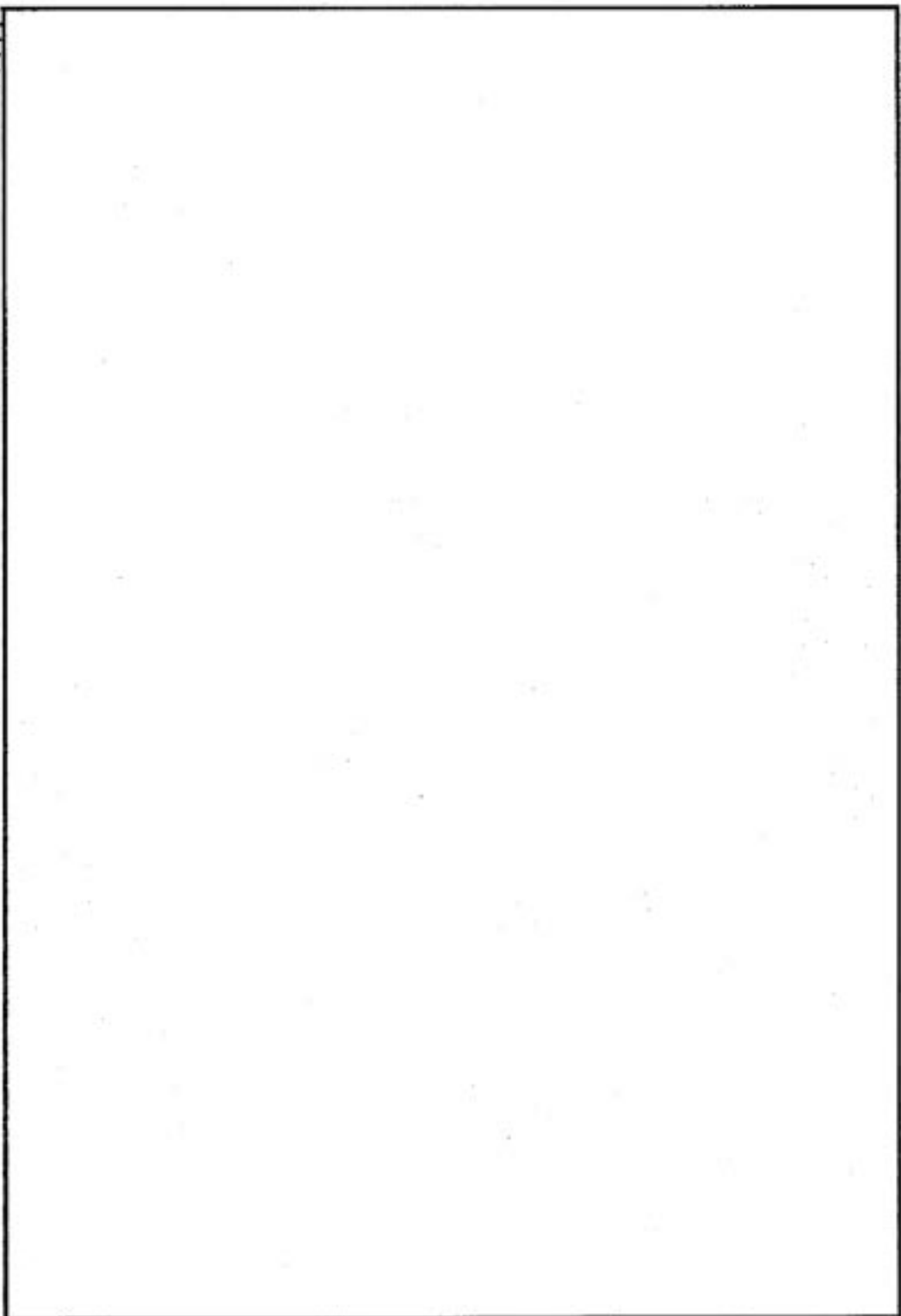
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~~TOP SECRET//SI//NOFORN~~

(b) (1)
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(b) (3) - P.L. 86-36
(b) (5)

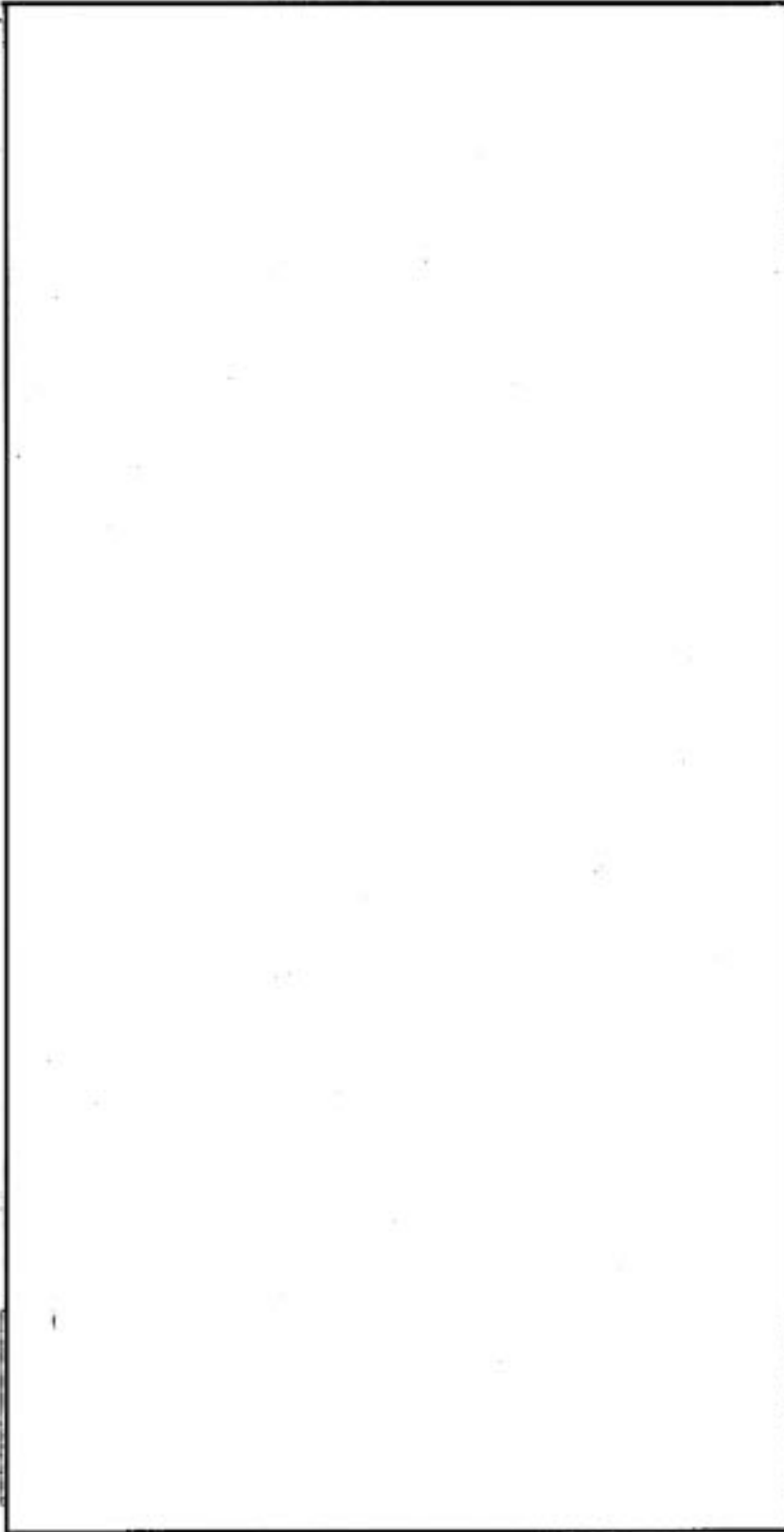
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~~TOP SECRET//SI//NF//FOUO~~

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - E.O. 13526, 86-36
(b) (5)

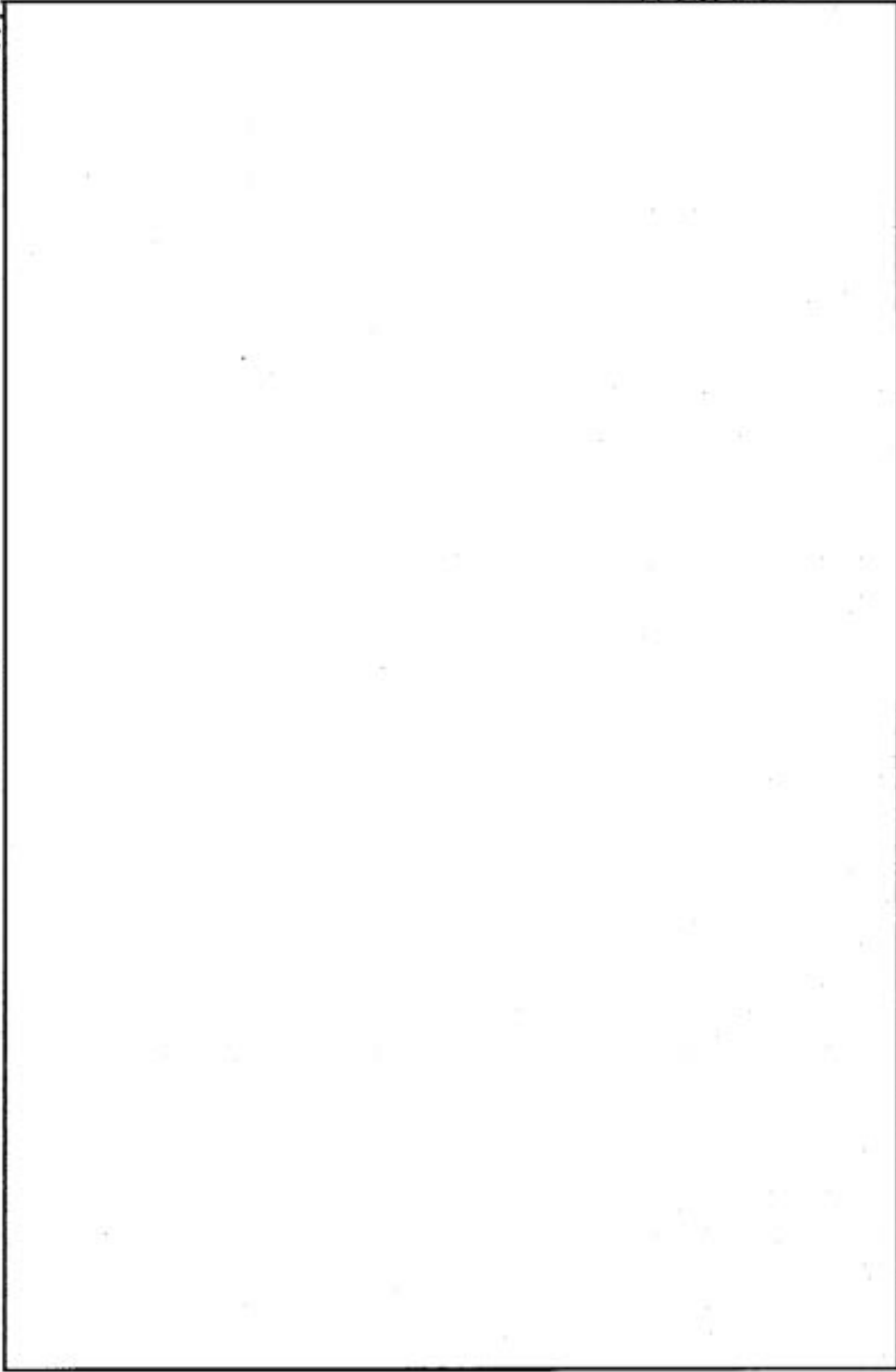
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(b) (1)
(b) (3) - 18 USC 796
(b) (3) - 50 USC 3024 (1)
(b) (3) - F.O.I. 86-36
(b) (5)

TOP SECRET//SI//NOFORN



TOP SECRET//SI//NOFORN

(b) (1)
(b) (3) - 1, 8 USC 198
(b) (3) - 50 USC 3624 (1)
(b) (3) - F.A., 86-36
(b) (5)

~~TOP SECRET//SI//NOFORN~~



~~TOP SECRET//SI//NOFORN~~

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

APPENDIX N

[redacted] response to the OIG's tentative conclusion

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

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

[Redacted]

From: [Redacted]
Sent: Friday, December 18, 2015 4:21 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

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

I believe the conclusion is vague and misleading in parts. I never knowingly tasked a known USP [Redacted] They were all, in the available context, unknowns which fit no known [Redacted]

I take exception to this statement: (S//SI//REL) [Redacted] [Redacted] resulted in [Redacted] reasonably likely to result in the interception of communications to or from a USP [Redacted]

At best the possibility was there, but not a probability which is how I interpret "reasonably likely."

(S//SI//REL) [Redacted]
[Redacted]
[Redacted]

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

(b) (3)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (f)
(b) (3) - P.L. 86-36

[Redacted]
(TS//SI//NF) [Redacted]
[Redacted]

Specific examples? What [Redacted]

(TS//SI//NF) [Redacted] performed overly broad collection [Redacted]
[Redacted]

You have very specific data here. I've never seen it to comment on.

He stated that he [Redacted]
[Redacted]

Not possible [Redacted]

(TS//SI//NF) [Redacted]
[Redacted]

[Redacted]

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

I am sure I know all of the witnesses as former colleagues for several years, and if they were so concerned they could have contacted me directly... before filing a formal complaint. As it was, when two of them did contact me, the grounds for hostile confrontation were well laid. As [Redacted] said when I asked her who "we" were during the OGC meeting in July: [Redacted] More than we have working some targets.

(b) (3)
(b) (3) - 18 USC 796
(b) (3) - 50 USC 3024 (1)
(b) (3) - P, L, 86-36
(b) (5)

(S//SI//REL)

[Redacted]

(S//SI//REL) Valid intelligence purpose? Yes, I believe so. The whole reason for starting this effort was to [Redacted]

[Redacted]

(b) (3)
(b) (3) - 18 USC 796
(b) (3) - 50 USC 3024 (1)
(b) (3) - P, L, 86-36

(S//SI//REL) This reminded me of a situation I had read about: [Redacted]

[Redacted]

That's enough; I'm just getting worked up and will ruin my holidays.

Good timing

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[Redacted]

[Redacted]

[Redacted]

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

UNCLASSIFIED//FOR OFFICIAL USE ONLY

From: [Redacted]
Sent: Friday, December 18, 2015 3:42 PM
To: [Redacted]
Cc: [Redacted]

Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

[Redacted]

(U//FOUO) I am personally unaware of any new allegations that have been filed against you.

(U//FOUO) At this time, I ask that you please confirm if you plan to provide any other information with regard to the tentative conclusion that I sent to you other than what you provided to me earlier this afternoon.

Thank you,

[Redacted]

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

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

From: [redacted]
Sent: Friday, December 18, 2015 3:35 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

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

[redacted]
(U) I'm going to add a little more:
Over the past few months my office chief asked me twice what I was doing regarding the "SIGDEV" effort.

- The first time I replied: nothing; it was shut down.
- He responded that he has a report that I "was at it again" (or words to that effect).
- I said: that's news to me; when and where is this happening?
 - o There were no details.

(U) The second time was pretty much the same except I asked:

- OK, so if I am doing something, what of it?
- What is the problem?
 - o No details.

~~(S//SI//REL)~~ [redacted]
[redacted]

(U) I never get any specifics to look into; just vague allegations. If something were going on recently, it could only be the result of old files not having been updated by more than a year (hard to imagine), or something else is going on (not hard to imagine; collection is a complex process). In any case, I'd like to understand what could possibly be the actual grounds for more allegations; what is triggering them... I'm assuming something was actually seen (Where? When?).

~~(S//SI//REL)~~ Yesterday, for the first time in well over a year [redacted]
[redacted]

~~(S//SI//REL)~~ On the other hand, we have heard from [redacted]
[redacted]

(U) Having received your email today, [redacted] if someone else has a [redacted] fine... I will stay in this lane unless I am give-written instructions to move out of it.

(U) That's my story.

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[redacted]

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

(b) (3)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(a)
(b) (3) - P.L. 86-36

[Redacted]

[Redacted]

UNCLASSIFIED//FOR OFFICIAL USE ONLY

From: [Redacted]
Sent: Friday, December 18, 2015 2:39 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

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[Redacted]

The next step in the OIG's process is to give full consideration to the comments you provided. We will also include a copy of your response in our report of investigation. Please confirm if you plan to provide any other information other than what you have provided in your email, below. If so, I will keep the case open until 8 January 2016 (unless you require additional time). If no, I will proceed with finalizing the report and closing the case.

Thank you,

[Redacted]
(U//FOUO)
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

From: [Redacted]
Sent: Friday, December 18, 2015 2:08 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

(b) (5) - P, L, 84-36

(b) (5) - P, L, 84-36

[Redacted]

I want to put this behind me as soon as possible.

All I will say is that it's a little short on specifics regarding where (in the collection environment) violations were found. You also fail to mention that the analysts contacted me with their concerns only weeks after they'd filed their complaints against me... some colleagues, eh?

Thank you for your efforts and HAGO,

So what's next?

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[Redacted]

[Redacted]

[Redacted]

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

UNCLASSIFIED//FOR OFFICIAL USE ONLY

From: [Redacted]
Sent: Friday, December 18, 2015 1:45 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

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[Redacted]

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

(U//FOUO) This is to notify you of the tentative conclusion that the Office of the Inspector General (OIG) reached in our investigation regarding an allegation that you misused the SIGINT system. Please see the attached document for our analysis and tentative conclusion.

(U//FOUO) In accordance with the investigative process, you now have the opportunity to comment on the tentative conclusion and/or offer additional information before we close our investigation. You are not required to respond with regard to our tentative conclusion. If you choose not to respond, please simply acknowledge receipt of this notification. However, if you choose to respond, please do so in writing by 1700 hours, 8 January 2016. Any comments and/or additional information you provide will be given full consideration in reaching our final conclusion. If you require additional time or have any questions, please let me know.

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20401201

TOP SECRET//SI//NF (U)

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 200130930
Declassify On: 20401201

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

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20401201

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 200130930
Declassify On: 20401201

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52

Dated: 20130930
Declassify On: 20401201

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

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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 200130930
Declassify On: 20401201

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

^(U) (U//FOUO) EO 12958, §1.7(c) states that NSA shall conduct its SIGINT activities "for foreign intelligence and counterintelligence purposes to support national and departmental missions."

[Redacted]

From: [Redacted]
Sent: Monday, December 21, 2015 12:28 PM
To: [Redacted]
Cc:
Subject: RE: (U) IV-13-0077 Notification of Investigative Tentative Conclusion
Attachments: IV-13-0077 OIG Tentative Conclusion 20151218 (3)-reply.docx

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

[Redacted]

Final comments attached in red in text.

HAGO,

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

[Redacted]

[Redacted]

[Redacted]

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

From: [Redacted]
Sent: Friday, December 18, 2015 1:45 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) IV-13-0077 Notification of Investigative Tentative Conclusion

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

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

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

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

[Redacted]

(U//FOUO) This is to notify you of the tentative conclusion that the Office of the Inspector General (OIG) reached in our investigation regarding an allegation that you misused the SIGINT system. Please see the attached document for our analysis and tentative conclusion.

(U//FOUO) In accordance with the investigative process, you now have the opportunity to comment on the tentative conclusion and/or offer additional information before we close our investigation. You are not required to respond with regard to our tentative conclusion. If you choose not to respond, please simply acknowledge receipt of this notification. However, if you choose to respond, please do so in writing by 1700 hours, 8 January 2016. Any comments and/or additional information you provide will be given full consideration in reaching our final conclusion. If you require additional time or have any questions, please let me know.

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

(U) (S) - P, L, 84-35
(b) (6)

(U) (S) - P, L, 84-35
(b) (6)

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20401201

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 200130930
Declassify On: 20401201

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

~~TOP SECRET//SI//NOFORN~~**(U//~~FOUO~~) ANALYSIS AND TENTATIVE CONCLUSION
OF OIG INVESTIGATION IV-13-0077 - [REDACTED]**(b) (3) - P.L. 86-36
(b) (5)

(U) DoD 5240.1-R implements DoD Directive 5240.01 and EO 12333, Section 2.3. This regulation contains the Attorney General-approved procedures for all DoD IC components and has a classified annex that governs SIGINT activities.¹ The Classified Annex to DoD 5240.1-R states that communications of or concerning USPs may be intercepted intentionally or selected deliberately only under certain specific circumstances. The Classified Annex requires the Director of NSA (DIRNSA), or his designee, to issue directives and instructions implementing the procedures found in the Classified Annex. USSID SP0018 is the Agency directive that implements the classified annex.²

(U//~~FOUO~~) NSA/CSS Policy 1-23, paragraph 1, states that NSA/CSS shall collect, process, retain, and disseminate information about USPs only as prescribed in DoD Directive 5240.1, DoD 5240.1-R and its Classified Annex, and the Foreign Intelligence Surveillance Act (FISA). Paragraph 3 states that the SIGINT mission of the NSA/CSS is to collect, process, analyze, produce, and disseminate SIGINT information and data for foreign intelligence and counterintelligence purposes to support national and departmental missions. Paragraph 3 also states that NSA/CSS shall intentionally collect only foreign communications and shall not intentionally collect U.S. person communications without proper legal authorization.

(U//~~FOUO~~) USSID SP0018 § 3.1 also states that it is the policy of the U.S. SIGINT System (USSS) to target or collect only foreign communications and the USSS will not intentionally collect communications of or about USPs or persons or entities in the United States, except as set forth in USSID SP0018.³

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(S//SI//REL) USSID SP0018 § 4.1 states that communications known to be to, from, or about a USP, [REDACTED], will not be intentionally intercepted, or selected through the use of a selection term, except in certain specified instances with the approval of the Foreign Intelligence Surveillance Court (FISC), the Attorney General, or DIRNSA. USSID SP0018 § 4.1(c)(5) also states that voice and facsimile communications with one communicant in the United States may be targeted for collection only with the prior approval of DIRNSA (when the approval of the Attorney General or the FISC is not required⁴) if technical devices (e.g., [REDACTED]) are employed that limit acquisition by

¹ (U) DoD 5240.1-R and its Classified Annex were approved by the Attorney General prior to the creation of the Director of National Intelligence and the requirement for consultation with the Director of National Intelligence.

² (U//~~FOUO~~) USSID SP0018 incorporates the requirements of all the higher level authorities listed above; so compliance with USSID SP0018 generally ensures compliance with those higher level authorities. A violation of USSID SP0018, however, does not necessarily result in a violation of a higher level authority. In cases of noncompliance with USSID SP0018, the misconduct must also be examined against the requirements of the higher level authorities to determine whether additional violations have occurred.

³ (U) In accordance with USSID SP0018, section 9.18.e., a person known to be currently in the United States will be treated as a USP unless that person is reasonably identified as a non-USP or circumstances give rise to a reasonable belief that such person is not a USP. A person known to be outside the United States, or whose location is not known, will not be treated as a USP unless such person is reasonably identified as such or circumstances give rise to a reasonable belief that such person is a USP.

⁴ (U) FISA requires FISC authorization for the acquisition of the contents of wire communications to or from a person in the United States, without consent, if such acquisition occurs in the United States. 50 U.S.C. 1801(f)(2).

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~~TOP SECRET//SI//NOFORN~~

the NSA to communications when the target is a non-USP outside the United States [redacted]

(S//SI) USSID DA3511 states that the [redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

(S//SI//REL) Accordingly, SIGINT collection is permissible only if it is reasonably designed not to intentionally target communications of or about USPs, or persons in the United States, unless targeting a specific USP or person in the United States pursuant to the prior approval of the FISC, Attorney General, or DIRNSA.

(S//SI//REL) [redacted]

(S//SI//REL) [redacted] activities violated these restrictions. [redacted] his activities did in fact target and collect such communications.

(U) Not true. Any collection of USPs was incidental.

(S//SI//REL) [redacted] told the OIG that he started his own [redacted] project in 2012. [redacted]

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

[redacted]

(S//SI//REL) [redacted]

(S//SI//REL) The Classified Annex has similar provisions in § 4.A.1. Thus, a violation of § 4 of USSID SP0018 would also result in a violation of the Classified Annex, DoD 5240.1-R, DoDD 5240.01, NSA/CSS Policy 1-23, and EO 12333.

(S//SI//REL) [redacted]

(S//SI//REL) Not exactly correct [redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36
(b) (6)

~~TOP SECRET//SI//NOFORN~~

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

~~TOP SECRET//SI//NOFORN~~

[Redacted]

(S//SI//REL) As I stated in interviews and recapped in an earlier email, the results were that the

[Redacted]

(S//SI//REL)

[Redacted] Well-established procedures exist to request and document exceptions to these safeguards when validated foreign intelligence needs necessitate the targeting and collection of U.S. selectors.

(S//SI//REL)

[Redacted]

(S//SI//REL) I repeat, I never knowingly, intentionally tasked USP [Redacted]

[Redacted]

(S//SI//REL)

[Redacted] resulted in [Redacted] reasonably likely to result in the interception of communications to or from a USP [Redacted]

(S//SI//REL) Stating that something is reasonably likely is not proof it actually happened and [Redacted] was never the intent.

(S//SI//REL)

[Redacted]

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (1)
(b) (7) -F, E, 86-36

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (1)
(b) (7) -F, E, 86-36

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

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~

[Redacted]

~~(S//SI//REL)~~

[Redacted]

• ~~(TS//SI//NF)~~

[Redacted]

[Redacted]

~~(S//SI//REL)~~ This I really need to see to be able to put any context on it. Right now I see this as only an unsubstantiated statement.

• ~~(TS//SI//NF)~~

[Redacted]

[Redacted]

(U) Undoubtedly? Based on what?

~~(TS//SI//NF)~~ Although [Redacted] told the OIG that he was completely sure that he had never [Redacted] the evidence shows that he did.

(U) Ditto.

He told the OIG in an email that he was going to [Redacted]

[Redacted]

(U) Absolutely. Taken out of context they were [Redacted]

Further, during his testimony [Redacted]

[Redacted]

(U) Not accurate. The comments were entered into [Redacted]

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

[Redacted]

~~(S//SI//REL)~~ IMO this is a stretch. [Redacted]

[Redacted]

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

(b) (3)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36
(b) (6)

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~~TOP SECRET//SI//NOFORN~~

[Redacted]

(S//SI//REL) I do recall somebody contacting me about a potential problem

[Redacted]

(U) Ditto

[Redacted]

(S//SI//REL) I totally do not recall an instance like this.

[Redacted]

(S//SI//REL) [Redacted]

[Redacted]

(S//SI//REL) [Redacted] contends that his activity was compliant and he did not task U.S. selectors or collect USP [Redacted]

(S//SI//REL) [Redacted] still do. USP [Redacted] were never knowingly, intentionally subjected to study.

We disagree. [Redacted]

[Redacted]

(S//SI//REL) The request would have been [Redacted]

[Redacted]

(S//SI//REL) Furthermore, because [Redacted] did not report and cease the non-compliant activity combined with the above described activities, he violated USSID SP0019 §3.6 which states:

...every individual must comply with applicable laws, statutes, directive, and regulations by: reporting any non-compliant activity to management, an IOO, SV, and OIG; taking measures to reduce the risk of non-compliant activity and to prevent future non-compliant

~~TOP SECRET//SI//NOFORN~~

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

~~TOP SECRET//SI//NOFORN~~

activity; and exercising due diligence to remain compliant, i.e., make every reasonable attempt to adhere to the rules and standards.

(U//FOUO) Section 4.8 of USSID SP0019 defines reportable activity and non-compliant activity as including mishandling of U.S. persons information and queries against raw SIGINT data that are inadvertently, intentionally, or carelessly likely to target or retrieve United States or Second Party communications. Section 4.10 states that, when non-compliant activities are detected, the activity that caused the non-compliant situation must be stopped immediately and the situation closely monitored to verify that the problem has been resolved.

(U) The activity was stopped when someone with the authority to say so spoke up.

(U//FOUO) [Redacted]

(S//SI//NF) Signals Intelligence Directorate [Redacted]

[Large redacted block]

(b) (1)
(b) (3) - 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

(S//SI//NF) [Redacted] were reasonably likely to result in the interception of communications of or about [Redacted] [Redacted] taskings, therefore, violated [Redacted]

(U) We've discussed this.

(U//FOUO) Foreign Intelligence Purpose

(U) [Redacted]
[Redacted]

(b) (1)
(b) (3) - 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~

(S//SI//REL) Many witnesses questioned whether [redacted] had a valid foreign intelligence purpose for his activities.⁹ Some witnesses were willing to accept that NSA had a foreign intelligence purpose [redacted]

[redacted] however, they were unsure whether [redacted] activities complied with laws and regulations because they had difficulty understanding his complex and technical work. Other witnesses agreed that [redacted]

[redacted]

(S//SI//REL) [redacted]

(U//FOUO) The OIG concludes that determining whether [redacted] had a valid foreign intelligence purpose for each of his activities is unnecessary because, even assuming that he did, he failed to comply with the authorities that apply to SIGINT activities that target and collect USP [redacted]

(TS//SI//REL) [redacted]

(U) Quite simply I did not know who to coordinate with or that it would be necessary.

(U//FOUO) Although in hindsight [redacted] actions seem egregious, they must be considered in context of the conflicting guidance he was given. At various times, [redacted] was told by different supervisors, oversight officials, and attorneys that his activities were acceptable but was told by others to immediately stop. Many officials involved in trying to determine what

⁹ (U//FOUO) EO 12333, §1.7(c) states that NSA shall conduct its SIGINT activities "for foreign intelligence and counterintelligence purposes to support national and departmental missions."

¹⁰ (U//FOUO) USSID#000 was superseded by SID Implementing Directive, Annex F, *Governance of the Signals Intelligence Mission*, 25 February 2013.

(b) (1)
(b) (3)-18 USC 793
(b) (3)-50 USC 3024(i)
(b) (3)-7.4, 86-36

(b) (1)
(b) (3)-7.4, 86-36

(b) (1)
(b) (3)-18 USC 793
(b) (3)-50 USC 3024(i)
(b) (3)-7.4, 86-36
(b) (6)

(b) (3)-7.4, 86-36
(b) (6)

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~

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

[redacted] was doing and whether he had violated policies or regulations relied on [redacted] explanations or on other officials involved in the matter because they did not fully understand the technical details of [redacted] project.

~~(S//REL)~~ The OIG found that, even if [redacted] was truly unaware that he had tasked and collected USP [redacted] and whether or not his management or officials responsible for intelligence oversight directed [redacted] to stop his project due to non-compliant activity, [redacted] acted with reckless disregard of the regulations, policies, and procedures that govern the use of the SIGINT system when he started his project and continued to work on it.

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

~~(S//SI//REL)~~ Until told to stop by someone with the authority to do so.

(b) (6)

~~(TS//SI//REL)~~ [redacted] is an experienced analyst who has worked [redacted] for more than [redacted]. He touts himself as the longest-serving [redacted] in the Intelligence Community. [redacted] acknowledged to the OIG that he had been proceeding with his project in a "kind of [by the] seat of the pants" mode and that his project was somewhat dangerous and unknown territory. He said that he had not trained anyone else on the techniques of his project because he did not want anyone to end up in trouble. If it was determined that the project was not appropriate, [redacted] acknowledged that he needed guidance [redacted]. He also told the OIG that his project may not be worth documenting except "as a bad choice of judgment."

~~(TS//SI//REL)~~ Based on his technical knowledge, experience, and self-awareness that his project was, at minimum, questionable, [redacted] was careless and exercised poor judgment when he started his project without having his project officially and completely vetted through his management chain and the Agency offices responsible for oversight of such activities, such as SV and OGC.

(U) Well now I know better. I also have NO intention of getting involved in this again. Period.

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

~~(TS//SI//REL)~~ [redacted]

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

~~(S//SI//REL)~~ No one "exploited" anything intentionally.

~~(TS//SI//REL)~~ Although [redacted] contends that his activity was compliant and he did not task U.S. selectors or collect USP [redacted] the OIG found that [redacted] had tasked and collected on USP [redacted] an analyst with extensive experience in [redacted] and trained on the use of and rules pertaining to the SIGINT system, knew or should have known that his taskings resulted in or were likely to result

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

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~

in the interception of communications to or from USPs [redacted] without the requisite prior approvals.

(S//SI//REL) [redacted]

(TS//SI//REL) TENTATIVE CONCLUSION: Substantiated [redacted]

[redacted]

[redacted] His activities resulted in, or were reasonably likely to result in, the unauthorized collection of communications to or from USPs or persons in the United States, or both. The preponderance of the evidence supports the conclusion that, by doing so, [redacted] violated the classified annex of DoD Regulation 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons*, NSA/CSS Policy 1-23, and United States Signals Intelligence Directive (USSID) SP0018, *Legal Compliance and U.S. Minimization Procedures*.

(S//SI//REL) IMO not substantiated: there are no facts here that identify any USP numbers [redacted]

(TS//SI//REL) In addition, [redacted] violated the United States Signals Intelligence Directive (USSID) SP0019, *NSA/CSS Signals Intelligence Directorate - Oversight and Compliance Policy*, when he carelessly performed activities likely to target and retrieve United States Person [redacted] communications. [redacted] also violated USSID DA3511, *Data Acquisition Directorate and Data Flow Management*, when he [redacted]

(S//SI//REL) Also not substantiated. [redacted]

(TS//SI//REL) Finally, the preponderance of the evidence supports the conclusion that [redacted] violated [redacted] and USSID SP0019 when he [redacted] effected collection that resulted or was reasonably likely to result in the unauthorized collection of communications to or from [redacted].

(S//SI//REL) I repeat, no [redacted] were knowingly or intentionally targeted. I am not sure how these Conclusions are supposed to read, but I found this heavy oh conclusion based apparently on hearsay with no real examples to back up the most damning statements.

¹ (U//FOUO) The overarching authorities [redacted] violated are Executive Order (EO) 12333, *United States Intelligence Activities*, and Department of Defense (DoD) Directive 5240.01, *DoD Intelligence Activities*.

² (U) [redacted]

(b) (1)
(b) (3) - ER USC 798
(b) (3) - SO USC 3024 (1)
(b) (3) - F, G, 5C-36

(S) (M)
(S) (S)
5C-36 : 2 : a - (S) (M)

~~TOP SECRET//SI//NOFORN~~

APPENDIX C1

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

From: [redacted]
To: [redacted]
Subject: (U) [redacted] issues 3 of 4
Date: Tuesday, July 30, 2013 10:04:26 AM

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

This is the information from [redacted] that prompted me to take a close look at what was going on [redacted] [redacted] had tried to get [redacted] to stop doing it, but at that point nobody over here realized [redacted] [redacted] I figured that out later in the day.

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

(U//FOUO)

[redacted]

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

From: [redacted]
Sent: Monday, March 18, 2013 10:24 AM
To: [redacted]
Subject: FW: (U) [redacted]

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

[redacted]

You might find the below email string of interest. We have been trying to get [redacted] to stop

[redacted]

I will send a few more emails with the same Subject.

[redacted]

(U//FOUO)

[redacted]

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

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

[Redacted]

[Redacted]

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

Unclassified/For Official Use Only

=====

From: [Redacted]
Sent: Friday, March 01, 2013 12:54 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) [Redacted]

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

Classification: TOP SECRET//SI//REL TO USA, FVEY-

[Redacted]

(TS//SI//REL) How is my allegation purely hypothetical? [Redacted]

[Redacted]

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

(C//SI//REL) You are correct that "anything anyone does with [Redacted] can have that impact" but our duty is to DO NO HARM. If you want I will inform the [Redacted] and they will be able to tell us the impact.

(U//FOUO)

[Redacted]

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

(U//FOUO)

From: [redacted]

Sent: Friday, March 01, 2013 11:50 AM

To: [redacted]

Cc: [redacted]

Subject: RE: (U) [redacted]

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

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

[redacted]

(U) My management is aware of what I am doing and why. My management is in contact with your branch management.

~~(S//SI//REL)~~ Your allegation that I am [redacted] is purely hypothetical. Please show where [redacted]

[redacted]

[redacted]

(U) That is a pretty serious, specific and personal allegation. Anything anyone does with [redacted] can have that impact.

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

[Large redacted area]

(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]

Unclassified/For Official Use Only

From: [Redacted]
Sent: Friday, March 01, 2013 11:00 AM
To: [Redacted]
Cc: [Redacted]
Subject: (U) [Redacted]

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

[Redacted]

(S//SI//REL) [Redacted]

(U//FOUO)

[Redacted]

(U//FOUO)

(U//FOUO) [Redacted]

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

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

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

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

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

APPENDIX C2

From: [redacted]
Subject: [redacted]
Date: [redacted]
Attachments: [redacted]

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

OO A little light reading for you. The flow is top to bottom.

[redacted]

Thanks

From: [redacted]
Sent: Monday, March 16, 2015 5:07 PM
To: [redacted]
Cc: [redacted]
Subject: (U) security incident

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

[redacted] Sequence is OGC advised me to contact you about this [redacted]

[redacted] I called [redacted] a few weeks ago to tell him [redacted] I couldn't make him understand what the problem is. He said it's okay because [redacted] Then he told me to talk to his managers, and hang up on me before I could explain [redacted]

[redacted] I called OGC to ask [redacted] and they said to contact you. I know [redacted] doesn't think there's anything wrong with it, but we've had several analysts here look at it, including two on-duty as well as the tech director, and we feel certain that this talking should not have occurred.

Thank you.

From: [redacted]
Sent: Wednesday, March 20, 2015 10:12 AM
To: [redacted]
Cc: [redacted]
Subject: (U) drinking request

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

I have been contacted by [redacted] that you have [redacted] I was asked to step in and make sure that whatever you have done to cause this is undone quickly. Please advise as to what exactly you have done, and why you think this is appropriate, given that there is a potential incident here. If we look into this, it is determined that there is an incident, you will be responsible for drafting and submitting the incident.

If you have any questions, please contact me.

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, March 25, 2015 10:20 AM
To: [redacted]
Subject: (U) drinking request

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

[redacted] Thank you very much. [redacted]

[redacted] I can't speak to what may have come back from that, possibly nothing. But according to [redacted]

[redacted] In any case, I hope he'll be more forthcoming with you than he was with me. However, if he argues that there is no [redacted] and you need data that he doesn't seem to be able to locate, let me know. I can pull it out for you.
Thank you.

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

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

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

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

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

From: [redacted]
Sent: Wednesday, March 26, 2014 11:17 AM
To: [redacted]
Cc: [redacted]
Subject: (U) would you please check into [redacted]

Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

[redacted] I e-mailed you on an email to [redacted] regarding [redacted] he was working. According to [redacted] in accordance with his activities [redacted] if you would please contact [redacted] see cc to [redacted] and determine whether there might be an incident. I would greatly appreciate it. For [redacted] even though this was EO-12958, we need make sure how it was tasked.

I appreciate the assist.

From: [redacted]
Sent: Wednesday, March 26, 2014 11:36 AM
To: [redacted]
Subject: RE: (U) would you please check into [redacted]

Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

Let's get together to discuss. When are you free?

From: [redacted]
Sent: Wednesday, March 26, 2014 12:03 PM
To: [redacted]
Subject: RE: (U) would you please check into [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

(U) [redacted] I am awaiting their response to try to learn what happened in their area. I'll get back to you, folks!

From: [redacted]
Sent: Wednesday, March 26, 2014 12:03 PM
To: [redacted]
Subject: RE: (U) would you please check into [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

No problem - this was not internal to my organization. Some folks in my office just happened to spot strange things happening with the data and started looking in detail to see what was going on.

Thanks,

From: [redacted]
Sent: Wednesday, March 26, 2014 1:47 PM
To: [redacted]
Subject: (U) one more

Classification: ~~TOP SECRET//COMINT//FORN~~

(U) Apologies [redacted] I must have done something wrong when [redacted]

[redacted] However, 2-3 weeks ago someone else in my branch exchanged in which he defended the taking without saying that he hadn't put it in personally, we assumed that he had. (I wasn't involved in that exchange, but the correspondents on this side still have copies of those emails.)

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

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

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

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

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

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

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

~~CONFIDENTIAL~~ The folks who asked him about it earlier in the month were not aware of the full scope of the problem and did not realize it might be a security issue, they just wanted [redacted]

~~CONFIDENTIAL~~ [redacted] did tell [redacted] in my branch that he had been [redacted] There are inexperienced people on [redacted] team, and he may have been coaching them to set up talking in this manner. I don't know if anyone other than [redacted] was [redacted]

Thanks

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

~~CONFIDENTIAL~~ Attachment [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

~~CONFIDENTIAL~~

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

~~CONFIDENTIAL~~ Below is the email thread about [redacted] from earlier in the month, between [redacted] and [redacted] (The flow is from the bottom up.)

Thank you,

~~CONFIDENTIAL~~
From: [redacted]
Sent: Friday, March 22, 2013 1:25 PM
To: [redacted]
Subject: RE: [redacted]

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

Thanks for this. I happened to attend the weekly meeting between [redacted] and [redacted] explained his situation and [redacted] is planning to get with you and [redacted] to see if that resolves the situation as if there are still remaining concerns [redacted] could be ready to get back on [redacted] on Monday or Tuesday with an assessment, but feel free to call me as well if you still have questions or issues after that discussion. As for now [redacted] isn't ready to detach and [redacted] seemed to agree, if that changes next week I'm sure we'll hear about it.

Thanks,

~~CONFIDENTIAL~~
From: [redacted]
Sent: Friday, March 22, 2013 1:14 PM
To: [redacted]
Subject: RE: [redacted]

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

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

(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

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

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

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

I don't understand why [redacted] the collection is blatantly improper.
If my writeup was abusive, [redacted] could evaluate the data
and maybe explain it more clearly than I did.

Thanks,

[redacted]

[redacted]

From: [redacted]
Sent: Friday, March 20, 2003 3:54 PM
To: [redacted]
Subject: [redacted]

Classification: TOP SECRET//COMINT//NOFORN

[redacted]

[redacted]

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

From: [redacted]
Sent: Friday, March 22, 2003 4:15 PM
To: [redacted]
Subject: RE: [redacted]

Classification: TOP SECRET//COMINT//NOFORN

[redacted] sending the outcome of discussions between all the technical folks next week. That at least takes care of the issue for now.
[redacted] look forward to your take on all this.

[redacted]

[redacted]

From: [redacted]
Sent: Monday, March 24, 2003 11:46 AM
To: [redacted]
Subject: RE: [redacted] (yikes! Request)

Classification: TOP SECRET//COMINT//NOFORN

For my phone call to you this morning - I appreciate you passing me past correspondence, but I believe a more top-level and systematic approach is required here to spell out what your compliance concerns are. The technical details you've been sending me indicate there is a concern, but they are somewhat down in the weeds and a bit hard for me to understand or put in context. The overarching concerns need to be articulated first. For me to act on this, and to ensure [redacted] acts on this, I have to understand what's going on, as will their management.

[redacted] is doing this [redacted], and [redacted] believes it to be a compliance concern because [redacted]. In broad terms, the technical analysis shows [redacted] (a couple sentences or so, not more at this point).

[redacted] is also doing this [redacted], and [redacted] believes this is also a compliance concern because [redacted]. Technical analysis shows that [redacted] (again, only a few sentences here).

Third, fourth examples?

Please do not get bogged down in the technical descriptions right away, it's more important to state the top-level compliance concerns with a few sentences that support that assertion.

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

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

The more detailed technical descriptions can follow in supporting documentation.

I also need to know if your compliance representatives share your concern and agree with your assertions/conclusions.

Hope that helps explain what I'm looking for. The better I understand this and the better it is articulated, the more I can assist with [redacted] looking into this.

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

David,

[redacted]

-----Original Message-----

From: [redacted]
Sent: Monday, March 25, 2013 11:29 AM
To: [redacted]
Subject: [redacted]

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

Hi [redacted]

I talked to [redacted] and told [redacted] I would write something up and then call you to talk this over so we are all on the same page.

Basically, what I believe is happening is [redacted]

[Large redacted block]

I'd like to follow this up on the phone.

[redacted]

[redacted]

[redacted]

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

-----Original Message-----

From: [redacted]
Sent: Monday, March 25, 2013 11:53 AM
To: [redacted]
Subject: RE: [redacted]

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

Thanks, that helps. So the issue is [redacted]

And isn't there a second but related issue [redacted]

Feel free to call to discuss...

[redacted]

Classification: SECRET//SI//REL TO USA, AUS, CAN, GRC

Hi [redacted]

[redacted] and I spoke briefly about this. I wanted to circle back with you to see if we need to add to [redacted]

Do you want to add those points to the overall statement of issues [redacted] email below)? Please call me and we can discuss.

Thanks,

[redacted]

Sent: Monday, March 25, 2013 1:02 PM
To: [redacted]
Subject: [redacted]

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

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

From: [redacted]

Sent: Friday, March 27, 2003 3:04 PM

To: [redacted]

Cc: [redacted]

Subject: RE: [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

[redacted]

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

■

(U//FOUO)

[redacted]

From: [redacted]

Sent: Monday, March 25, 2003 1:04 PM

To: [redacted]

Subject: (U) [redacted]

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

[redacted]

Additional statements (in blue) added to [redacted] version below.

Thanks

[redacted]

Hi [redacted]

I talked to [redacted] and told [redacted] you'd write something up and then call you to talk this over so we are all on the same page.

[redacted]

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

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

[Redacted]

[Redacted] has provided some examples and I'll highlight one here:

[Redacted]

So, we [Redacted] are allowed some leeway when doing things for technical purposes to [Redacted] basically figure out what happened technically so we can possibly implement a solution or safeguard to prevent future occurrences. The question here is:

[Redacted] I'm not 100 percent sure of the answer.

I'd like to follow this up on the phone.

[Redacted]

From: [Redacted]
Sent: Tuesday, March 26, 2013 12:38 PM
To: [Redacted]
Subject: RE: (U) [Redacted]

Classification: ~~SECRET//COMINT//REL TO USA, ACQU~~

Hi [Redacted]
Any movement on the final consolidated analysis from [Redacted] concerning? I've informed [Redacted] management that it will be coming, who has said "As fast as [Redacted] provides us with the details on what the issue is, we will work on it immediately."

Thanks,
[Redacted]

From: [Redacted]
Sent: Tuesday, March 26, 2013 1:11 PM
To: [Redacted]
Subject: RE: (U) [Redacted]

Classification: ~~SECRET//COMINT//REL TO USA, ACQU~~

Hi [Redacted]

I sent a re-written draft to [Redacted] about [Redacted] an hour ago. [Redacted] says he will be the one to send the final statement to you. I can let him & [Redacted] know you're hoping to get it sooner rather than later.

Side note: a new thing was added today after additional info came in from another analyst. [Redacted] been doing something else in the system that's causing [Redacted] if [Redacted] think the explanation for that is clear, the statement should be pretty much good to go.

Thanks,
[Redacted]

From: [Redacted]
Sent: Tuesday, April 23, 2013 9:45 AM
To: [Redacted]
Cc: [Redacted]
Subject: (U) [Redacted]

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

[Redacted]

Thanks,
[Redacted]

[Redacted]

From: [Redacted]
Sent: Tuesday, April 23, 2013 9:44 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) [Redacted]

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

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

(b) (1)
(b) (3) - 1.0 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

(b) (1)
(b) (3) - 1.0 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

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

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

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

[redacted] had technical discussions with [redacted] and [redacted] not work, and following those discussions [redacted] informed me last Friday that he "understands what [redacted] is trying to do." I asked him if he or your office had any remaining concerns regarding your [redacted] you would like addressed, in order to address any remaining issues, or to close the case if there were none. He has not yet responded to my email; I really would like to have [redacted] position. According to [redacted] in his discussions with [redacted] apparently also understood and agreed with what [redacted] was doing, and said education needed to be conducted [redacted] for your analysts to understand the procedures used by [redacted] and the use of appropriate [redacted] to [redacted] in [redacted] as well, that [redacted] is no remaining issue, other than the need for increased education/training to [redacted] which [redacted] agreed to do.

I need to reiterate again [redacted] think they it is a compliance issue, but [redacted] needs to clearly explain what the problem is, why they believe there is a problem, and supporting justifications for that position. It is very difficult for me to understand what [redacted] analysts are saying one thing and their management is saying another. Please ensure your compliance representatives are also involved in your discussions.

I stand by ready to assist [redacted] can clearly state its corporate position on the perceived problem, and I will ensure it is followed up to [redacted] but, don't know what the remaining concerns are, and I cannot point your perceived problem in the other direction. Please help me to understand [redacted] remaining concerns, and please ensure [redacted] is working with one voice.

Thanks,

[redacted]

[redacted]

~~CONFIDENTIAL~~

[redacted]

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

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380601

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

APPENDIX C3

From: [redacted]
To: [redacted]
Subject: FW: (U) would you please check into
Date: Tuesday, June 25, 2013 7:04:13 AM
Attachments: FW (U) [redacted]

Classification: ~~TOP SECRET//COMINT//REL TO USA, AUS, CAN, GBR~~

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

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

-----Original Message-----

From: [redacted]
Sent: Thursday, March 21, 2013 11:38 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) would you please check into

Classification: ~~TOP SECRET//COMINT//REL TO USA, AUS, CAN, GBR~~

Folks,

~~(S//SI//REL)~~ First you need to understand how the [redacted] analysts have "verified" this [redacted]

~~(S//SI//REL)~~ I am not an idiot. [redacted]

Please see attached.

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

[redacted]

[redacted]

~~Unclassified//For Official Use Only~~

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

-----Original Message-----

From: [redacted]
Sent: Wednesday, March 20, 2013 4:54 PM

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (1)
(b) (3) - P.L. 86-36

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

To: [redacted]
Cc: [redacted]
Subject: Re: (U) would you please check into . . .

Classification: TOP SECRET//COMINT//REL TO USA, FVEY

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

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

Was this [redacted] If so, the concern raised by [redacted] would make a little more sense.

Thanks,
[redacted]

[redacted]

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

On 03/20/13 14:06, [redacted] wrote:

> *Classification: TOP SECRET//COMINT//REL TO USA, FVEY*

> [redacted]

> I am working with his management to determine what happened and
> whether this is an incident for [redacted] On the service I would say if it
> is an incident it would be reported by whomever [redacted]

[redacted]

> So this may be an incident but not one for [redacted] look forward to
> the response you get back from [redacted]

> (U//FOUO)

[redacted]

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

> *From: [redacted]

> *Sent: Wednesday, March 20, 2013 12:07 PM

> *To: [redacted]

> *Subject: RE: (U) would you please check into . . .

> *Classification: TOP SECRET//COMINT//REL TO USA, FVEY*

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

> [redacted]

> I got [redacted] out of office msg, says he's out until Friday. Is there
> anyone else in [redacted] who can describe what happened and whether it
> merits an incident report? On the face of it appears it does.

[Redacted]

> *From: [Redacted]
> *Sent: * Wednesday, March 20, 2013 11:36 AM
> *To: [Redacted]
> *Subject: * RE: (U) would you please check into
> *Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

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

> [Redacted]
> Let's get together to discuss. When are you free?

[Redacted]

> *From: [Redacted]
> *Sent: * Wednesday, March 20, 2013 11:12 AM
> *To: [Redacted]
> *Cc: [Redacted]
> [Redacted]

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

> *Subject: * (U) would you please check into
> Classification: ~~TOP SECRET//SI//REL TO USA, FVEY~~

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

> Hi [Redacted]

> (~~TS//SI//REL~~) I cc'ed you on an email to [Redacted] regarding some
> [Redacted] activities he was working. According to [Redacted]
> there was tasking [Redacted] conducted in accordance with his
> activities, such that they were able to verify [Redacted]
> [Redacted] If you would please
> contact [Redacted] (on cc) to understand better what happened, and
> determine whether there might be an incident, I would greatly
> appreciate it. Per [Redacted] it appears that the tasking has been removed
> [Redacted]

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

> [Redacted] Even though this was EO-12333, we need make sure how it was tasked.

> I appreciate the assist.

> [Redacted]

> *****

> [Redacted]

> *****

> Classified By: [Redacted]

> Derived From: NSA/CSSM 1-52

> Dated: 20070108

> Declassify On: 20380301

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

> *Classified By: [Redacted]

> *Derived From: NSA/CSSM 1-52*

> *Dated: 20070108*

> *Declassify On: 20380301*

> **

> *Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~*

> **

> *Classified By: [Redacted]

> *Derived From: NSA/CSSM 1-52*

> *Dated: 20070108*

> *Declassify On: 20380301*

> **

> *Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~*

> **

>

DERIVED FROM: NSA/CSS 1-52
DATED: 08 January 2007
DECLASSIFY ON: 20320108

Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

(b) (3) - E.O. 13526

Classified By
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380301

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

Classification: ~~TOP SECRET//COMINT//REL TO USA, AUS, CAN, GBR~~

APPENDIX C4

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: 12:44, Nov 23, 2017 (13:14 UT)
Attachments: [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

From: [redacted]
Sent: Monday, March 25, 2013 1:53 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Done as ordered

[redacted]
[redacted]

From: [redacted]
Sent: Monday, March 25, 2013 1:27 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Could you please also contact [redacted] We've all agreed that the defueling is being done just to work through the issue.

To that end, I have been working with [redacted] since Friday to ask them to articulate their exact concerns [redacted] I think it is important that they precisely state what their issues are so [redacted] can gain understanding in order to be able to address their specific questions and concerns. They are finalizing their writing and technical analysis and will be forwarding shortly. I will forward it on to [redacted] for review and comment.

Thanks,

[redacted]

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

From: [redacted]
Sent: Friday, March 22, 2013 1:56 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

[redacted] per your request [redacted] has been de-fueled

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

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

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

[REDACTED]

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

[REDACTED]

From: [REDACTED]
Sent: Friday, March 22, 2013 3:47 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

[REDACTED] So everyone is on the same page, sending this email.

I just spoke with [REDACTED]. Limited prior repercussions being is to mission if the tasking that [REDACTED] is concerned about was stopped this weekend and it appeared there is none. While [REDACTED] is 100% sure there is no compliance issue he reluctantly agreed to turn this tasking off until [REDACTED] and he meet Monday to work through the issues that [REDACTED] and [REDACTED] supporting analysts have with the way [REDACTED] is doing business. It could be that we have been doing business wrong for many, many years and we need to modify what we are doing. However, my guess is this is not the case.

Stay tuned for the actual facts as [REDACTED] go through this with their technical folks.

[REDACTED]

[REDACTED]

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

Classification: UNCLASSIFIED//FOR OFFICIAL USE ONLY

UNCLASSIFIED

APPENDIX C5

UNCLASSIFIED

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

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IG Investigation - Request for interview
Date: Thursday, May 30, 2013 10:44:15 AM
Attachments: FW (U) [redacted] (6.39 KB).msg
(U) [redacted] (7.42 KB).msg

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

June 20 works for me.

I've attached a couple emails concerning this subject for you to read. One contains a draft of an email I was going to send to [redacted] who is the [redacted]. I never did send it as I was waiting on a response from [redacted] since I mentioned her name and a conversation we had about this subject. [redacted] is the [redacted]. The draft is part of an email chain on the subject. The second attachment contains a PDF file with an email between myself [redacted] and [redacted].

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

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

I did relay the conversation I had with [redacted] to our analysts, who were still not happy with the results. I told them that since [redacted] was the [redacted] that I would defer to her. I do see the argument that [redacted] makes (PDF) and understand it, however, I'm not sure I would use the same process that [redacted] is using. My main concern was [redacted].

[redacted]

[redacted]

(U//FOUO)

[redacted]

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

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

From: [redacted]
Sent: Wednesday, May 29, 2013 2:41 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IG Investigation - Request for interview

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

Hello [redacted]

Thank you. I look forward to talking with you. I will be TDY 4-14 June. May we go ahead and schedule something for when I return? How does Thu 20 June at 1300 work for you?

In the meantime, if you have any emails that you believe would be pertinent to this activity, please forward them to me. I understand that at some point you may have been preparing a summary of the issue (I believe to submit to [redacted]) but it was never completed/sent. If you still have that draft and think it would be helpful for me to read ahead of time, please forward that as well. If you have time to prepare a simple timeline of the events and any actions taken, that may also be helpful to our investigation.

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

Also, I have asked [redacted] an Evaluator from the IG's Intelligence Oversight Office (D11) to participate in our meeting. She is fully aware of the investigation and allegations made thus far. Please include [redacted] on any other emails you send to me regarding this matter.

Again, thank you, [redacted]

V/R,

[redacted]

(U//FOUO) [redacted]

Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

From: [redacted]
Sent: Wednesday, May 29, 2013 2:25 PM
To: [redacted]
Subject: RE: (U) IG Investigation - Request for interview

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

Hi [redacted]

(~~TS//SI//REL TO USA, FVEY~~) I have been privy to this situation and can certainly answer any questions you have. Unfortunately, I will be out of town on Friday and I am also on leave Tuesday June 4. Any other day would be fine.

[redacted]

(U//FOUO)

[redacted]

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

[Redacted]

From: [Redacted]
Sent: Wednesday, May 29, 2013 1:44 PM
To: [Redacted]
Subject: (U) IG Investigation - Request for interview

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

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

Good afternoon [Redacted]

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

~~(TS//SI//REL TO USA, FVEY)~~ The Office of the Inspector General received an allegation that [Redacted] has been tasking [Redacted]. It has been alleged that [Redacted] does not have a foreign intelligence purpose for conducting this collection and that an IO incident report has not been filed regarding this alleged activity.

(U//FOUO) It is my understanding that you, as the [Redacted] and IOO, may have information regarding this matter that would be helpful to our investigation. Are you available to meet with me on Friday, 31 May at 1000 to discuss further? I would great appreciate your time and insights on the matter.

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

Thank you [Redacted]

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

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[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: 20380501

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

(b) (1) - (2) - (3) - (6)

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

APPENDIX C6

From: [redacted]
To: [redacted]
Subject: FW: (U) Strange tasking going on
Date: Tuesday, June 25, 2013 7:37:18 AM

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

From: [redacted]
Sent: Tuesday, April 23, 2013 8:57 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Strange tasking going on

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

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

This is what was discussed at the 15 April meeting:

1. [redacted] said he would put out meeting notes on the outcome of the meeting - whether the compliance assertions were resolved to [redacted] satisfaction, the two actions for [redacted] below. If [redacted] did not put out the meeting notes, it would be in [redacted] best interests to do so, in the event this issue comes up again in the future.

2. [redacted]
[redacted]

3. [redacted] to write an Information SPF and a new SOP describing its procedures, how it does its work, where it puts its data, and how oversight and compliance are conducted. The SPF is to be coordinated through [redacted] and [redacted] also suggested it include a warning to go out to the workforce [redacted]
[redacted]

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

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

[redacted]

From: [redacted]
Sent: Tuesday, April 23, 2013 8:33 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

[redacted] We [redacted] and myself did meet with the [redacted] folks to discuss their concerns. I believe that everyone agreed that there are no compliance issues at this time but [redacted] still had a little concern about [redacted]. As [redacted] stated in her email on this subject there is still some clean up to be done to close this out. One of those things is [redacted]

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

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

Truthfully I haven't tracked that too closely since it was a [redacted] and not a compliance issue and [redacted] seemed like he had a handle on that.

[redacted] Have you meet with [redacted] yet? If so, could you provide us an update.

(U//FOUO)

[redacted]

From: [redacted]
Sent: Monday, April 22, 2013 12:51 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

Hi [redacted]

Can I please get an update on where this issue stands? Is it still of concern to [redacted] or did the meeting happen and all are happy?

Thanks!

[redacted]

(U//FOUO)

[redacted]

From: [redacted]
Sent: Monday, April 15, 2013 1:57 PM
To: [redacted]
Subject: RE: (U) Strange tasking going on

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

Classification: TOP SECRET//REL TO USA, FVEY

[redacted]
At today's meeting between [redacted] there were repeated statements made by the [redacted] analysts that they were not given an opportunity to respond to the assertions that were made about their work. It is unclear what they were referring to as their management and compliance officer were cc'd on all status messages; at any time someone from [redacted] had the opportunity to have said (or better yet, documented) "here is the real situation." That did not occur.

I will no longer be documenting status messages for [redacted] as issues arise, as in the emails below. In the future, any issues that arise concerning [redacted] will be sent directly to [redacted] for response. My attempt to provide status messages was a way to ensure all personnel were on the same page; for the short term, and to document the situation and way of doing business, for the long term (i.e., knowledge base); [redacted] will take on that obligation for their issues.

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

At the end of today's meeting I was asked to capture the meeting notes and actions. I declined as I have done enough documentation on this issue. I said either [redacted] or [redacted] from [redacted] should do it; [redacted] said he would but since the actions fall onto [redacted] I would suggest it might have been in your best interest to control the message for [redacted] - that the compliance concerns were largely ameliorated (except for [redacted]), and that [redacted] will document its procedures and plans for [redacted] in an Information SPF between [redacted] (alert to the [redacted] workforce to be determined).

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

[redacted]

[redacted]

From: [redacted]
Sent: Friday, April 12, 2013 7:42 AM
To: [redacted]
S3409
Subject: FW: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

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

You'll see that [redacted] has sent out a meeting invite to discuss the [redacted] I would assume you would like to invite [redacted] and [redacted] please do.

Below are the emails I sent to [redacted] There is more history from March relating to discussions between [redacted] and [redacted] I haven't included here but can be discussed at the meeting.

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

[redacted] you would probably be interested in attending as well. Monday, April 15, 2013 10:00 AM-11:30 AM, [redacted]

[redacted]

[redacted]

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

From: [redacted]
Sent: Thursday, April 11, 2013 6:52 AM
To: [redacted]

Subject: RE: (U) Strange tasking going on

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

[redacted]
Can you please set up a meeting with [redacted] folks, either today or tomorrow or next week, as there are two issues that need to be resolved here. If you would like to hold a pre-meeting first in [redacted] to ensure we're all on the same page before meeting with [redacted] I'll defer to you on that.

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

The first issue is the compliance concerns first expressed by [redacted] and now [redacted]. As outlined below, they are 1) that the [redacted]

[redacted]

[redacted] If it is determined none of this is happening, and collection can continue, then we can move on the second issue.

The second issue is [redacted]. The following questions need to be answered:

1. [redacted]

2. What were the reasons [redacted] and when was that decided?

(b) (3)
(b) (3) - 18 USC 790
(b) (3) - 50 USC 3024(i)
(b) (3) - P, L, 86-36

3.

[Redacted]

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

Let me know if you are ready to meet internally or if you are going to go ahead with the meeting with [Redacted]. The folks who have offered to meet with you are on the addressee list on the April 09, 2013 1:13 PM email below.

[Redacted] thought you might have some insight into this, I can give you a call if you need more background.

Thanks,

[Redacted]

[Redacted]

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

From: [Redacted]
Sent: Tuesday, April 09, 2013 3:39 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: (U) Strange tasking going on

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

[Redacted]
[Redacted] has concerns about [Redacted] see below. I called him, and he added in further concerns while we were talking. Could you please arrange a meeting with your folks and his to discuss some of these issues?

[Redacted]

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

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

[Redacted]

[Redacted] Can you please plan your responses to these concerns/issues, as they will likely come up again.

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

[Redacted] I read your SOP - it looks like it went only to [Redacted] for coordination, not outside to [Redacted] I think it should be reviewed by [Redacted] particularly the [Redacted] folks. As a matter of course, most SOPs should be coordinated both inside and outside of [Redacted] to ensure all agree with what is being proposed. I also didn't see a date on it - was it previously written and coordinated or is it a new SOP?

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

I know that [Redacted] and [Redacted] have said they have no remaining concerns following your discussions with them. However, as [Redacted] still does, I think a discussion is in order to make sure everyone is on the same page.

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

Thanks,

[Redacted]

[Redacted]

From: [Redacted]
Sent: Tuesday, April 09, 2013 1:13 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Strange tasking going on

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

[Redacted]

The concern I have, irrespective of how I learned of the issue, is that there is at least the appearance (if not the fact) [Redacted]

[Redacted]

(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

[Redacted]

(U//FOUO)

[Redacted]

From: [Redacted]

Sent: Thursday, April 04, 2013 3:36 PM

To: [Redacted]

Cc: [Redacted]

Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

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

[Redacted], thanks [Redacted] I checked with the [Redacted] folks [Redacted]

Agree with [Redacted] that this particular outreach to [Redacted] was not part of the agreed-upon process in our discussions with [Redacted] on this ongoing issue, and that [Redacted] is having some internal discussions related to that.

(b) (1)
(b) (3) - S8 USC 799
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

[Redacted]

[Redacted]

From: [Redacted]

Sent: Thursday, April 04, 2013 2:20 PM

To: [Redacted]

Cc: [Redacted]

Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

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

[Redacted]

[Redacted] was at my desk as I returned from [Redacted] this morning and I pointed him to [Redacted] As he described

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

the situation (a contact from [redacted] explained that [redacted] has been working with the folks in [redacted] and interacting some with the [redacted] folks, such that she is fully aware of the situation. Also mentioned that [redacted] has put together a new/replacement SOP for their activities and that during discussions on Friday, that included [redacted]

I know that within [redacted] those who are aware of this situation are conducting some internal discussions as to whom and how they should reach out with this type of concern. I consider that this particular reach out to [redacted] was not a part of that process.

Thanks

[redacted]

[redacted]

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

From: [redacted]
Sent: Thursday, April 04, 2013 1:58 PM
To: [redacted]
Cc: [redacted]

Subject: FW: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

Good Afternoon [redacted]

Before he had left for the day - [redacted] had asked us to confirm that [redacted]

[redacted]

[redacted] - we are going to consider this action closed.

Regards,

[redacted]

(U//FOUO) [redacted]

[redacted]

(b) (1)
(b) (3) - 16 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 16 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

(U//FOUO)

[Redacted]

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

From: [Redacted]

Sent: Thursday, April 04, 2013 1:42 PM

To: [Redacted]

[Redacted]

Cc: [Redacted]

Subject: RE: (U) Strange tasking going on

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

Hi [Redacted]

[Redacted]

Thanks!

[Redacted]

(U//FOUO)

[Redacted]

From: [Redacted]

Sent: Thursday, April 04, 2013 12:40 PM

To: [Redacted]

[Redacted]

Cc: [Redacted]

Subject: RE: (U) Strange tasking going on

Classification: ~~TOP SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

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

Thanks [Redacted]. If you need more info, you can check with [Redacted] [Redacted] now in [Redacted] as the [Redacted] is supposed to know about this, but I don't think she's sufficiently aware of the [Redacted]

(U//FOUO)

[Redacted]

(a) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(f)
(b) (3) - E.O. 13526

[Redacted]

From: [Redacted]
Sent: Thursday, April 04, 2013 12:39 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Strange tasking going on

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

Classification: ~~TOP SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

We will research this immediately [Redacted]

v/r,

[Redacted]

[Redacted]

(U//FOUO) [Redacted]

(U//FOUO) [Redacted]

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

From: [Redacted]
Sent: Thursday, April 04, 2013 12:33 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) Strange tasking going on

Classification: ~~TOP SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Guys,

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

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

[Redacted] brought to my attention that *apparently*, there's some [Redacted] [Redacted] [Redacted]

[Redacted]

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

[Redacted]

I spoke with [Redacted] to see if she knew about this and she did [Redacted]

[Redacted]

So, can you check [Redacted]

[Redacted]

I'm leaving very soon for the weekend, but I'd like you guys to check into this and follow up. [Redacted] has [Redacted] There is a way to do this compliantly. I just don't know if that's already been put together and it's worth looking into and making sure we have some documentation on it.

Thanks a bunch.

[Redacted]

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

(U//FOUO)

[Redacted]

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

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

Classification: ~~TOP SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

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

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

APPENDIX C7

[Redacted]

From: [Redacted]
Sent: Monday, April 15, 2013 9:17 AM
To: [Redacted]
Subject: RE: (U) Strange tasking going on

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

All,

[Redacted] is on sick leave today.

[Redacted]

[Redacted]

** Note: If you are sending me large files, pls don't email them as an attachment. Instead, pls place them in my drop-box at:

[Redacted]

From: [Redacted]
Sent: Friday, April 12, 2013 7:42 AM
To: [Redacted]
Subject: FW: (U) Strange tasking going on

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

You'll see that [Redacted] has sent out a meeting invite to discuss the [Redacted]. I would assume you would like to invite [Redacted] please do.

Below are the emails I sent to [Redacted]. There is more history from March relating to discussions between [Redacted] I haven't included here but can be discussed at the meeting.

[Redacted] you would probably be interested in attending as well. Monday, April 15, 2013 10:00 AM-11:30 AM, [Redacted]

[Redacted]

[Redacted]

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

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

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

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

[Redacted]

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

From: [Redacted]

Sent: Thursday, April 11, 2013 6:52 AM

To: [Redacted]

Subject: RE: (U) Strange tasking going on

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

[Redacted]

Can you please set up a meeting with [Redacted] folks, either today or tomorrow or next week, as there are two issues that need to be resolved here. If you would like to hold a pre-meeting first in [Redacted] to ensure we're all on the same page before meeting with [Redacted] I'll defer to you on that.

The first issue is the compliance concerns first expressed by [Redacted] and now [Redacted]. As outlined below, they are 1) that the

[Redacted]

[Redacted] If it is determined none of this is happening, and collection can continue, then we can move on the second issue.

The second issue is [Redacted]. The following questions need to be answered:

1. [Redacted]

2. What were the reasons for [Redacted] and when was that decided?

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

3. [Redacted]

Let me know if you are ready to meet internally or if you are going to go ahead with the meeting with [Redacted]. The folks who have offered to meet with you are on the addressee list on the April 09, 2013 1:13 PM email below.

[Redacted] [Redacted] thought you might have some insight into this, I can give you a call if you need more background.

Thanks,

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

[Redacted]

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

From: [Redacted]

Sent: Tuesday, April 09, 2013 3:39 PM

To: [Redacted]

Cc: [Redacted]

Subject: FW: (U) Strange tasking going on

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

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

[Redacted] has concerns about [Redacted] see below. I called him, and he added in further concerns while we were talking. Could you please arrange a meeting with your folks and his to discuss some of these issues?

[Redacted]

[Redacted]

[Redacted] Can you please plan your responses to these concerns/issues, as they will likely come up again.

[Redacted] I read your SOP - it looks like it went only to [Redacted] for coordination, not outside to [Redacted]. I think it should be reviewed by [Redacted] particularly the [Redacted] folks. As a matter of course, most SOPs should be coordinated both inside and outside of [Redacted] to ensure all agree with what is being proposed. I also didn't see a date on it - was it previously written and coordinated or is it a new SOP?

I know that [Redacted] and [Redacted] have said they have no remaining concerns following your discussions with them. However, as [Redacted] still does, I think a discussion is in order to make sure everyone is on the same page.

Thanks,

[Redacted]

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

[Redacted]

From: [redacted]

Sent: Tuesday, April 09, 2013 1:13 PM

To: [redacted]

Cc: [redacted]

Subject: RE: (U) Strange tasking going on

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

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

The concern I have, irrespective of how I learned of the issue, is that there is at least the appearance (if not the fact) [redacted]

[redacted]

[redacted]

(U//FOUO) -

[redacted]

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

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

From: [redacted]

Sent: Thursday, April 04, 2013 3:36 PM

To: [redacted]

Cc: [redacted]

Subject: RE: (U) Strange tasking going on

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

[redacted] thanks [redacted] I checked with the [redacted] folks and they [redacted]

[redacted]

Agree with [redacted] that this particular outreach to [redacted] was not part of the agreed-upon process in our discussions with [redacted] on this ongoing issue, and that [redacted] is having some internal discussions related to that.

[redacted]

[redacted]

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

From: [redacted]

Sent: Thursday, April 04, 2013 2:20 PM

To: [redacted]

Cc: [redacted]

Subject: RE: (U) Strange tasking going on

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

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

[redacted] was at my desk as I returned from [redacted] this morning and I pointed him to [redacted]. As he described the situation (a contact from [redacted] I explained that [redacted] has been working with the folks to [redacted] and interacting some with the [redacted] folks, such that she is fully aware of the situation. Also mentioned that [redacted] has put together a new/replacement SOP for their activities and that during discussions on Friday, that included [redacted]

I know that within [redacted] those who are aware of this situation are conducting some internal discussions as to whom and how they should reach out with this type of concern. I consider that this particular reach out to [redacted] was not a part of that process.

Thanks

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

[redacted]

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

From: [redacted]

Sent: Thursday, April 04, 2013 1:58 PM

To: [redacted]

Cc: [redacted]

Subject: FW: (U) Strange tasking going on

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

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

Good Afternoon [redacted]

Before he had left for the day - [redacted] had asked us to confirm that [redacted]

[redacted] - we are going to consider this action closed.

Regards,

[redacted]

(U//FOUO) [redacted]

[redacted]

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

[Redacted]

From:

[Redacted]

Sent:

Wednesday, April 17, 2013 3:22 PM

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

To:

[Redacted]

Cc:

Subject:

RE: (U) [Redacted]

Classification: ~~CONFIDENTIAL/REL TO USA, AUS, CAN, GBR, NZL~~

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

An interesting and timely question.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(U//FOUO)

[Redacted]

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

From:

[Redacted]

Sent: Wednesday, April 17, 2013 5:59 AM

To:

[Redacted]

Subject: (U)

[Redacted]

Source

[Redacted]

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (4)
(b) (3)-P.L. 86-36

Can you help with a question on [redacted]

[redacted]

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

[redacted] says this:

"Suggest a conversation with [redacted] to pick his brain on [redacted]
[redacted] perhaps he has some handy guidance, as well.

[redacted]

[redacted]

I would like to meet with you to discuss. As I said, I am trying to write guidelines for the [redacted] workforce, of which there is none. If there is any documentation you're aware of that addresses [redacted] I'd like to know that as well. I've spoken to [redacted] and they said they don't do what [redacted] does, and I've looked at the USSIDS [redacted] and they don't address the issue.

Thanks,

[redacted]

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380401

[Redacted]

From: [Redacted]
Sent: Tuesday, April 30, 2013 8:13 AM
To: [Redacted]

Subject: FW: (U) Strange tasking going on

Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

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

See below, [Redacted] Leave it in your hands to determine the next step, haven't seen the meeting notes you were going to put out but this is what I remember from the 15 Apr meeting: a statement whether [Redacted]

[Redacted]

[Redacted]

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

From: [Redacted]
Sent: Tuesday, April 30, 2013 7:29 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Strange tasking going on

Classification: ~~TOP SECRET//COMINT//REL TO USA, FVEY~~

~~(S//SI//FVEY)~~ [Redacted] we are still using [Redacted]
 [Redacted] The ball is in [Redacted] court to respond to the draft and work on [Redacted] have not had any response in two weeks, [Redacted]

(U//FOUO)

[Redacted]

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

(U//FOUO)

From: [Redacted]
Sent: Tuesday, April 30, 2013 6:19 AM
To: [Redacted]

Cc: [redacted]
Subject: RE: (U) Strange tasking going on.

Classification: TOP SECRET//REL TO USA, FVEY

[redacted]

[redacted]

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

From: [redacted]
Sent: Monday, April 29, 2013 8:00 AM
To: [redacted]
Cc: [redacted]

Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

[redacted] good morning, [redacted] did meet with [redacted] and we got the last of [redacted] As to the documentation of the process, I sent a draft to [redacted] and have not hear back yet.

(U//FOUO)

[redacted]

(U//FOUO)

(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

From: [redacted]
Sent: Tuesday, April 23, 2013 8:33 AM
To: [redacted]
Cc: [redacted]

Subject: RE: (U) Strange tasking going on

Classification: TOP SECRET//REL TO USA, FVEY

[redacted] We ([redacted] and myself) did meet with the [redacted] folks to discuss their concerns. I believe that everyone agreed that there are no compliance issues at this time but [redacted] still had a little concern about [redacted] As [redacted] stated in her email on this subject there is still some clean up to be done to close this out. One of those things is [redacted]

[redacted]

Truthfully I haven't tracked that too closely since it was a [redacted] and not a compliance issue and [redacted] seemed like he had a handle on that.

[Redacted]

Have you meet with [Redacted] yet? If so, could you provide us an update.

(U//FOUO)

[Redacted]

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

From: [Redacted]

Sent: Tuesday, April 09, 2013 1:13 PM.

To: [Redacted]

Cc: [Redacted]

Subject: RE: (U) Strange tasking going on

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

[Redacted]

The concern I have, irrespective of how I learned of the issue, is that there is at least the appearance (if not the fact) [Redacted]

[Redacted]

[Redacted]

(U//FOUO)

[Redacted]

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

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

From: [Redacted]

Sent: Thursday, April 04, 2013 1:58 PM

To: [Redacted]

Cc: [Redacted]

Subject: FW: (U) Strange tasking going on

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

Good Afternoon [Redacted]

Before he had left for the day [Redacted] had asked us to confirm that [Redacted]

[Redacted]

[Redacted] - we are going to consider this action closed.

Appendix C8

[Redacted]

From: [Redacted]
Sent: Tuesday, July 30, 2013 10:05 AM
To: [Redacted]
Subject: (U) [Redacted] issues 4 of 4

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

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

[Redacted]

(U//FOUO)

[Redacted]

(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

From: [Redacted]
Sent: Wednesday, March 27, 2013 10:23 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Erroneous and questionable [Redacted]

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

[Redacted]

(S//SI//REL)

[Redacted]

[Redacted]

[Redacted]

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



[Redacted]

From: [Redacted]
Sent: Wednesday, March 27, 2013 10:10 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Erroneous and questionable [Redacted]

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

[Redacted]

[Redacted]

(U//FOUO)

[Redacted]

(U//FOUO)

From: [Redacted]
Sent: Wednesday, March 27, 2013 9:22 AM
To: [Redacted]
Cc: [Redacted]
Subject: (U) Erroneous and questionable [Redacted]

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

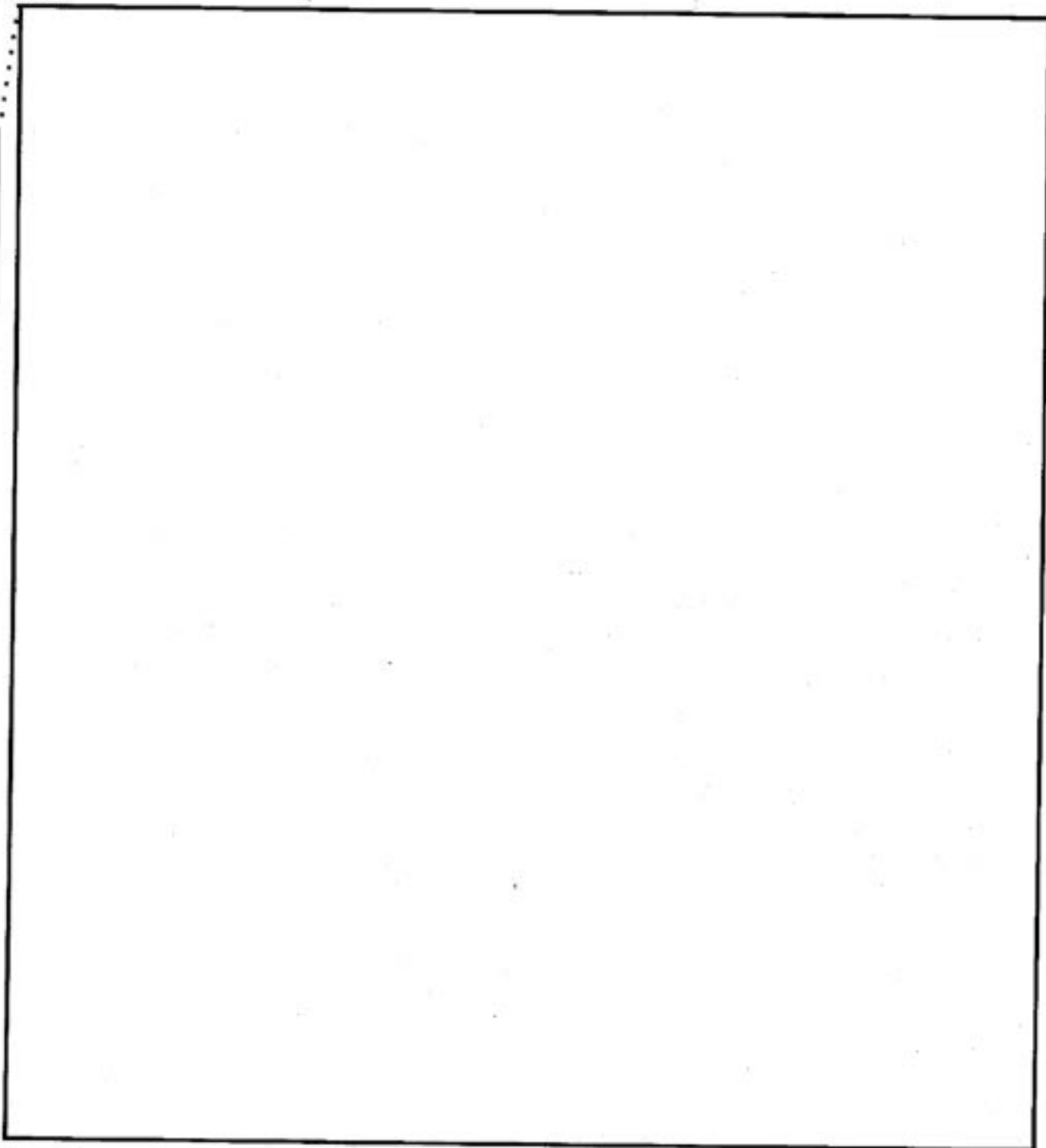
[Redacted]

(TS//SI) Here is an example of what not to do when you "Haven't a clue what's going on". The below screen shots shows [Redacted]

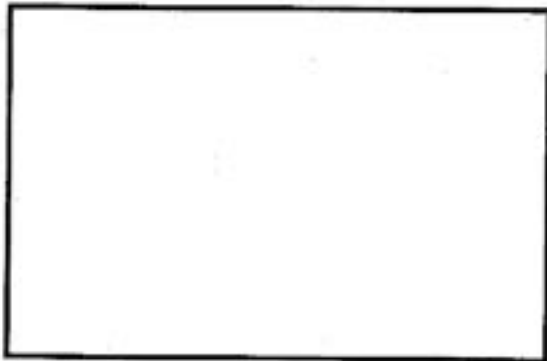
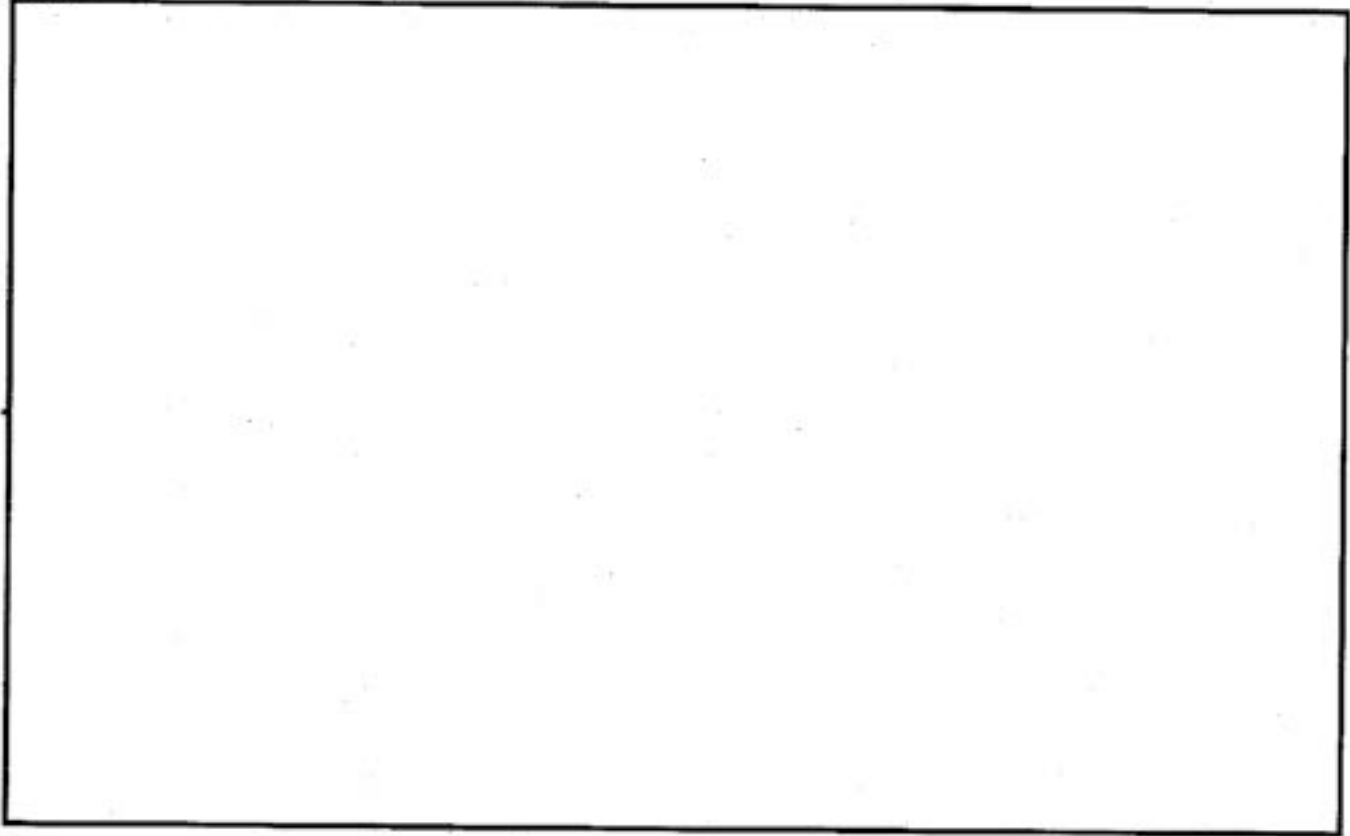
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(L)
(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



(b) (1)
(b) (3) - 1.6 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36



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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380301

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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108

APPENDIX D1

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

From: [Redacted]
To: [Redacted]
Subject: (U) Follow up on [Redacted]
Date: Thursday, November 21, 2013 4:03:41 PM
Attachments: [Redacted]

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

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

Per your request, my comments from today in writing.

If I can be of any further help, please let me know.



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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

APPENDIX D2

From: [redacted]
To: [redacted]
Subject: (U) [redacted] FW: (U) New tasking released
Date: Monday, June 29, 2015 1:19:31 PM
Attachments: [redacted]

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

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

From: [redacted]
Sent: Friday, November 22, 2013 11:30 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) New tasking released

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

[redacted]

[redacted]

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

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

From: [redacted]
Sent: Thursday, November 21, 2013 4:50 PM
To: [redacted]
Cc: [redacted]
Subject: FW: (U) New tasking released

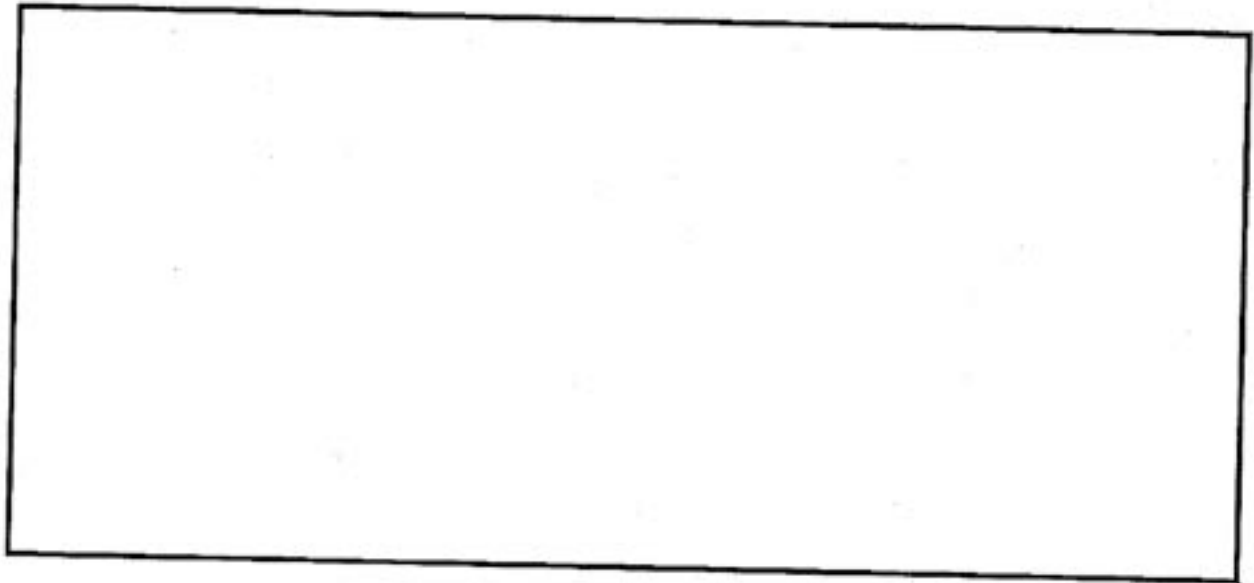
Classification: ~~TOP SECRET//SI//NOFORN~~

[redacted]

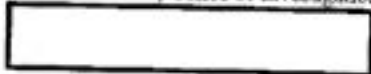
During our meeting today, we shared the attached [redacted] that had not yet been approved. It has since been approved. We would greatly appreciate your review and feedback regarding this tasking. Specifically, [redacted]

[redacted]

Other information provided to the OIG regarding this tasking:



(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14



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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3624 (1)
(b) (3) - P.L. 86-36

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

APPENDIX D3

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) 1 - Data for OIG Investigation
Date: Friday, November 22, 2013 3:44:34 PM

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

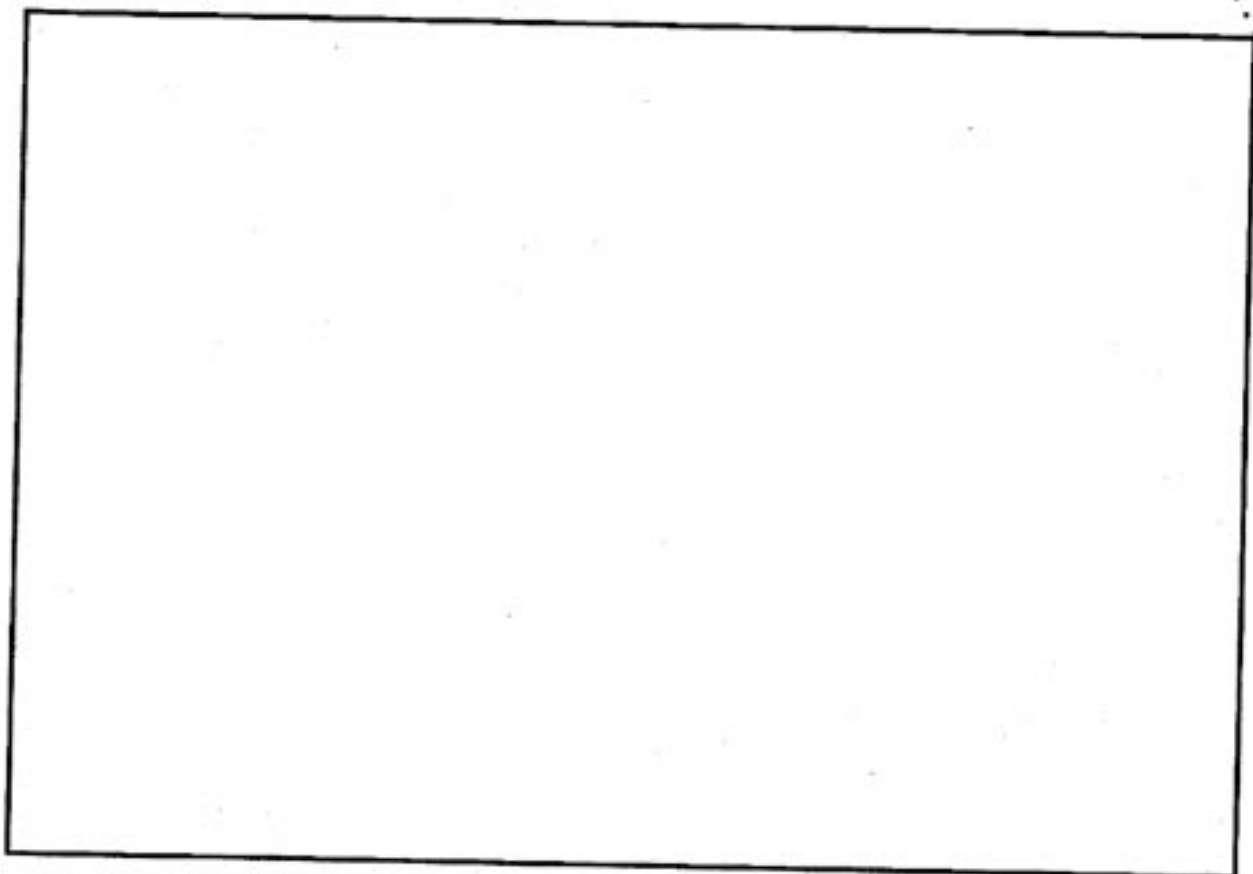
Classification: ~~TOP SECRET//SI//NOFORN~~

[Redacted]

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

Of these series of 4 emails, I have only gotten through #1 of 4.

It is not an SOP. It is an unsigned SPF that lays out all the procedures that the subject followed.

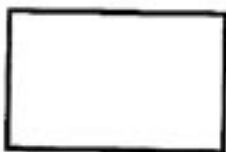


I will try to get through attachment emails 2 through 4 on Monday.

Regards,

[Redacted]

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



From: [Redacted]
Sent: Thursday, November 21, 2013 4:53 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) 1 - Data for OIG Investigation
Importance: High

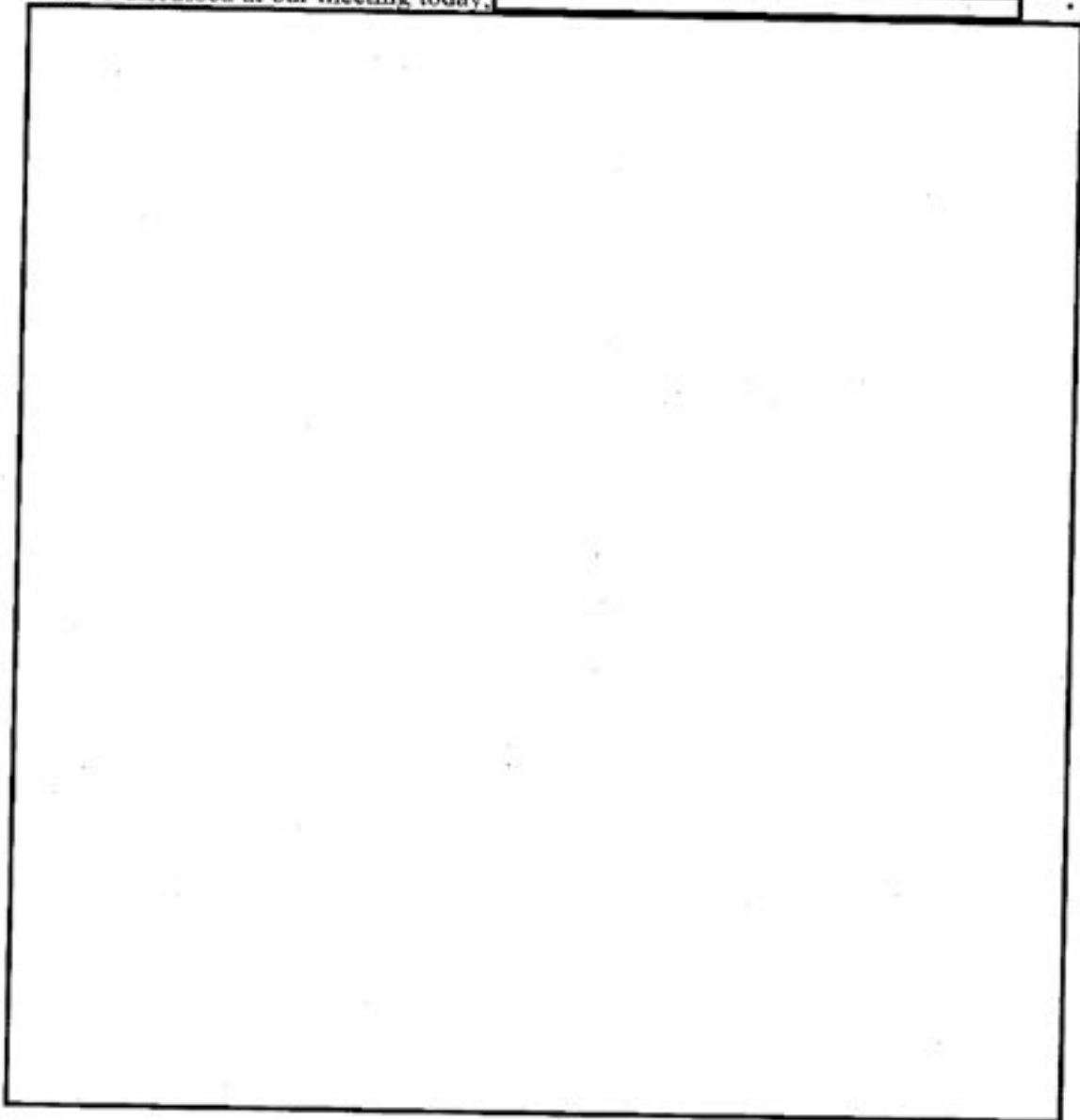
(b) (3) - P.L. 86-36

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



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

As we discussed at our meeting today, [Redacted]



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

comments:

- [Redacted]
- [Redacted]

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

APPENDIX D4

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) I - Data for OIG Investigation
Date: Monday, November 25, 2013 10:27:29 AM
Attachments: [Redacted]

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

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

[Redacted]

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

I got through the documents this morning. Full details are attached. To summarize:

[Large Redacted Area]

If you have questions, need different details, or need a different level of specificity, please let me know.

I am working a full day today, only a half day tomorrow, then plan to be off the rest of the week. However, I will be in the area should anything arise that absolutely cannot wait until the first week of December.

Regards,

[Redacted]

[Redacted]

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

[Redacted]

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

From: [Redacted]
Sent: Monday, November 25, 2013 9:48 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) 1 - Data for OIG Investigation

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

Good morning, [Redacted]

Thank you for your thoughts regarding the SPF.

We're looking forward to hearing your thoughts on the rest of the data. Thank you for all of your time and assistance.

V/R,

[Redacted]

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

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

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

From: [Redacted]
Sent: Friday, November 22, 2013 3:45 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) 1 - Data for OIG Investigation

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

[Redacted]

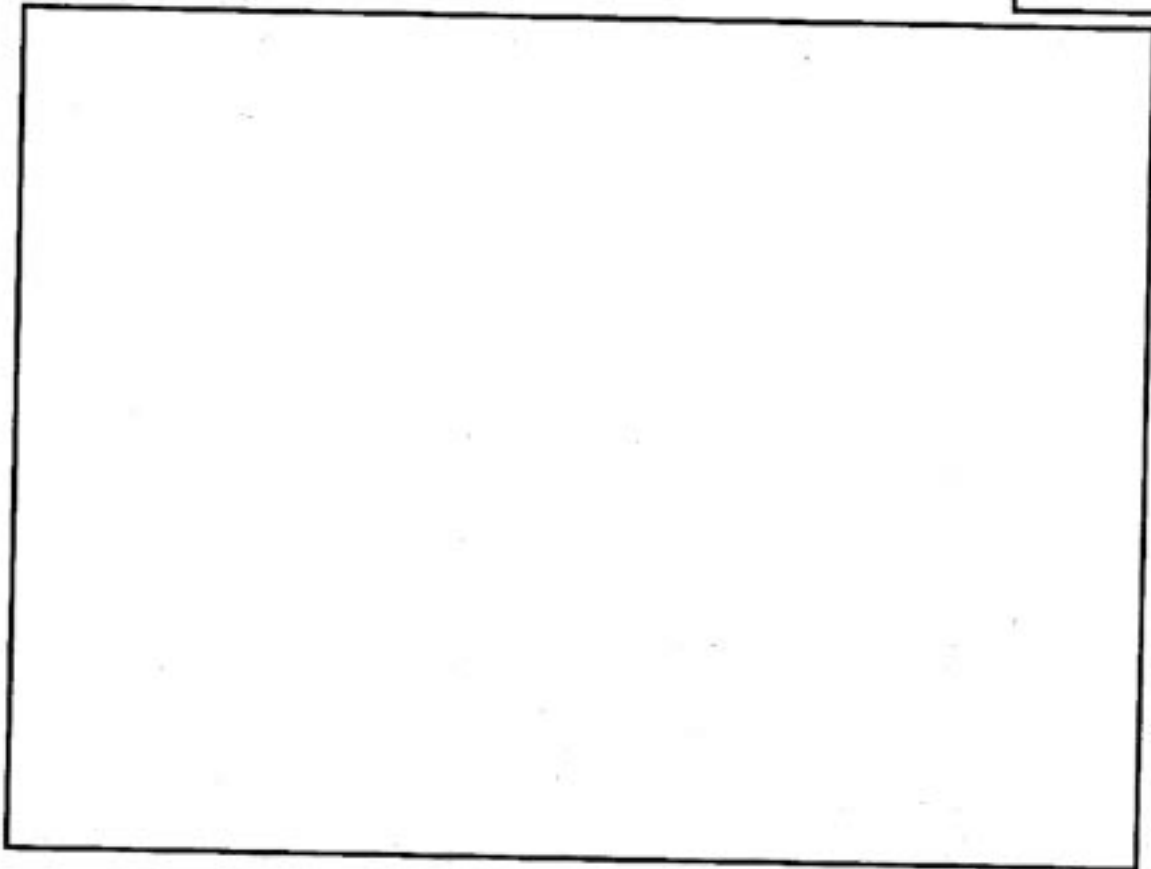
(b) (3)
(b) (3)-18 USC 798
(b) (3)-50 USC 3020(i)
(b) (3)-P.L. 86-36

Of these series of 4 emails, I have only gotten through #1 of 4.

It is not an SOP. It is an unsigned SPF that lays out all the procedures that the subject followed.

[Redacted]

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



I will try to get through attachment emails 2 through 4 on Monday.

Regards,

[Redacted]

[Redacted]

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

From: [Redacted]
Sent: Thursday, November 21, 2013 4:53 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) 1 - Data for OIG Investigation
Importance: High

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

[Redacted]

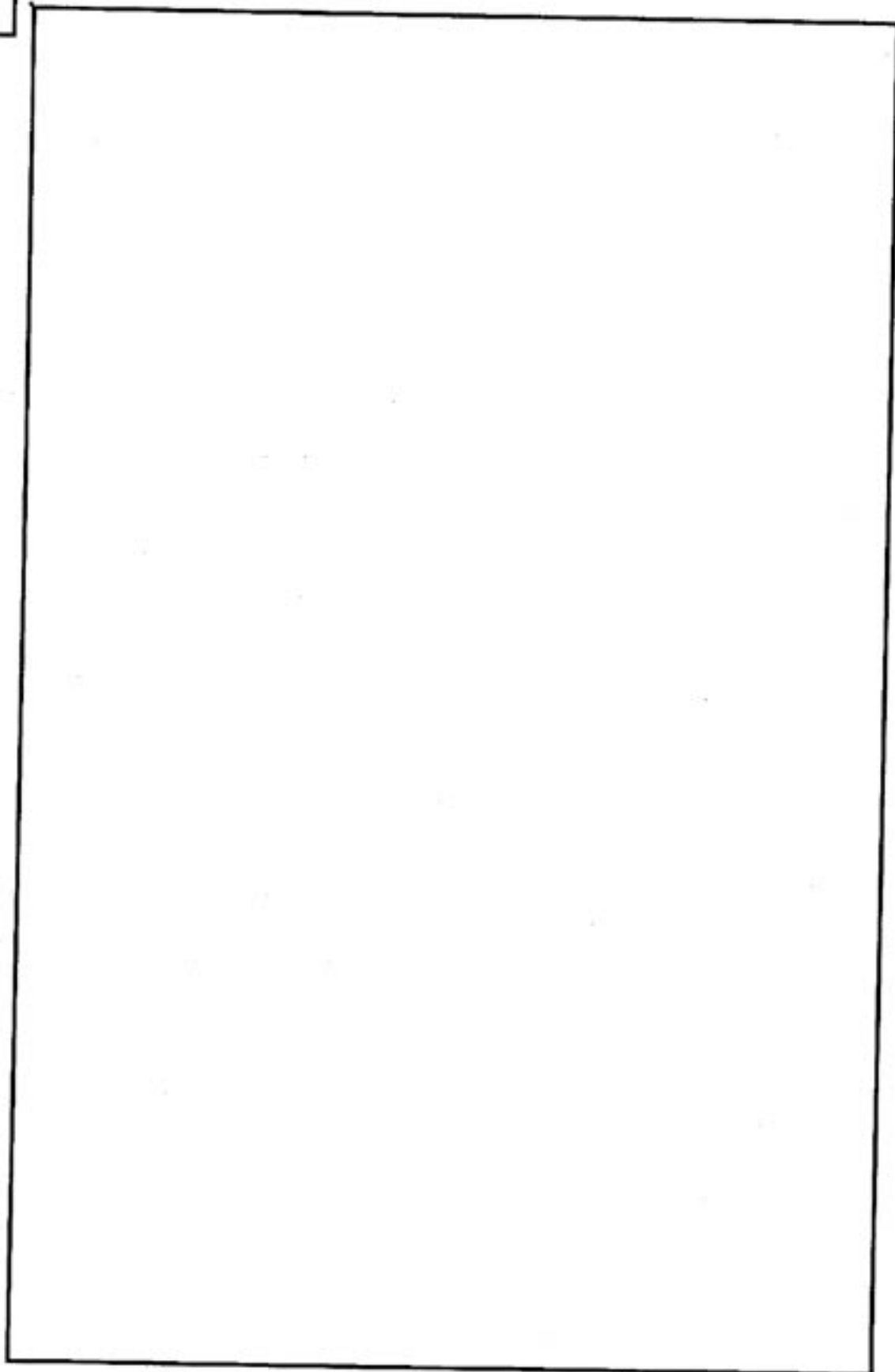
Doc ID: 6789498

(b) (1)

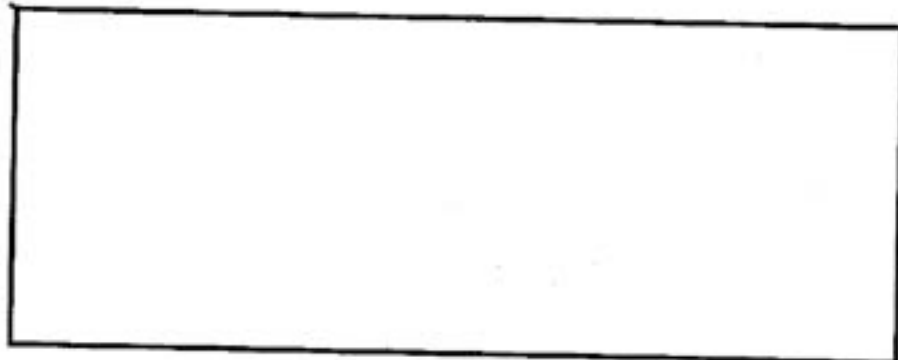
(b) (3)-18 USC 798

(b) (3)-50 USC 3024(i)

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



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



Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

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

APPENDIX D5

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) OIG Investigation - Tasking
Date: Wednesday, April 23, 2014 11:10:03 AM

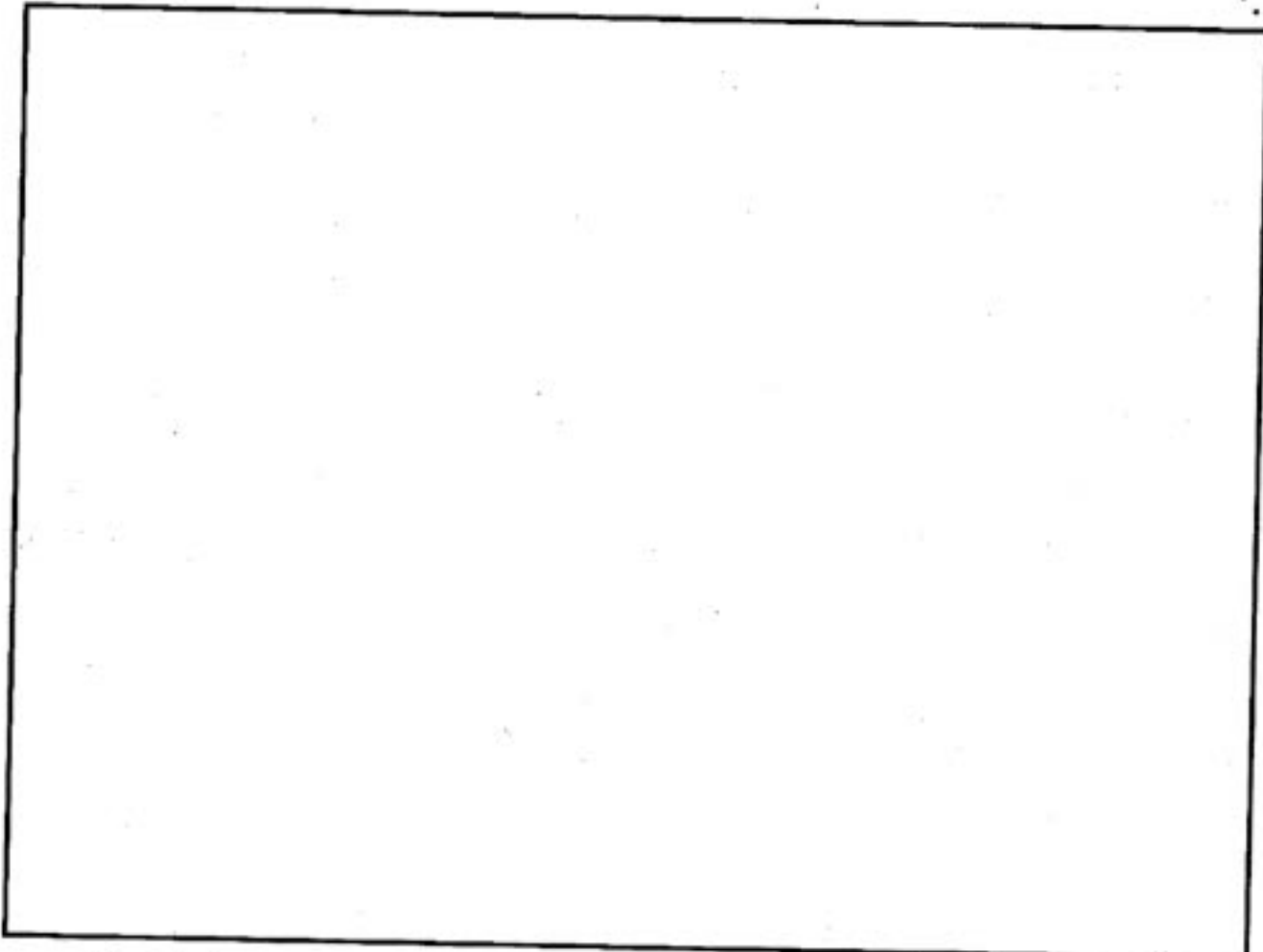
(b) (3) - P.L. 86-36

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

[Redacted]

(b) (1)
(b) (3) - 16 USC 798
(b) (3) - 50 USC 3024 (L)
(b) (3) - P.L. 86-36

I looked over the material you provided.



If I can be of any further assistance, please let me know.

[Redacted]

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

From: [Redacted]
Sent: Tuesday, April 22, 2014 11:38 AM

To: [redacted]
Cc: [redacted]
Subject: (U) OIG Investigation - Tasking

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

Hello [redacted]

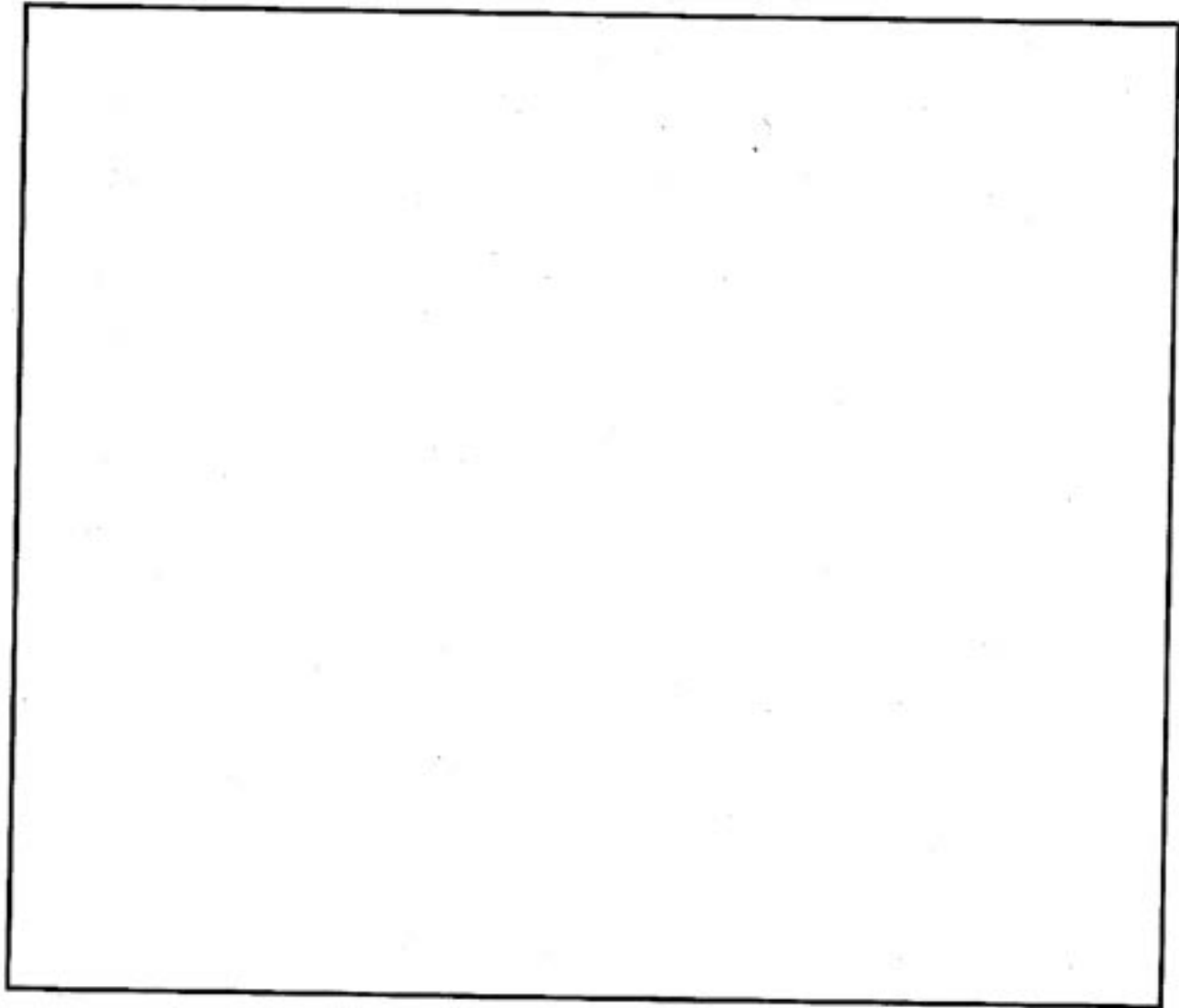
In reference to our telephone conversation just a few moments ago, I am providing to you the information we received regarding a possible tasking involving U.S. numbers. The OIG greatly appreciates your technical review and feedback on what you conclude regarding this tasking.

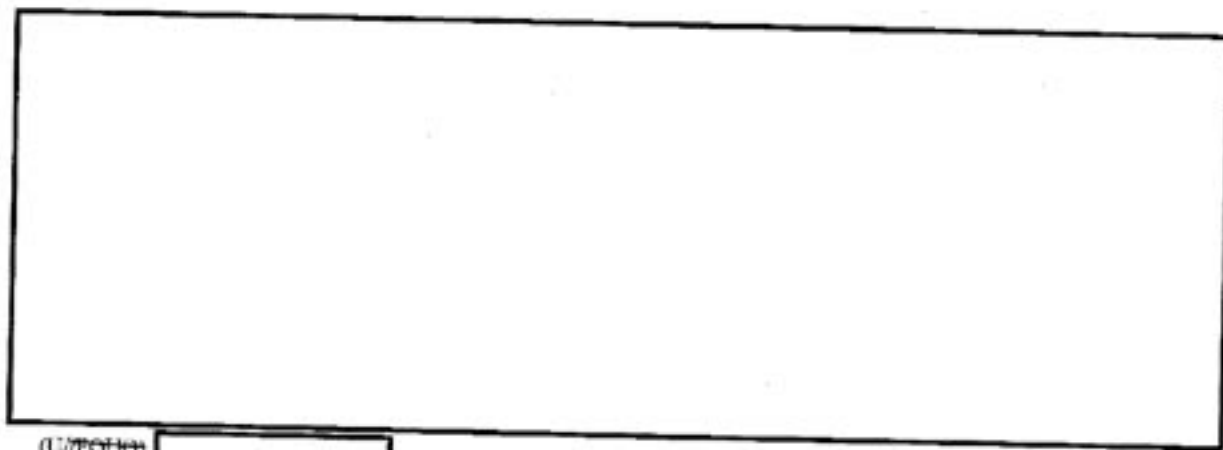
As I mentioned to you, please do not discuss this matter with anyone else.

V/R,
[redacted]

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

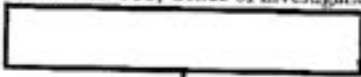
(b) (3)-P.L. 86-36





(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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



****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: 20390401

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20390401

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

APPENDIX D6

From: [redacted]
To: [redacted]
Subject: RE: (U) OIG Investigation follow-up.
Date: Monday, June 16, 2014 7:43:58 AM

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

[redacted] - no, nobody ever contacted me from OGC, SV, or SID. [redacted]

[redacted]

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

From: [redacted]
Sent: Wednesday, June 11, 2014 1:52 PM
To: [redacted]
Subject: (U) OIG Investigation follow-up.

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

Hello [redacted]

After you provided your technical assessment to the OIG of the data that we requested you review (November timeframe), did anyone from OGC, SV, or SID reach out to you to discuss your assessment?

You probably recall that I had asked if I could provide your name to a few key individuals/orgs, such as SV and [redacted] and though I did, it is unclear to me if anyone ever reached out to consult with you.

Would you please let me know if you were consulted, by whom, and if any feedback you provided to them may have differed from what you provided to the OIG in November?

If you have any questions, please let me know.

Thank you,

[redacted]

(U//FOUO) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14.

[redacted]

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



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

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

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

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

APPENDIX D7

From: [Redacted]
To: [Redacted]
Subject: FW: (U) 2 - Data for OIG Investigation
Date: Monday, June 29, 2015 1:31:19 PM

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

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

From: [Redacted]
Sent: Monday, June 01, 2015 3:22 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) 2 - Data for OIG Investigation

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

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

[Redacted]

[Large Redacted Content]

[Redacted]

From: [Redacted]
Sent: Monday, June 01, 2015 2:24 PM
To: [Redacted]

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

Cc: [redacted]
Subject: FW: (U) 2 - Data for OIG Investigation
Importance: High

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

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

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

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

[redacted]

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

We are compiling all of our data for [redacted] investigation and realized you may not have responded regarding the attached data files. I apologized if I somehow missed a response from you regarding these files. Would you please check your records to see if you responded, and if not, would you please review the data and determine [redacted]. Also, in your opinion, was this a proper [redacted].

When we originally sent this data to you, it included some other files as well, which you did analyze. I have included your comments pertaining to those files, below.

[Large redacted area]

[redacted] there was another file [redacted] that you may not have reviewed - I am

going to send the data to you in a separate email. Again, if you already reviewed the data and somehow missed your response, please forward to me. Thank you.

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

From: [redacted]
Sent: Thursday, November 21, 2013 4:55 PM
To: [redacted]
Cc: [redacted]
Subject: (U) 2 - Data for OIG Investigation
Importance: High

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

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

The attached spreadsheets were provided to the OIG, along with the "Notes" below, from the Source of the OIG complaint.

Notes provided by Source:

[Large redacted area]

[Redacted]

From: [Redacted]
Sent: Monday, June 01, 2015 3:30 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) 3 - Data for OIG Investigation

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

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

I agree with the analysis and conclusions included in [Redacted]

[Redacted]

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

[Redacted]

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

From: [Redacted]
Sent: Monday, June 01, 2015 2:32 PM
To: [Redacted]
Cc: [Redacted]

Subject: FW: (U) 3 - Data for OIG Investigation
Importance: High

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

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

[Redacted]

Here is the other file [Redacted] that may have been missed in the review of the [Redacted] if you would like to have the rest of the [Redacted] I will send them in a separate email.

[Redacted]

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

From: [Redacted]
Sent: Thursday, November 21, 2013 4:57 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) 3 - Data for OIG Investigation
Importance: High

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

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

[Large Redacted Area]

Additional [Redacted] are included in email #4.

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20381101

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

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

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: Monday, June 29, 2015 1:39:08 PM
Attachments: [redacted]
Importance: High

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

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

APPENDIX E1

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

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

[Redacted]

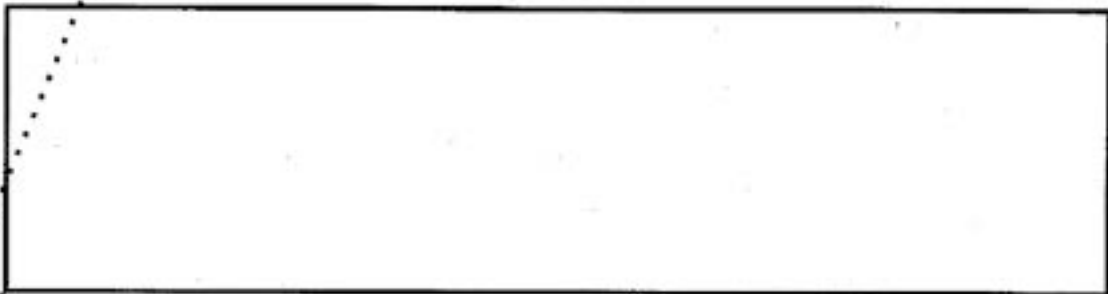
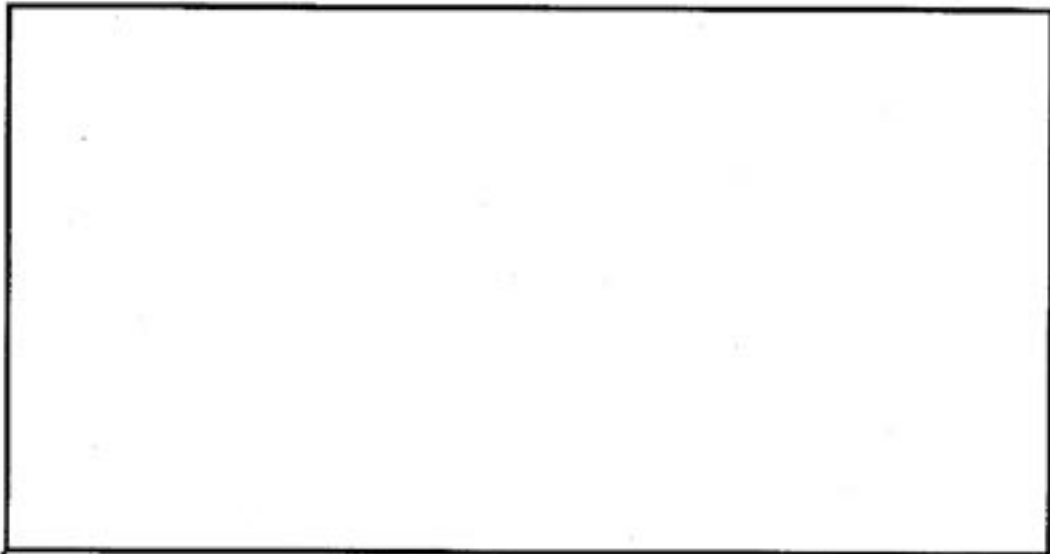
I checked with the source of our data to see if they had any additional information that might be helpful to you (I did not identify you). I provided some of your comments to them and they provided their feedback, which I have captured in the following bullets.

Regarding the comment you made that [Redacted]
[Redacted]

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

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

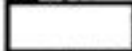
[Large Redacted Area]



Let me get through the other files before I consider asking for this file.

Again, thank you for your time and assistance!

V/R,

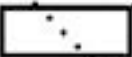


(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

From: [redacted]
Sent: Monday, December 22, 2014 11:41 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

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

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



Thank you for your time and effort on this matter. We greatly appreciate you providing your preliminary assessment. We look forward to your continued review and assessment of the data.

I don't know if the [redacted] records are of any assistance to you with regard to the [redacted] but if they are, please let me know and I will send you the rest of the records associated with that file.

Also, I'll double check with the source of our data and see if any other information available [redacted] for some of the examples in this file.

V/R,

[redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CS&S OIG, Office of Investigations, D14

[redacted]

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

From: [redacted]
Sent: Monday, December 22, 2014 10:39 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

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

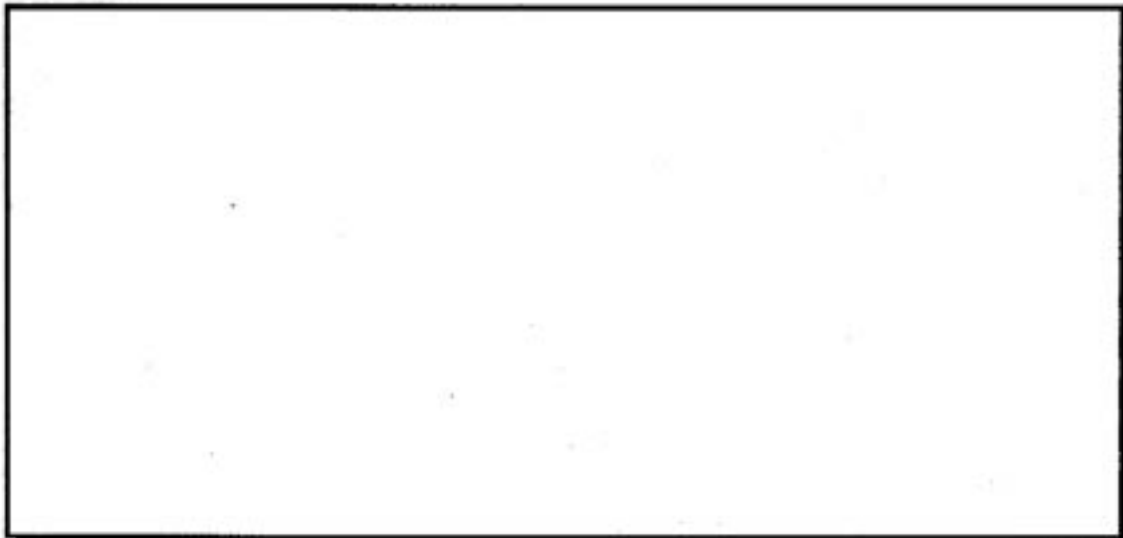
[redacted]

I spent some significant time on these files last week [redacted]
[redacted] I am will continue to work on these in the afternoons after I get through my higher priority assigned work. This week, however, I have to set this aside in favor of the dreaded mandatory classes. This is to provide you with some preliminary results. I am pretty confident about what I have provided below.

[Large redacted area]

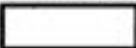
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(2) (3) - 4 - 1 - 86-36

(b) (3) - 2 - 1 - 86-36

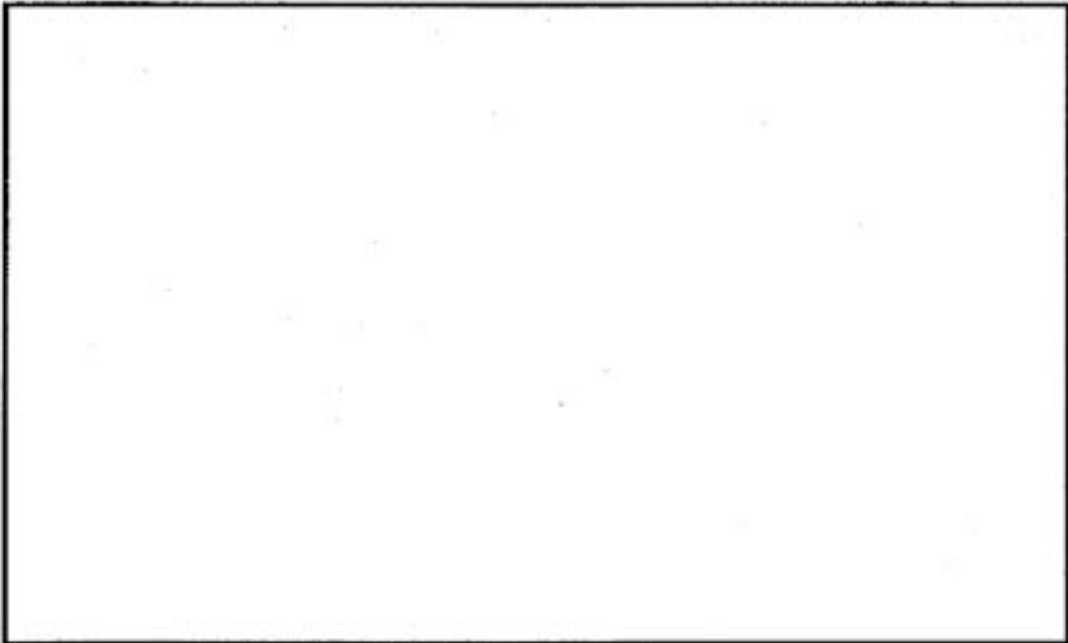


[Redacted] With
the little data available, it is difficult to make this assessment.

Thanks,



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



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

From: [Redacted]
Sent: Monday, December 15, 2014 5:01 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) IV-13-0077: (U) 1 - Data for OIG Investigation
Importance: High

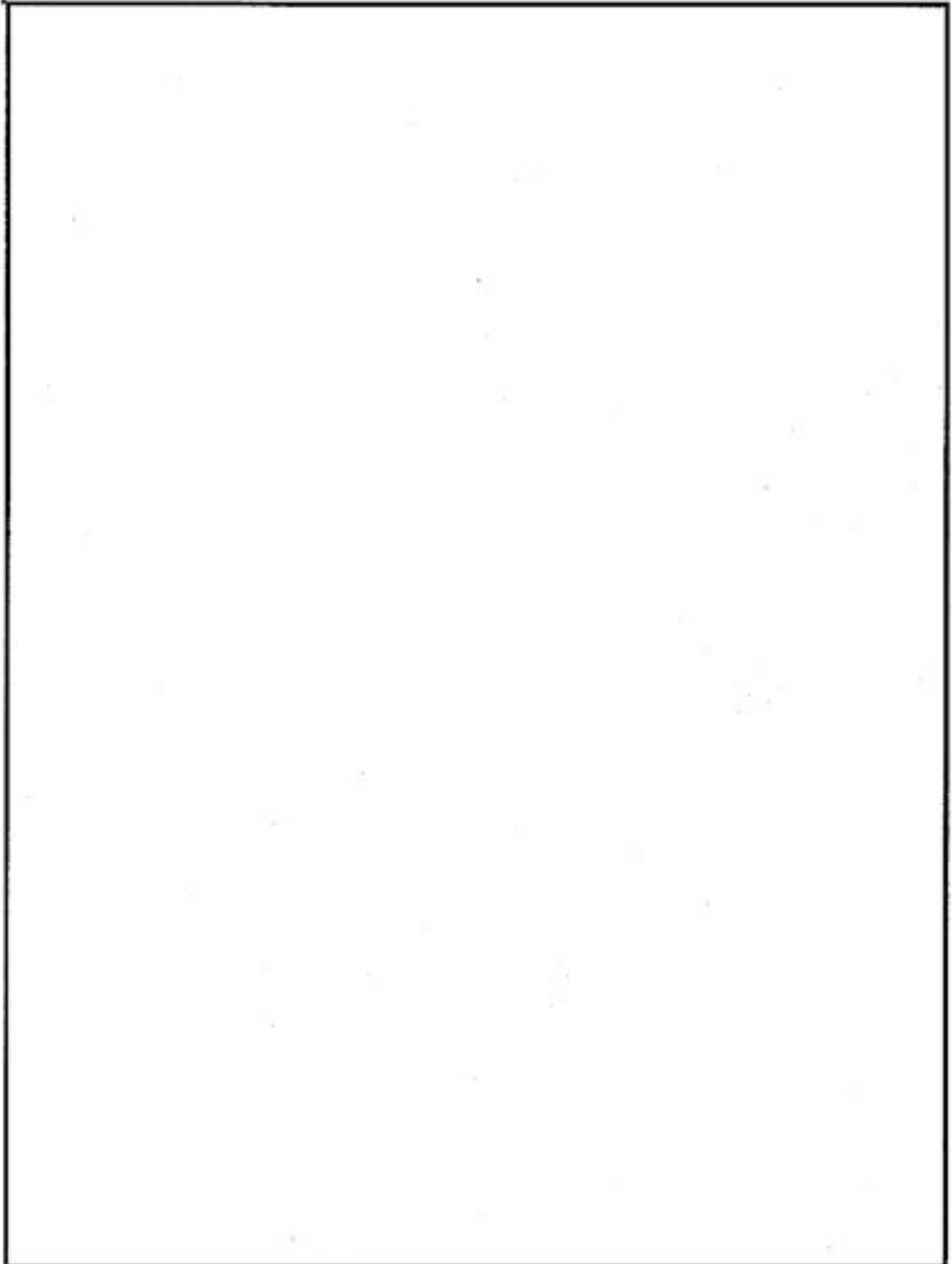
Classification: TOP SECRET//SI//NOFORN

[Redacted]

[Redacted] (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

Attachments allegedly show [Redacted]
Following is a brief description of each attachment:



XXXXXX

From: [redacted]
Sent: Monday, December 22, 2014 4:05 PM
To: [redacted]
Subject: RE: (U) OIG Investigation - follow-up re: [redacted]

(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

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

[redacted]
I'm having trouble figuring out how to respond to this. It sounds like your person is trying to perform the wrong kind of analysis, but that may not be the case - it depends on what you want to find out. [redacted]

[Large redacted block]

Thank you,

[Redacted]

(U//FOUO)

[Redacted]

[Redacted] (U//FOUO)

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

From: [Redacted]

Sent: Monday, December 22, 2014 2:04 PM

To: [Redacted]

Cc: [Redacted]

Subject: (U) OIG Investigation - follow-up re: [Redacted]

Importance: High

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

Classification: TOP SECRET//SI//NOFORN

[Redacted]

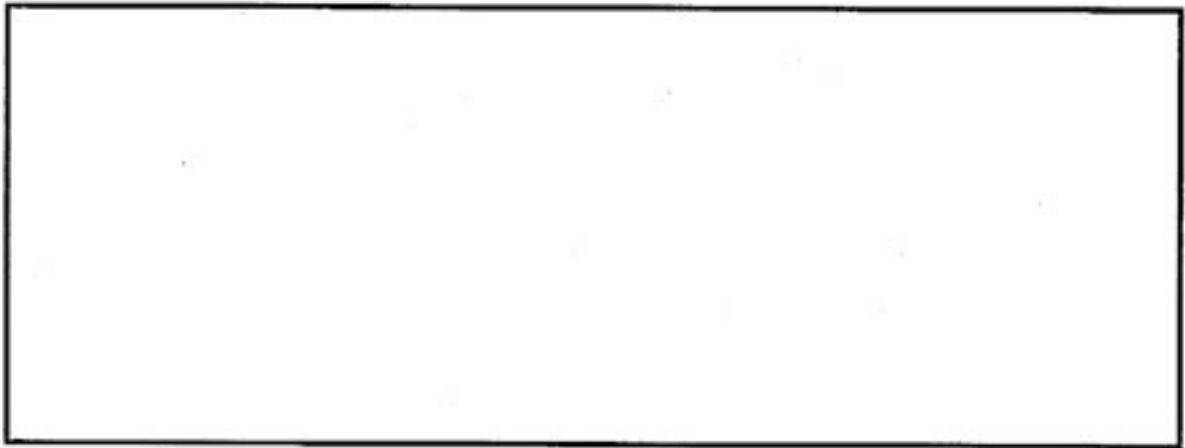
You previously provided the attached data to the OIG.

For the file [Redacted] we have someone reviewing the data and they are trying to [Redacted]

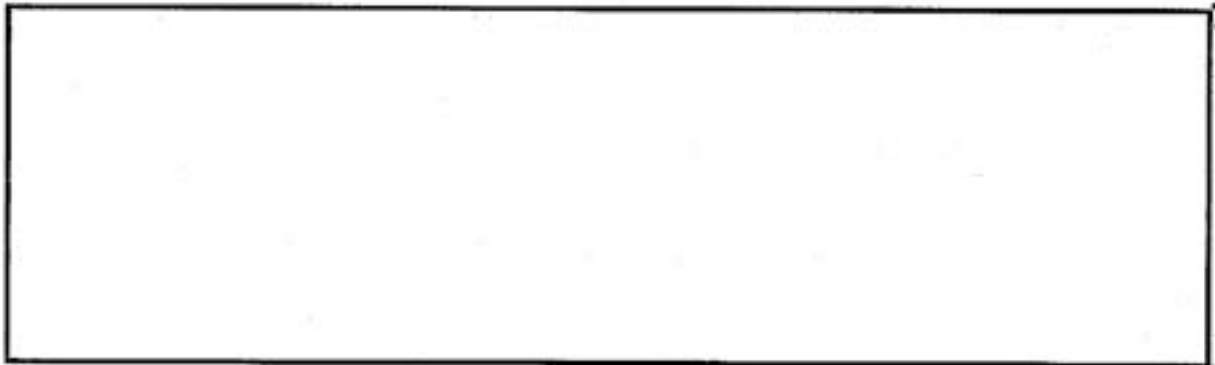
[Redacted] With the little data available in the file (they said), it is difficult for them to make this assessment. Would you please look at the comments below [Redacted] and tell us if you have any additional data that would be helpful to the person reviewing the data. I remember you said you did not always forward all of the data because it was so voluminous.

Thus far, upon their preliminary review ---

[Large Redacted Area]



FYI – when you initially provided these files to the OIG, you provided the following information with them:

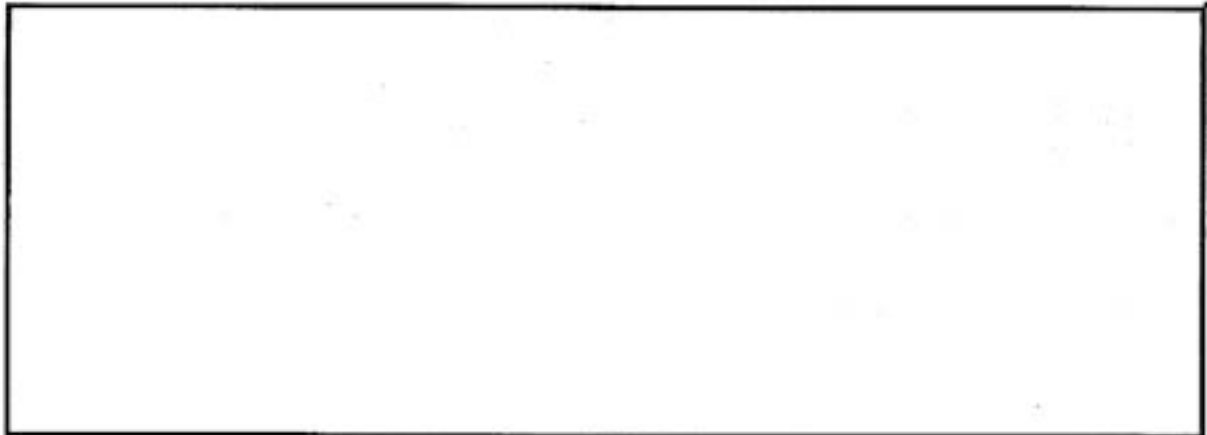


(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(L)
(b) (3) - P.L. 86-36

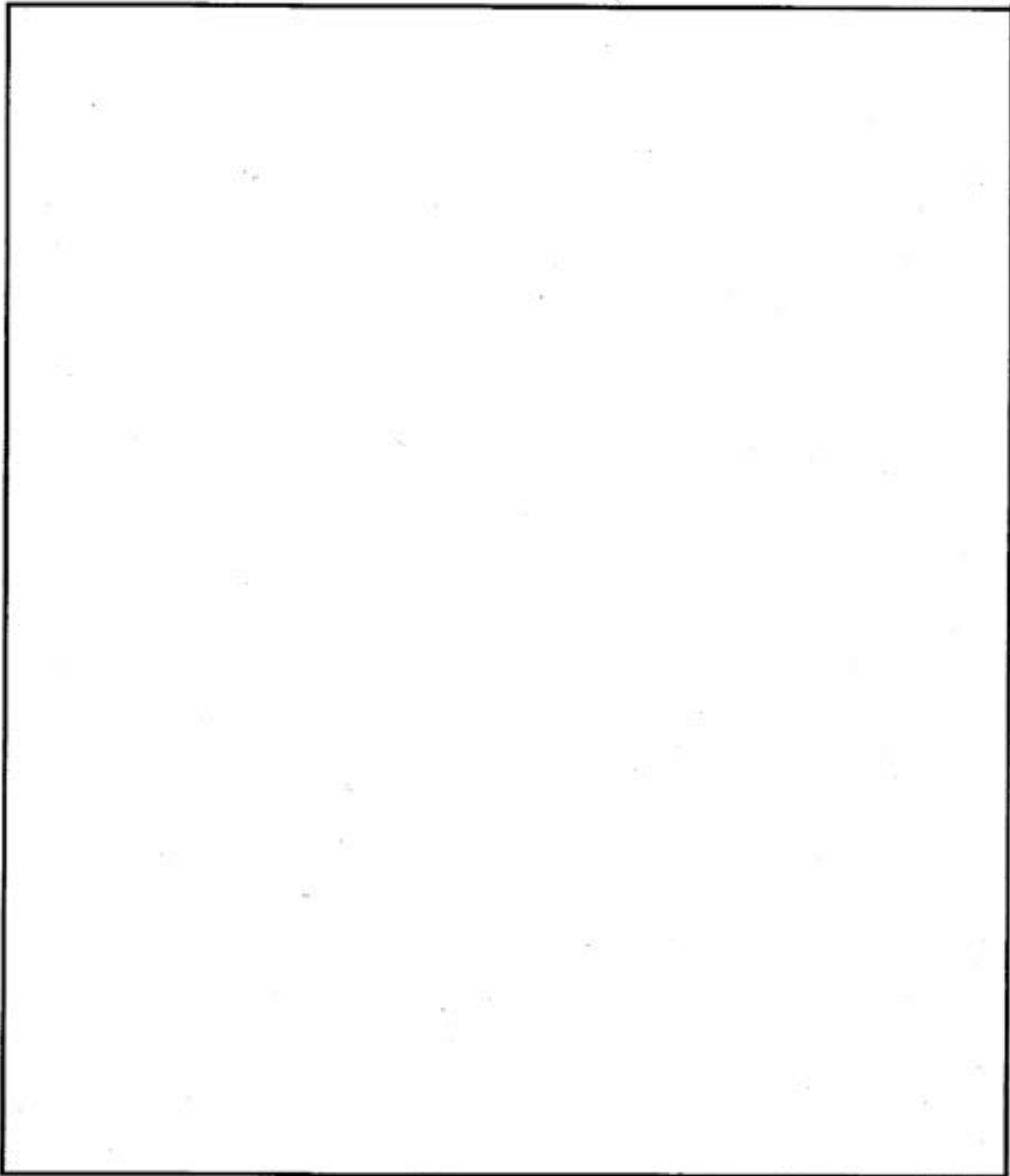
(b) (3) - P.L. 86-36

From: [redacted]
Sent: Tuesday, December 23, 2014 10:50 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) OIG Investigation - follow-up re: [redacted]

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



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



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

Thanks very much,

[Redacted]

(U//FOUO)

[Redacted]

[Redacted]

[Redacted]

(U//FOUO)

[Redacted]

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381101

Classification: TOP SECRET//SI//NOFORN

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

Classification: TOP SECRET//SI//IMCON/NOFORN

UNCLASSIFIED

APPENDIX E2

UNCLASSIFIED

From: [redacted]
To: [redacted]
Subject: (U) E2 FW: (U) IV-13-0077: (U) 1 - Data for OIG Investigation
Date: Tuesday, June 30, 2015 12:44:56 PM
Attachments: [redacted]

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

Classification: TOP SECRET//SI//NOFORN

From: [redacted]
Sent: Friday, January 23, 2015 3:45 PM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

Classification: TOP SECRET//SI//NOFORN

[redacted]

Two more files analyzed.

Thanks,

[redacted]

[Large redacted area]

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108

Declassify On: 20400601

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

APPENDIX E3

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: (U) IV-13-0077: (U) 4 - Data for OIG Investigation
Date: Sunday, February 08, 2015 11:01:39 AM

Classification: TOP SECRET//SI//NOFORN

[redacted]

My apologies for my recent silence. Work has been very difficult here the last couple of weeks. I have come in this weekend to try to finish off your request.

I have examined the three files included for this message.

(TS//NF)

[redacted]

[Large redacted area]

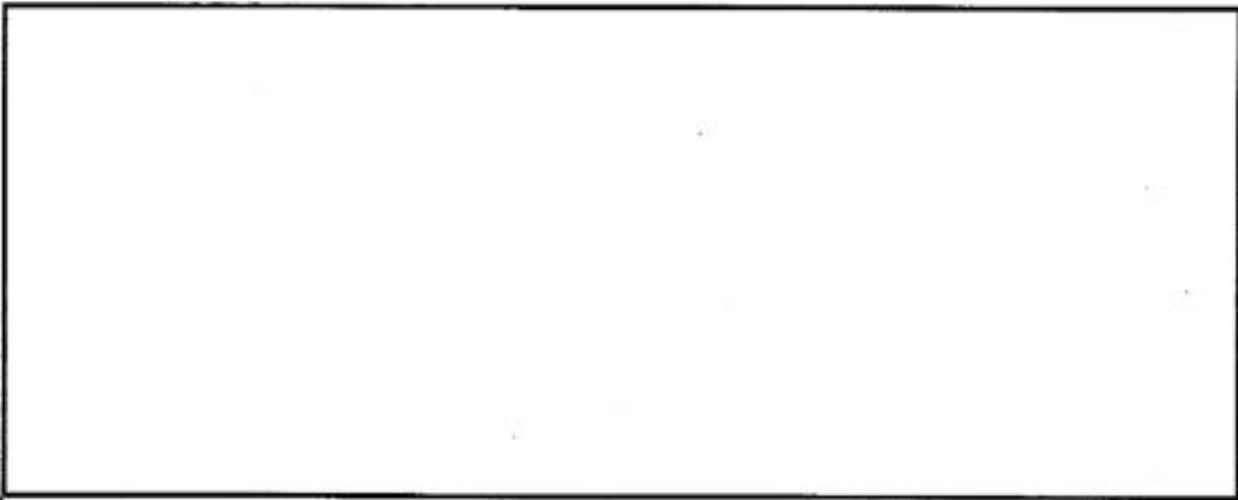
Thanks,

[redacted]

[redacted]

(b) (1)
(b) (3)-18 USC 793
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36

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



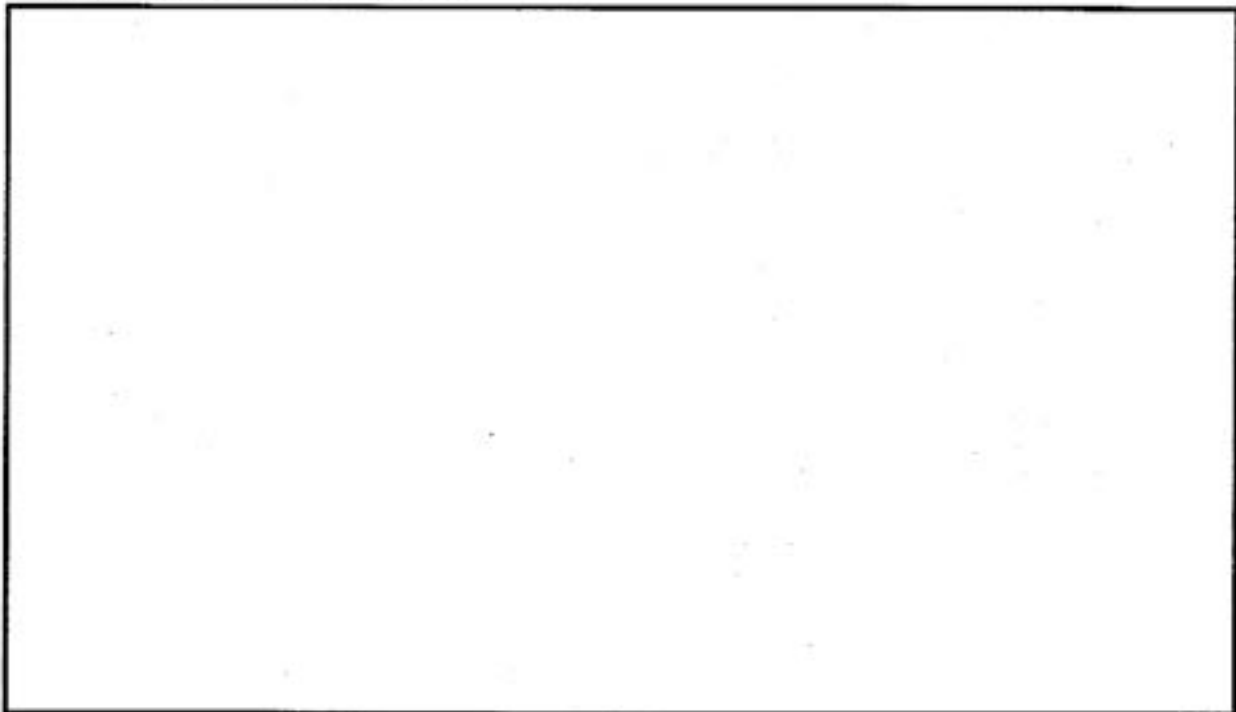
From: [redacted]
Sent: Monday, December 15, 2014 5:03 PM
To: [redacted]
Cc: [redacted]
Subject: (U) IV-13-0077: (U) 4 - Data for OIG Investigation
Importance: High

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

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

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

Information provided to the OIG:



[Redacted]

[Redacted]

[Redacted]

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

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS DIG, Office of Investigations, D14

[Redacted]

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

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20381201

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20391201

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

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

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

⋮

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400201

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

APPENDIX E4

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) S - Data for OIG Investigation
Date: Sunday, February 08, 2015 11:18:07 AM

Classification: TOP SECRET//SI//NOFORN

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

[Redacted]

(TS//NF)

[Redacted]

(TS//NF)

[Redacted]

(TS//NF)

[Redacted]

(TS//NF)

[Redacted]

(TS//NF)

[Redacted]

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

(TS//NF)

[Redacted]

[Redacted]

(TS//NF)

[Redacted]

Thanks,

[Redacted]

[Redacted]

From: [Redacted]

Sent: Monday, December 15, 2014 5:03 PM

To: [Redacted]

Cc: [Redacted]

Subject: (U) IV-13-0077: (U) 5 - Data for OIG Investigation

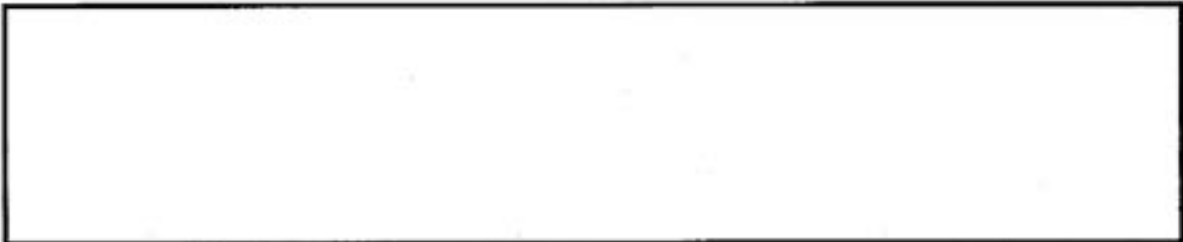
Importance: High

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

[Redacted]

(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



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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20391201

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

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400201

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

APPENDIX E5

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077; (U) 3 - Data for OIG Investigation
Date: Tuesday, March 17, 2015 12:39:16 PM

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

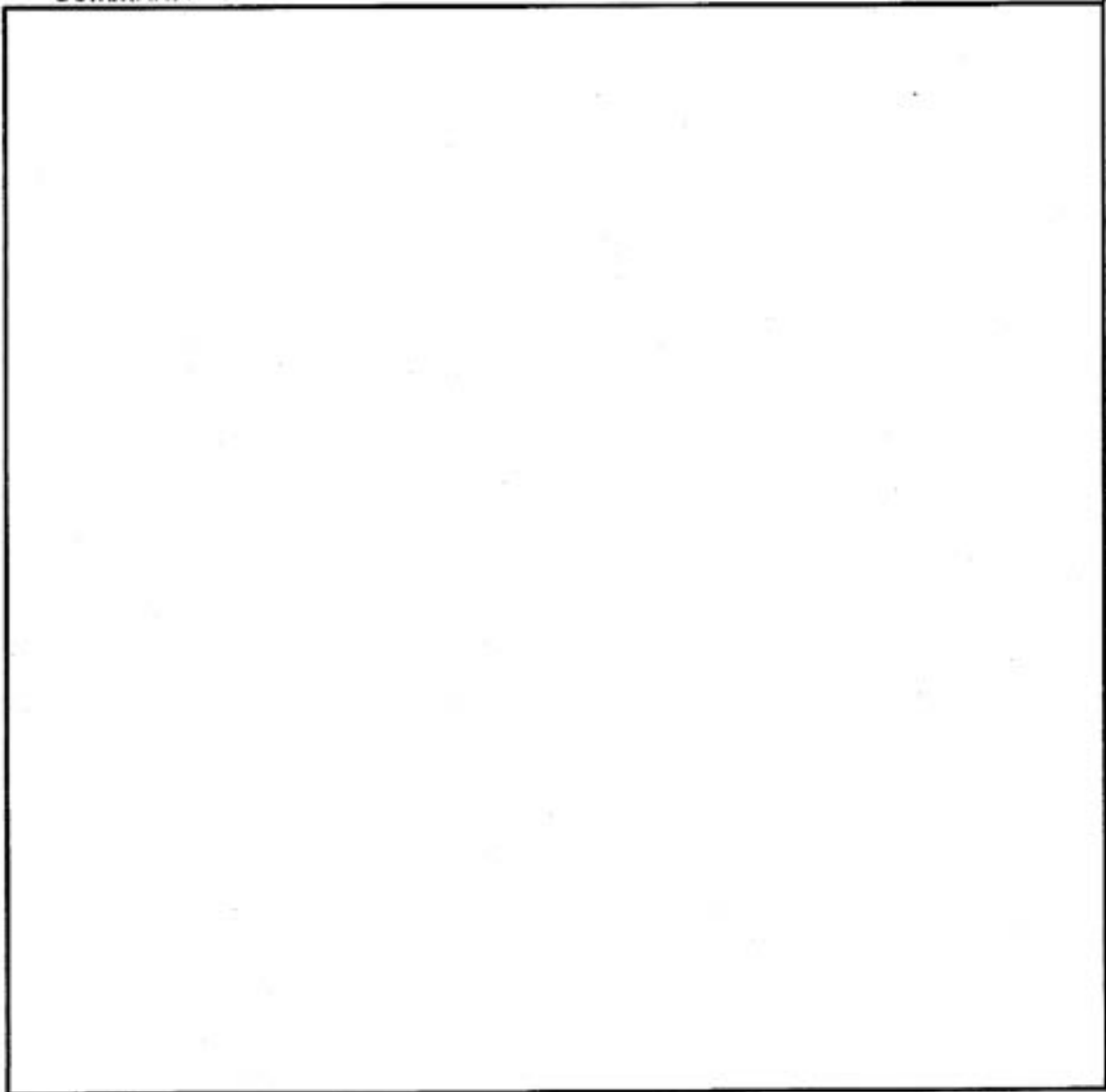
Classification: ~~TOP SECRET//SI//NOFORN~~

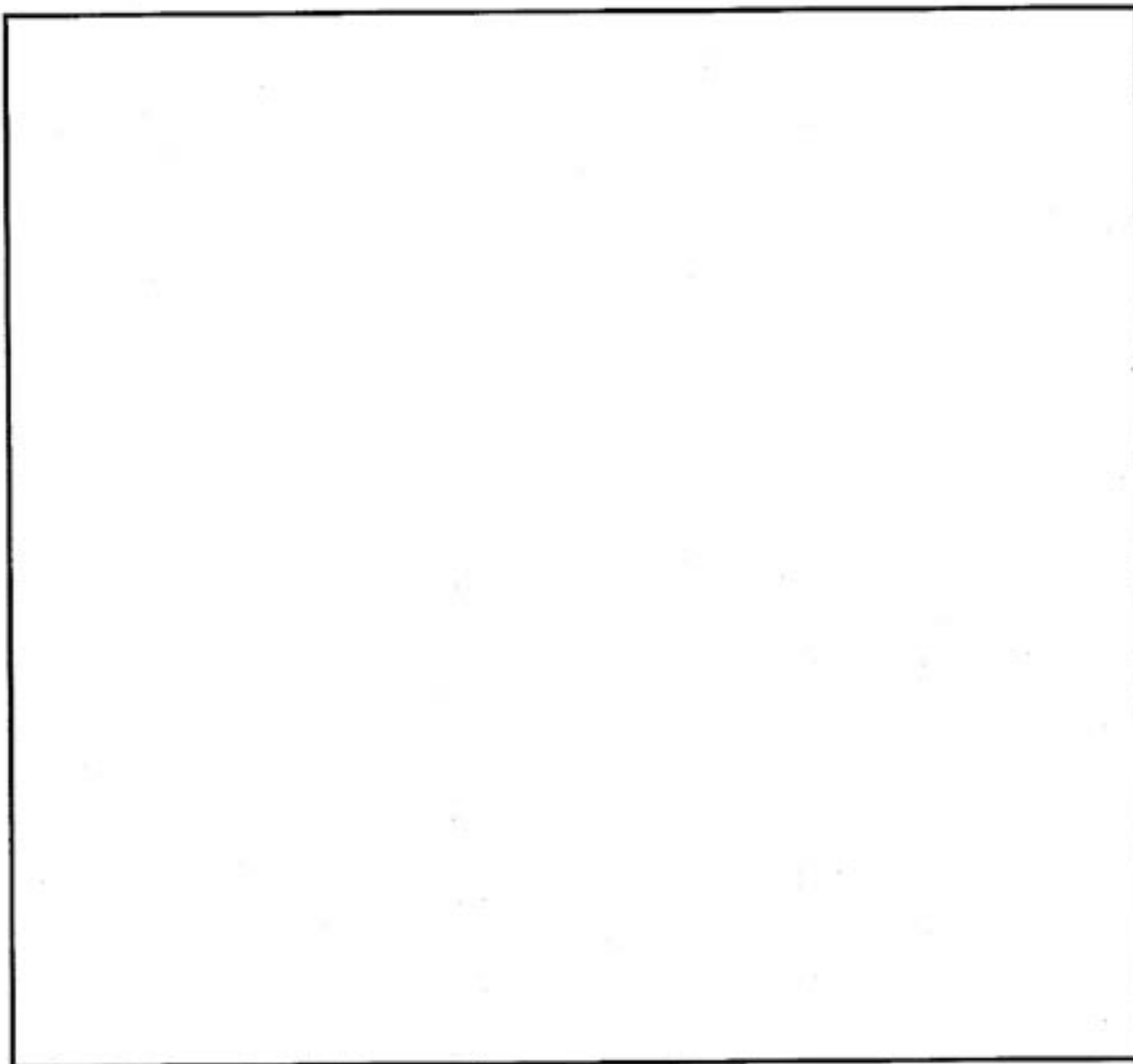
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

[Redacted]

My apologies if I overlooked these files and for the delay in answering you; we've had a hectic week here. Here is my analysis of the data.

SUMMARY:



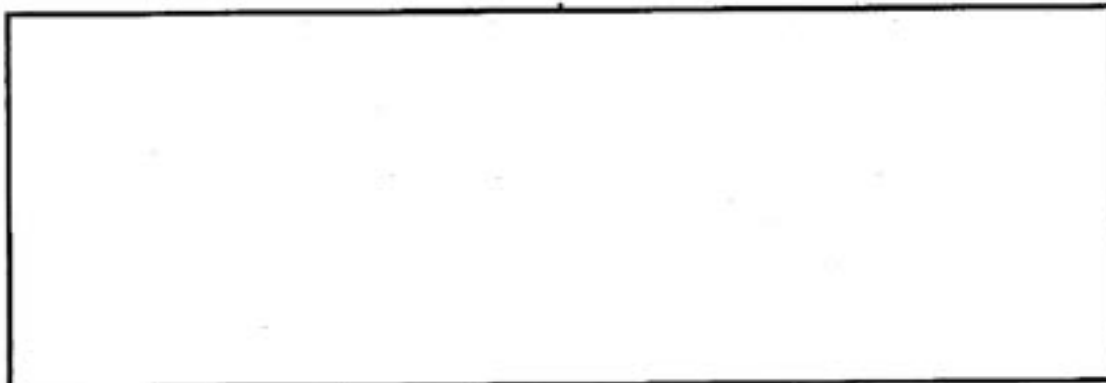


Thanks,

[Redacted]

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

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



[Redacted]

From: [Redacted]
Sent: Wednesday, March 04, 2015 2:57 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: (U) IV-13-0077: (U) 3 - Data for OIG Investigation
Importance: High

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

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

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

Hello [Redacted]

We are in the process of finalizing our report for this investigation and while going through your assessments, I discovered that I may not have received your response/assessment to the matter described in the attached email. If you did assess this matter previously and I somehow overlooked it, I apologize.

[Redacted]

The notes from the Source that accompanied the snapshots are included in the email below.

Again, your time and expertise in analyzing all of the data we provided to you is essential to the investigation and greatly appreciated.

V/R,

[Redacted]

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

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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

[Redacted]

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

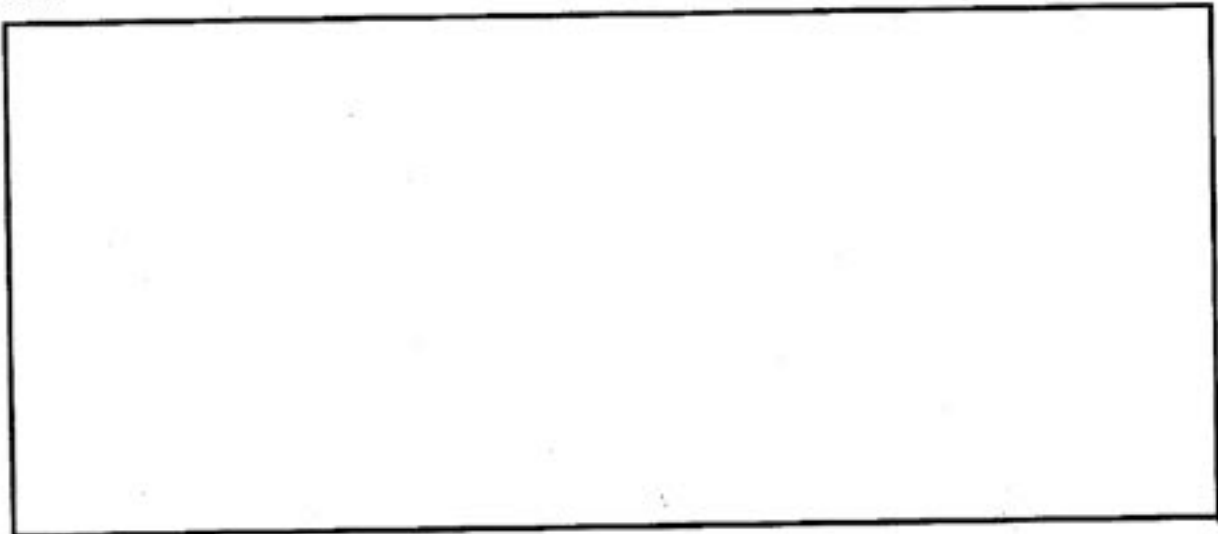
From: [Redacted]
Sent: Monday, December 15, 2014 5:02 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) IV-13-0077: (U) 3 - Data for OIG Investigation
Importance: High

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

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

The subject provided the following comments regarding the attachments to this email:

[Large Redacted Area]



(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

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

[redacted]

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20390401

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20400301

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400301

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

APPENDIX E6

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation
Date: Friday, January 09, 2015 3:26:42 PM
Attachments: [Redacted]

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

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

[Redacted]

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

[Large Redacted Area]

Thanks,

[Redacted]

[Large Redacted Area]

[Redacted]

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

From: [Redacted]
Sent: Tuesday, December 23, 2014 1:08 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

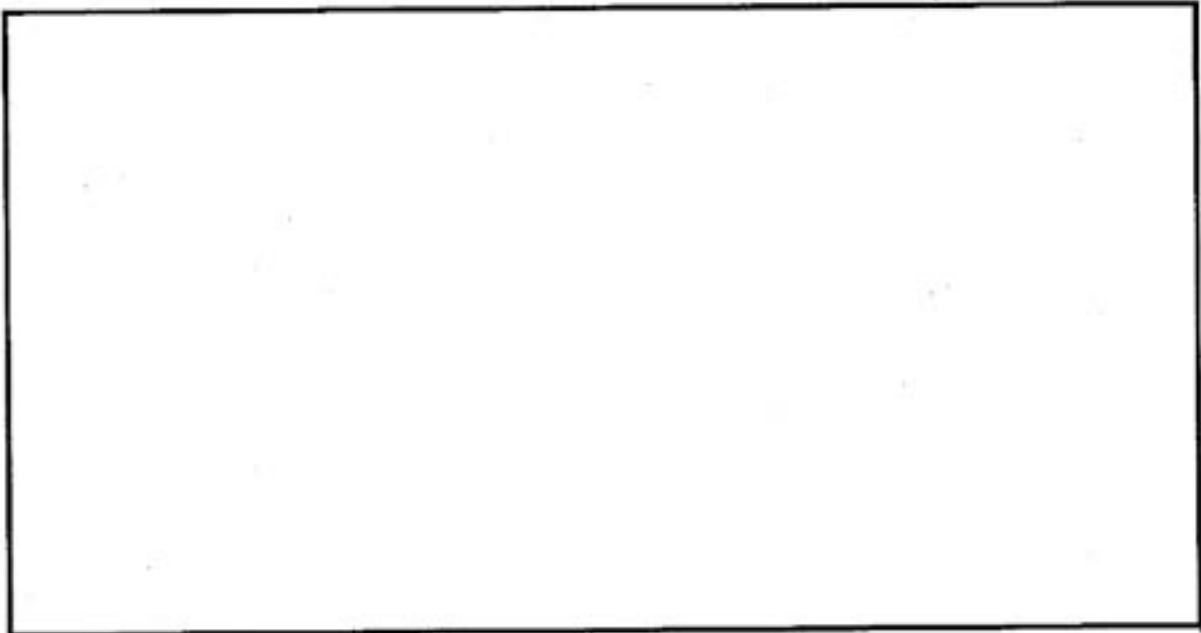
Classification: ~~TOP SECRET//SI//NOFORN~~

[Redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

I checked with the source of our data to see if they had any additional information that might be helpful to you (I did not identify you). I provided some of your comments to them and they provided their feedback, which I have captured in the following bullets.

[Large Redacted Area]



Again, thank you for your time and assistance!

V/R,

[Redacted signature]

From: [Redacted]
Sent: Monday, December 22, 2014 11:41 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

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

[Redacted]

Thank you for your time and effort on this matter. We greatly appreciate you providing your preliminary assessment. We look forward to your continued review and assessment of the data.

I don't know if the [Redacted] records are of any assistance to you with regard to the [Redacted] but if they are, please let me know and I will send you the rest of the records associated with that file.

Also, I'll double check with the source of our data and see if any other information available, [Redacted] for some of the examples in this file.

V/R,

[Redacted signature]

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

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

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3026(i)(1)
(b) (3) - P.L. 86-36

[Redacted]

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

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

From: [Redacted]
Sent: Monday, December 22, 2014 10:39 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

Classification: TOP SECRET//SI//NOFORN-

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

[Redacted]

I spent some significant time on these files last week [Redacted]
[Redacted] I am will continue to work on these in the afternoons after I get through my higher priority assigned work. This week, however, I have to set this aside in favor of the dreaded mandatory classes. This is to provide you with some preliminary results. I am pretty confident about what I have provided below.

[Large Redacted Area]

[Redacted]

Thanks,

[Redacted]

[Redacted]

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

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

From: [Redacted]

Sent: Monday, December 15, 2014 5:01 PM

To: [Redacted]

Cc: [Redacted]

Subject: (U) IV-13-0077: (U) 1 - Data for OIG Investigation

Importance: High

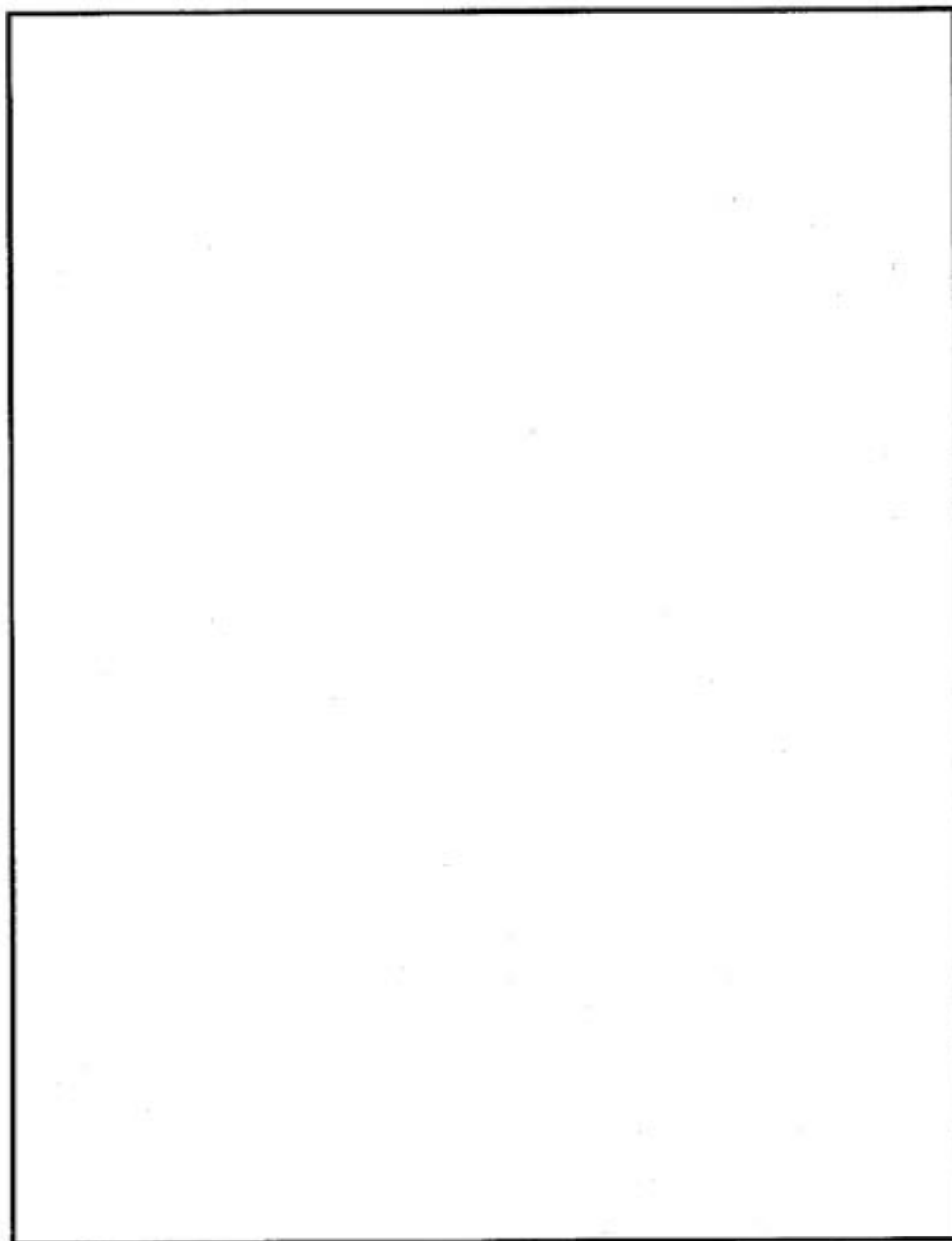
Classification: ~~TOP SECRET//SI//NOFORN~~

[Redacted]

Attachments allegedly show [Redacted]

Following is a brief description of each attachment:

[Redacted]



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

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20381101

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

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20391201

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20391201

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20391201

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20391201

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

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20400101

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

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

APPENDIX E7

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) IV-13-0077: (U) 6 - Data for OIG Investigation - SOPs
Date: Sunday, February 08, 2015 12:06:12 PM

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

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

[Redacted]

(C//REL) With respect to the SPF [Redacted] I have the following comments.

(S//SI//REL) The SPF focuses analysis on [Redacted]

(S//SI) [Redacted]

(S//SI//REL) [Redacted]

(S//SI) 2. [Redacted]

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

~~(S//SI//REL)~~ I have one concern and that is [redacted]

[redacted]

~~(S//SI)~~ 4. [redacted]

[redacted]

~~(S//SI)~~ [redacted]

[redacted]

~~(S//SI//REL)~~ [redacted]

[redacted]

~~(S//SI)~~ 1. [redacted]

[redacted]

~~(S//SI//REL)~~ [redacted]

[redacted]

~~(S//SI)~~ 2. [redacted]

[redacted]

[redacted]

~~(S//SI//REL)~~ [redacted]

[redacted]

(b) (1)
(b) (3) - 10 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

~~(S//SI)~~ 4. [Redacted]

Thanks,

[Redacted]

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

[Redacted]

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

From: [Redacted]
Sent: Monday, December 15, 2014 5:05 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) IV-13-0077: (U) 6 - Data for OIG Investigation - SOPs
Importance: High

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

[Redacted]

This is the last email.

In addition to the data files, the OIG would be interested in your review of the SPF/SOP that was created at the time the allegations were filed (the [redacted] document that is referenced in the SPF is also attached) and the most recent draft SOP.

Do you believe the procedures provide proper authorization [redacted]

[redacted]

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

(b) (3)
(b) (3) - 18 USC 796
(b) (3) - 50 USC 3024(L)
(b) (3) - P.L. 86-36

Any other observations/comments regarding the SOPs are appreciated.

Again, your assistance is greatly appreciated. Thank you very much for your time.

(U//FOUO) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20391201

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400201

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

From: [redacted]
To: [redacted]
Subject: RE: (U) IV-13-0077: (U) 6 - Data for OIG Investigation - SOPs
Date: Sunday, February 08, 2015 12:29:06 PM

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

(b) (2) - P.L. 86-36

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

[redacted]

I have reviewed the [redacted]

[redacted]

~~(S//SI//REL)~~

[redacted]

Thanks,

[redacted]

[redacted]

From: [redacted]
Sent: Monday, December 15, 2014 5:05 PM
To: [redacted]

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

Cc: [redacted]
Subject: (U) IV-13-0077: (U) 6 - Data for OIG Investigation - SOPs
Importance: High

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

[redacted]

This is the last email.

In addition to the data files, the OIG would be interested in your review of the SPF/SOP that was created at the time the allegations were filed (the [redacted] document that is referenced in the SPF is also attached) and the most recent draft SOP.

Do you believe the procedures provide proper authorization [redacted]

[redacted]

Any other observations/comments regarding the SOPs are appreciated.

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

Again, your assistance is greatly appreciated. Thank you very much for your time.

(U//FOUO) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

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

Declassify On: 20391201

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

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400201

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

UNCLASSIFIED

APPENDIX E8

UNCLASSIFIED

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Data for OIG Investigation
Date: Tuesday, July 07, 2015 5:01:29 PM
Attachments: [Redacted]

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

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

[Redacted]
Attached is my analysis of the files you provided and conclusions. Please do not hesitate to ask for clarifications if I appear to have left out something or if I provided an unclear explanation.

Thanks,

[Redacted]

[Large Redacted Block]

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

From: [Redacted]
Sent: Thursday, July 02, 2015 1:04 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Data for OIG Investigation

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

Thank you!

From: [Redacted]

Sent: Thursday, July 02, 2015 1:03 PM

To: [Redacted]

Cc: [Redacted]

Subject: RE: (U) Data for OIG Investigation

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

[Redacted]

I have not had the opportunity to complete the review due to operational duties. I will put it on my calendar to complete next week.

Thanks,

[Redacted]

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

[Large Redacted Area]

From: [Redacted]

Sent: Thursday, July 02, 2015 12:57 PM

To: [Redacted]

Cc: [Redacted]

Subject: RE: (U) Data for OIG Investigation

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

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

Good afternoon,

Have you reviewed any of the data [Redacted] we forwarded to you on 1 June?

Thank you,
[Redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS-OIG, Office of Investigations, D14

[redacted]

From: [redacted]
Sent: Monday, June 01, 2015 2:34 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Data for OIG Investigation
Importance: High

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

INSPECTOR GENERAL SENSITIVE INFORMATION: This email, including any attachments, is intended only for authorized recipients. This email message may contain information that is confidential, sensitive, and/or protected by Federal law, including the Privacy Act of 1974, as amended.

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

[redacted]

Earlier this year, you assisted our office by reviewing data related to an investigation. We previously provided the attached data files to another analyst for review (their comments about the files are included below, in red) and we would like to obtain your analysis, as well, before we bring our investigation to closure.

Please let me know as soon as possible if you are able to review/analyze the data in the file. We would like to know [redacted]

[redacted]

Thank you for your assistance.

[redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS-OIG, Office of Investigations, D14

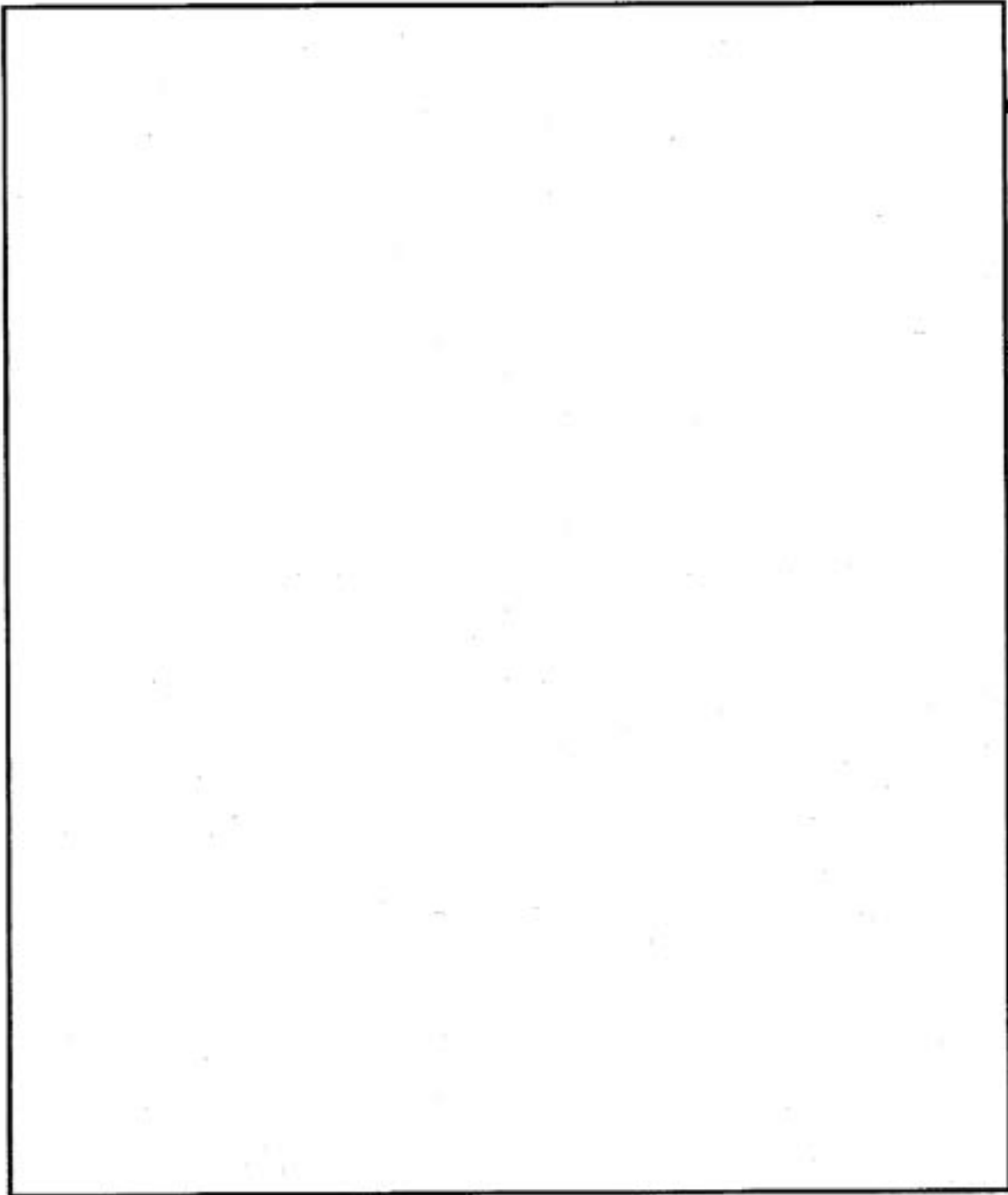
[redacted]

When the allegations were made to the OIG, the Source of the complaint provided the following notes about the attached data files.

Notes provided by Source:

The spreadsheets are divided by [redacted]

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



Input from the DIG's other technical expert.

- (TS//SI//NF) [Redacted]
- (TS//SI//NF) [Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526

[Redacted]

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

(TS//SI//NF)

[Redacted]

(TS//SI//NF)

[Redacted]

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20400601

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400701

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20400701

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

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400701

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20400701

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

APPENDIX F1

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

[Redacted]

From: [Redacted] (b) (3) - P.L. 86-36
Sent: Tuesday, May 07, 2013 2:32 PM
To: [Redacted]
Cc: [Redacted]
Subject: (U) Ongoing incident

(b) (1)
 (b) (3) - 18 USC 796
 (b) (3) - 50 USC 3024 (1)
 (b) (3) - P.L. 86-36

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

Hello,

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

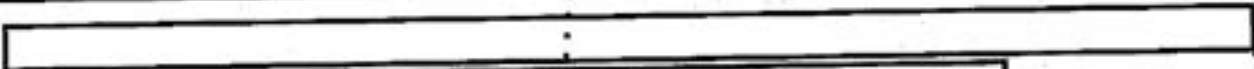
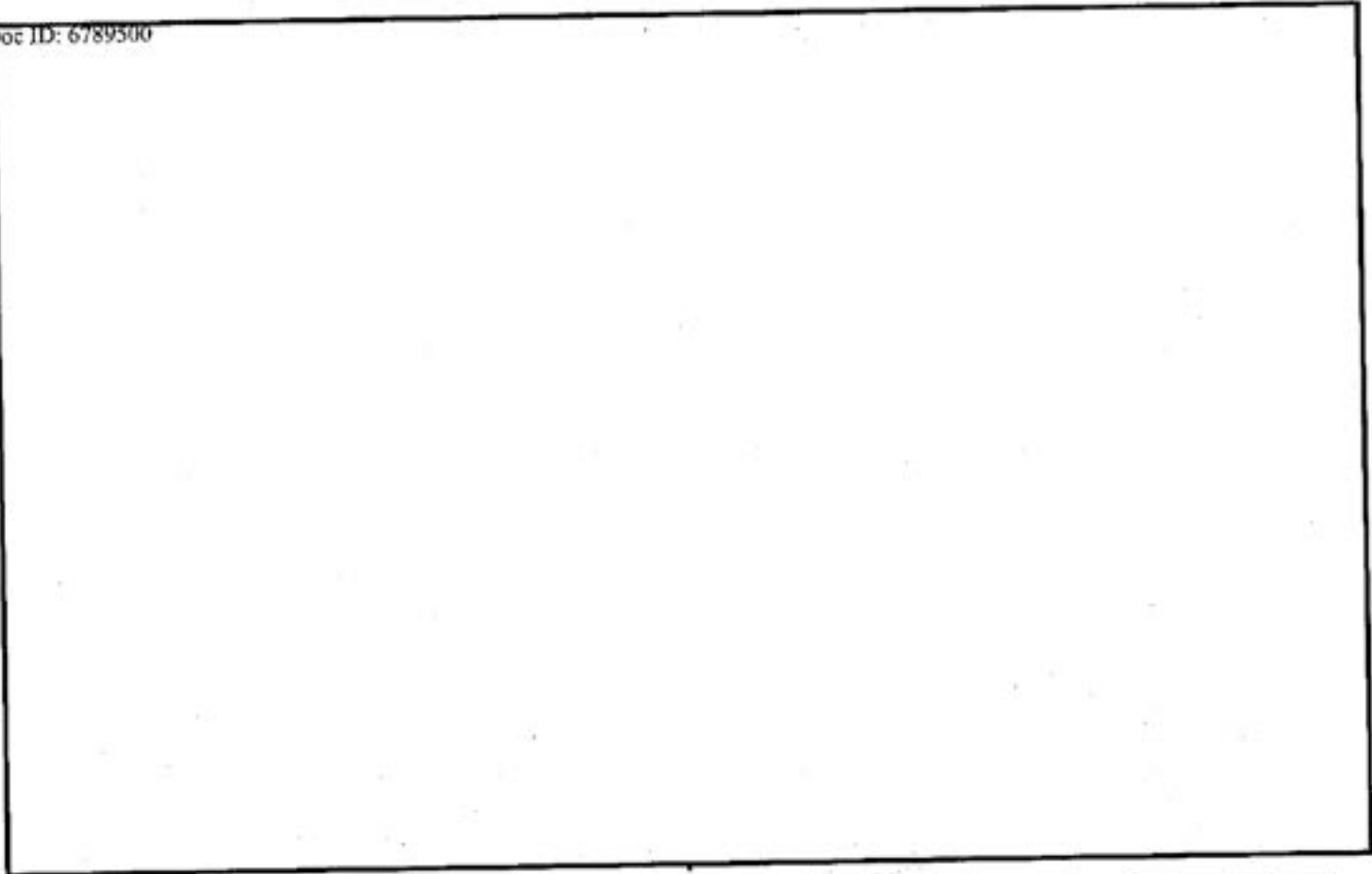
~~(TS//SI//REL TO USA, FVEY)~~ A few weeks ago we discovered that [Redacted] in

[Redacted]

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

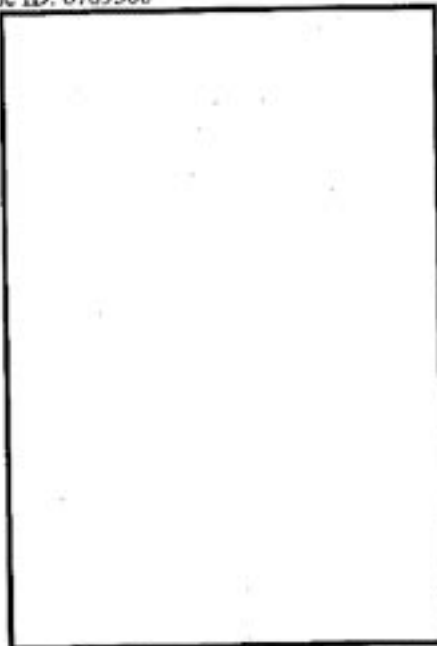
[Redacted]

[Redacted]



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

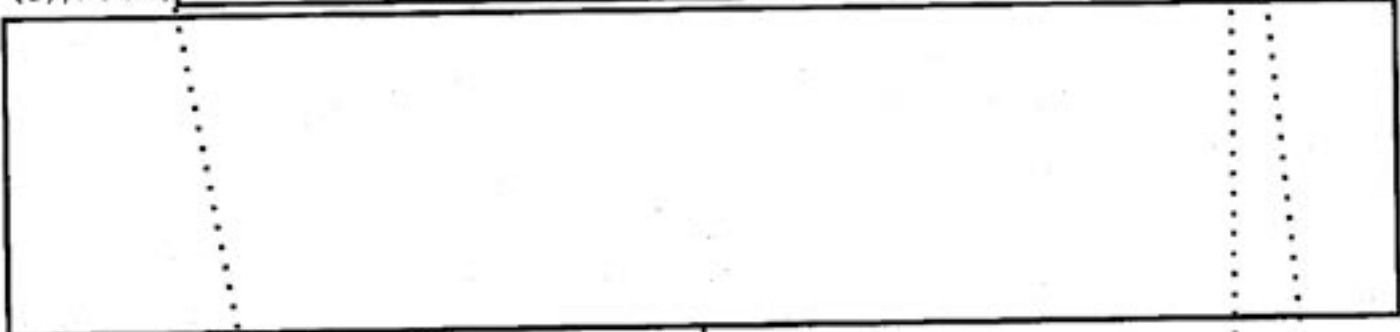
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36
(b) (6)



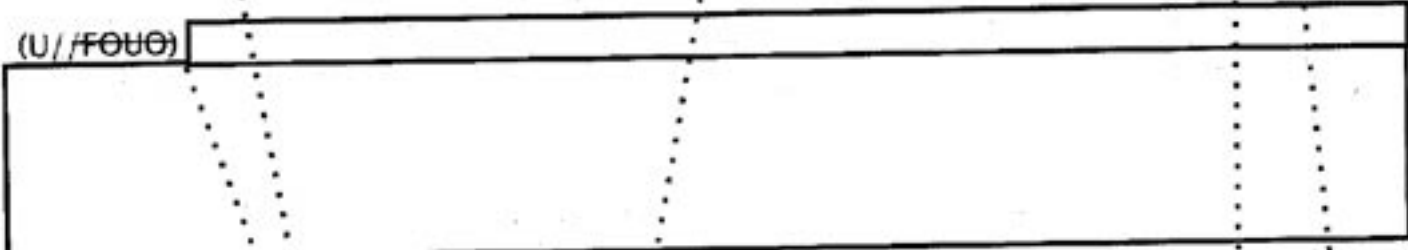
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36



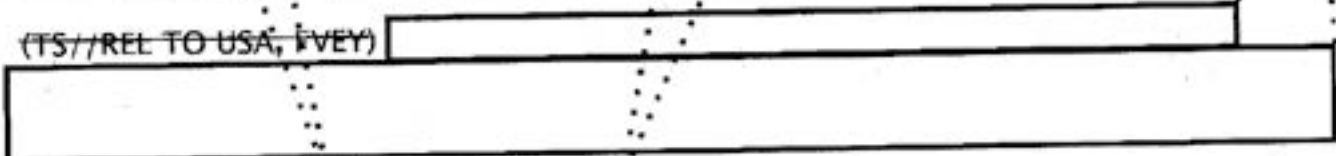
(U//FOUO)



(U//FOUO)



(TS//REL TO USA, FVEY)



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

~~(C//REL TO USA, FVEY)~~

[Redacted]

~~(TS//REL TO USA, FVEY)~~

[Redacted]

~~(TS//SI//REL TO USA, FVEY)~~

[Redacted]

~~(TS//SI//REL TO USA, FVEY)~~

[Redacted]

~~(S//REL TO USA, FVEY)~~

[Redacted]

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

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

~~(S//REL TO USA, FVEY)~~ We believe that [redacted] thinks, [redacted]

[redacted]

(U//~~FOUO~~) We believe that NSA regulations forbid analysts [redacted]

[redacted]

(U) We would like to request another review of this matter.

(b) (1)
(b) (3)-38 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36

Thank you very much,

[redacted]

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

[redacted]

(U//~~FOUO~~)

[redacted]

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

APPENDIX F2

From: [redacted]
To: [redacted]
Subject: RE: (U) Ongoing Incident
Date: Thursday, May 09, 2013 5:53:19 PM

Classification: TOP SECRET//SI//NOFORN

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

Hi [redacted]

(U) I can meet with you on Tuesday the 14th at 1400. [redacted] keeps early hours and is gone for the day, and I will be out tomorrow; I will leave it to her to decide whether she thinks she should talk to you also.

(U//FOUO) I asked [redacted] yesterday if he still had a copy of [redacted] email; he didn't get back to me about it, and I'll ask again.

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

(U//FOUO) I have a number of emails to and from the folks in [redacted] unfortunately much of the discussion took place over the phone, and there were also calls/emails/meetings involving our branch chief and division technical director at which none of us lower down were present. [redacted] was waiting for a formal written statement; they kept saying my attempts at that were too technical; and eventually our division tech director was tapped for the task. A few days later we were told that [redacted] had already decided that what [redacted] was doing was perfectly all right, so the formal written statement was never sent. The message we got was: decision made, it's over. We heard about that second-hand from our managers, however. We asked if [redacted] had put this in writing, and apparently the answer was no - but then, they never got a complaint in writing either. The technical director never did send one, and I was told not to do it on my own.

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

(U//FOUO) So it just sort of fizzled out, but I brought it up again later and was told - again, by management in here - that [redacted] compliance officer), had already decided, and that there was no point in pursuing it any further.

(U//FOUO) The last email I have from one of the compliance officers is quite strange. There may have been a serious misunderstanding going on at that point. In any case, I'll send what I have, following this.

(U) As for the complaint:

(U//FOUO) We believe that for at least the last four months [redacted] has been violating USSID SP0018 by collecting or attempting to collect U.S. phone numbers without the proper authorities, and without a foreign intelligence purpose. The collection or attempted collection was done by [redacted]

[redacted]

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

(U//FOUO) We believe that for at least the last four months he has been violating [redacted] by collecting or attempting to collect [redacted] 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 by using [redacted]

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

(U//FOUO) We believe that since October 2011 he has collected or attempted to collect a large volume of phone numbers without any foreign intelligence purpose. The collection or attempted collection was done by using [redacted]

[redacted]

Thank you,

[redacted]

(U//FOUO)

[redacted]

From: [redacted]
Sent: Thursday, May 09, 2013 3:26 PM
To: [redacted]
Cc: [redacted]
Subject: FW: (U) Ongoing Incident

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

Hello [redacted]

(U) I have been assigned to investigate the matter described in your email, below. I would like to meet with you to discuss further. Are you available on Tuesday, 14 May at 1400 to meet with me in my office?

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

(U//FOUO) I see that your email included [redacted] as a co-submitter of the email/concern to the ighotline. I would be happy to meet with [redacted] as well, but in a separate meeting. I will leave it to the two of you to decide if one of you would like meet with me and discuss, on behalf of the other, or, if both of you would like to meet with me, separately. Please let me know.

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

(U//FOUO) in preparation for our meeting, please let me know which regulations or Agency processes you believe [redacted] has violated. If you have a copy of the email that [redacted] sent to [redacted] and [redacted] please provide that as well, along with any other related correspondence or background information you may have. If you referred the matter to [redacted] in writing, please provide a copy of your referral and their response, if any.

(U) I look forward to meeting with you. If the date/time I proposed does not work for you, please propose another date/time and I will check my schedule.

Thank you, [redacted]

V/R,

[redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[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: 20380501

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

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

APPENDIX F3

From: [Redacted]
To: [Redacted]
Subject: (U) Something else
Date: Wednesday, May 15, 2013 10:35:45 AM

Classification: TOP SECRET//SI//NOFORN

[Redacted]

(U) Something that I didn't think to state explicitly yesterday:

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

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

~~(TS//SI//NOFORN)~~ [Redacted]

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

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

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

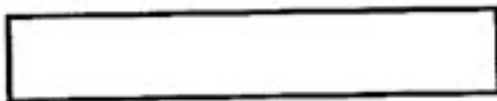
~~(C//REL TO FVEY)~~ [Redacted]
[Redacted]

Thanks,
[Redacted]

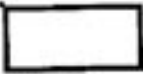
(U//FOUO)
[Redacted]

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

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



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

Classified By: 

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

APPENDIX F4

From: [redacted]
To: [redacted]
Subject: (U) call data
Date: Tuesday, May 21, 2013 3:07:09 PM
Attachments: [redacted]

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

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

[redacted]
~~(TS//SI//NOFORN)~~

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

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] seemed to spend most of yesterday [redacted]

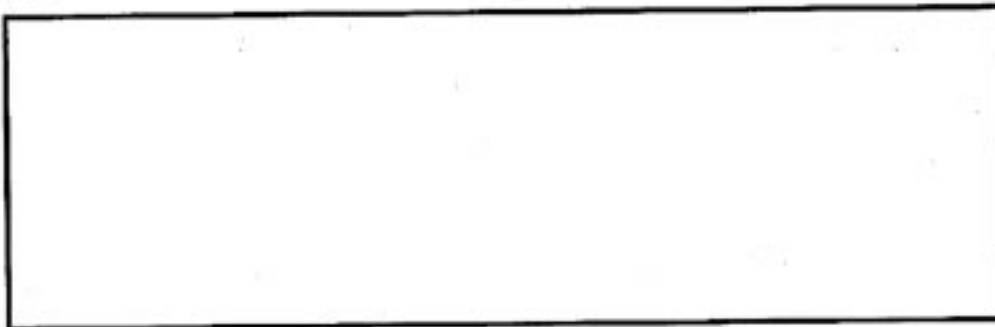
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

Thank you,
[redacted]

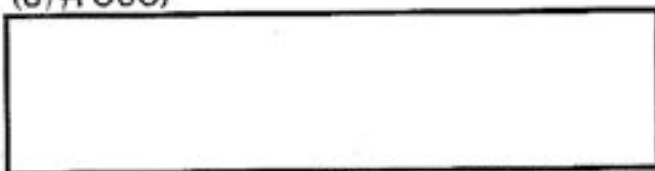
(b) (3) - P.L. 86-36
(b) (6)

~~(TS//SI//NOFORN)~~

[Large redacted block]



(U//FOUO)



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

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

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380501

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

APPENDIX FS

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: (U) Further developments
Date: Tuesday, June 18, 2013 1:30:23 PM

Classification: ~~TOP SECRET//NOFORN~~

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

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

(TS//NOFORN) On May 31st [Redacted]

[Redacted]

(S//REL TO USA, FVEY) [Redacted]

[Redacted]

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

(S//NOFORN) [Redacted]

[Redacted]

(S//NOFORN) [Redacted] has looked at the data also and agrees that it specifically targets U.S. comms [Redacted]

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

(U//FOUO) His [Redacted]

Thanks,

[Redacted]

(U//FOUO)

[Redacted]

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

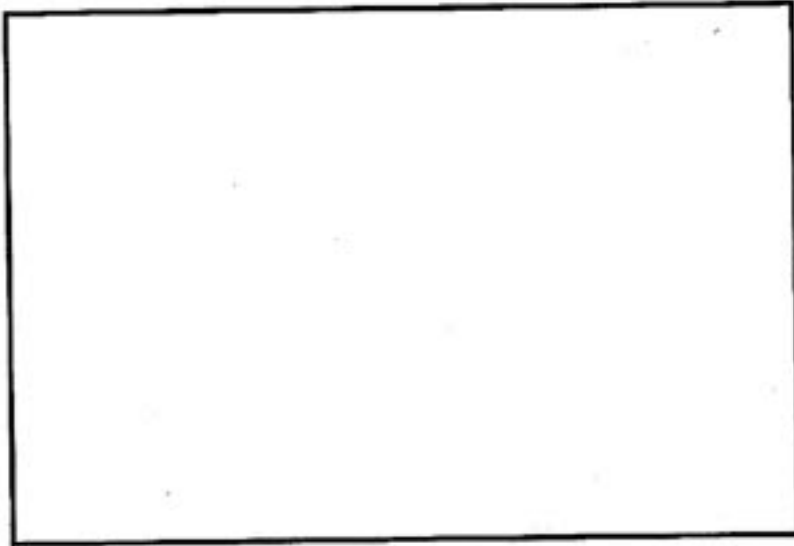
Dated: 20070108

Declassify On: 20380601

Classification: ~~TOP SECRET//NOFORN~~

APPENDIX F6

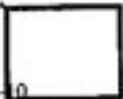
~~TOP SECRET//SI//NOFORN~~



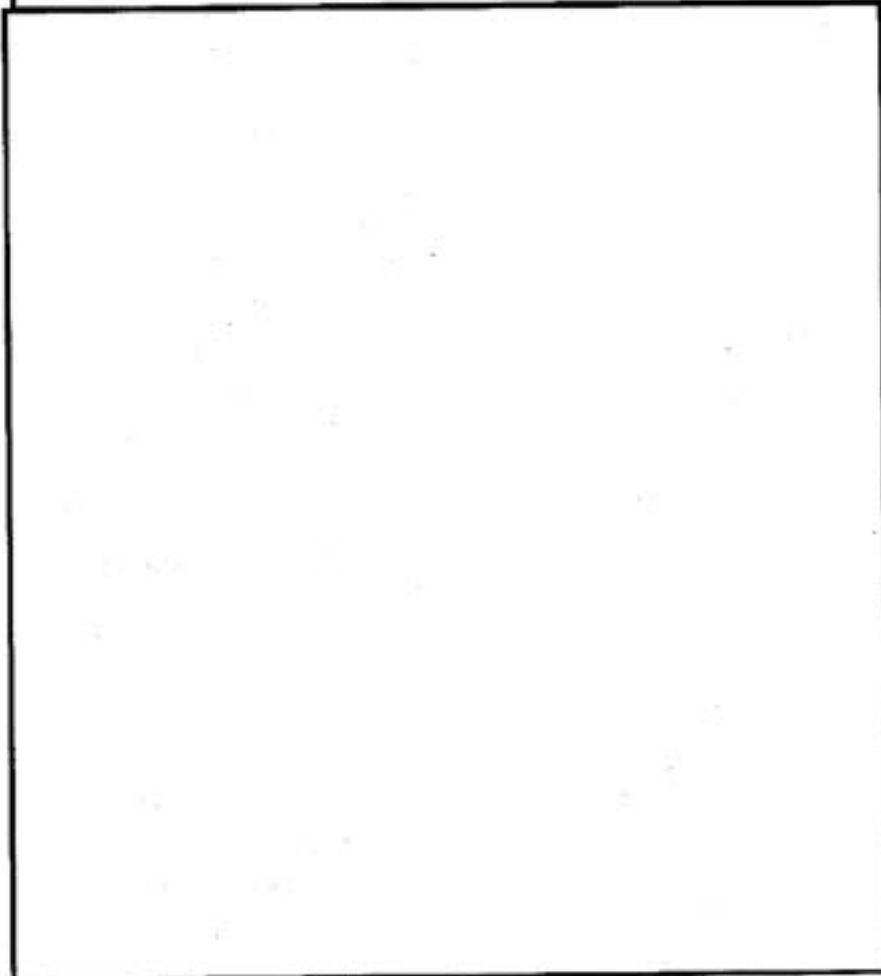
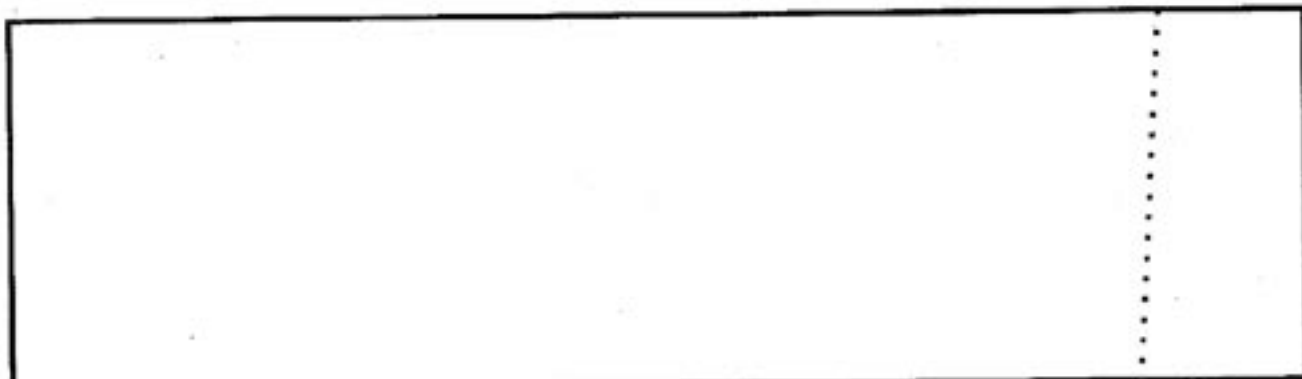
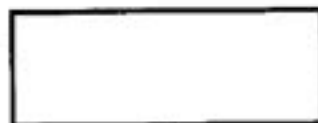
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36

~~TOP SECRET//SI//NOFORN~~

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



~~TOP SECRET//SI//NOFORN~~



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

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

Classified By:

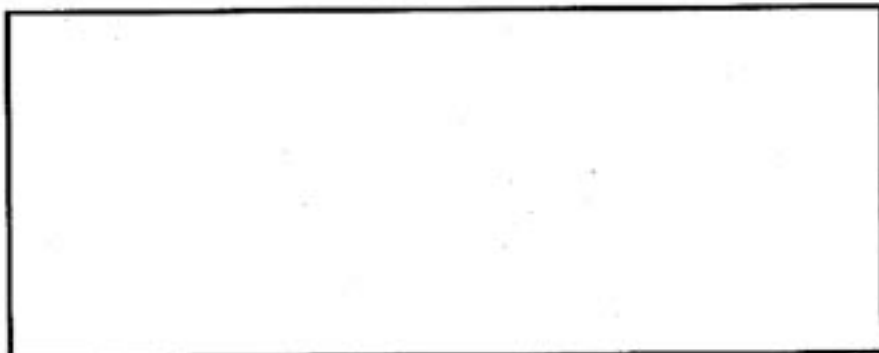
Derived From: NSA/CSSM 1-52

Dated: 20070108

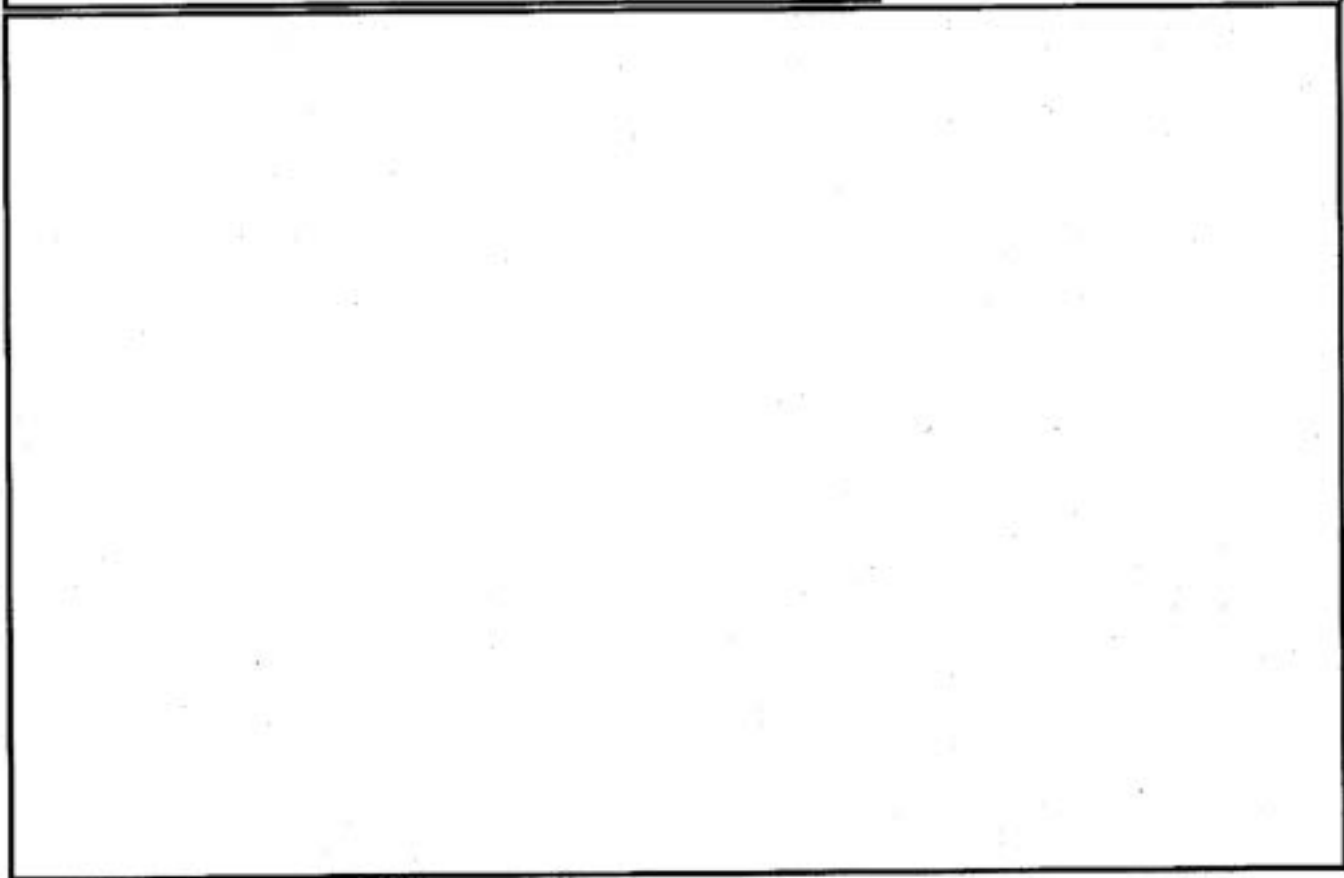
Declassify On: 20380601

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~



(b) (1)
(b) (3)-10 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36



Classified By:

Derived From: NSA/CSSM 1-52

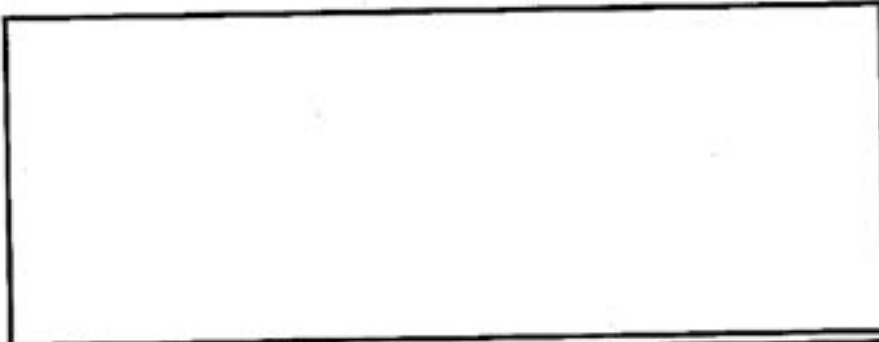
Dated: 20070108

Declassify On: 20380601

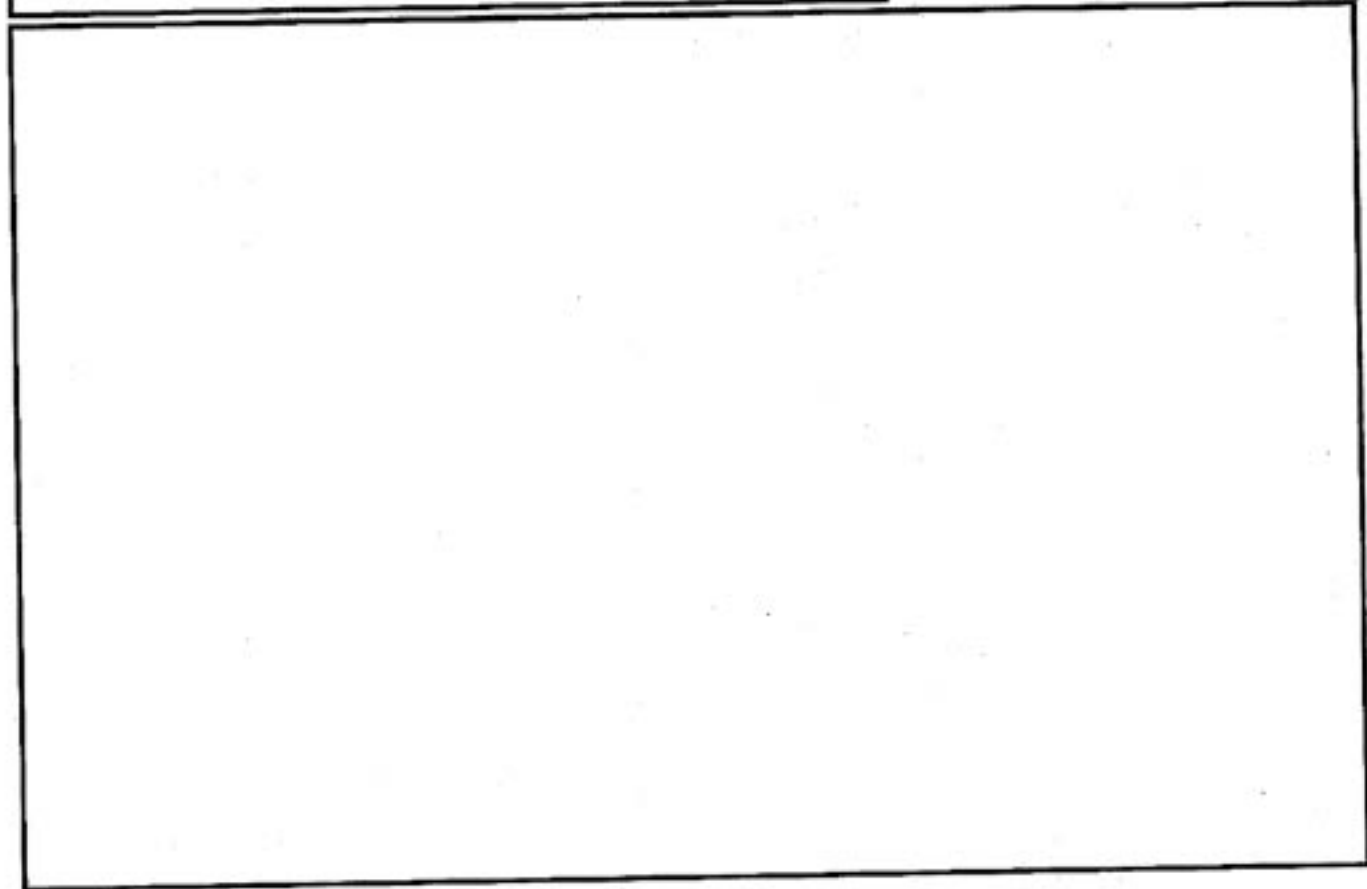
(b) (3)-P.L. 86-36

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~



(b) (1)
(b) (3)-18 USC 796
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36



Classified By:

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

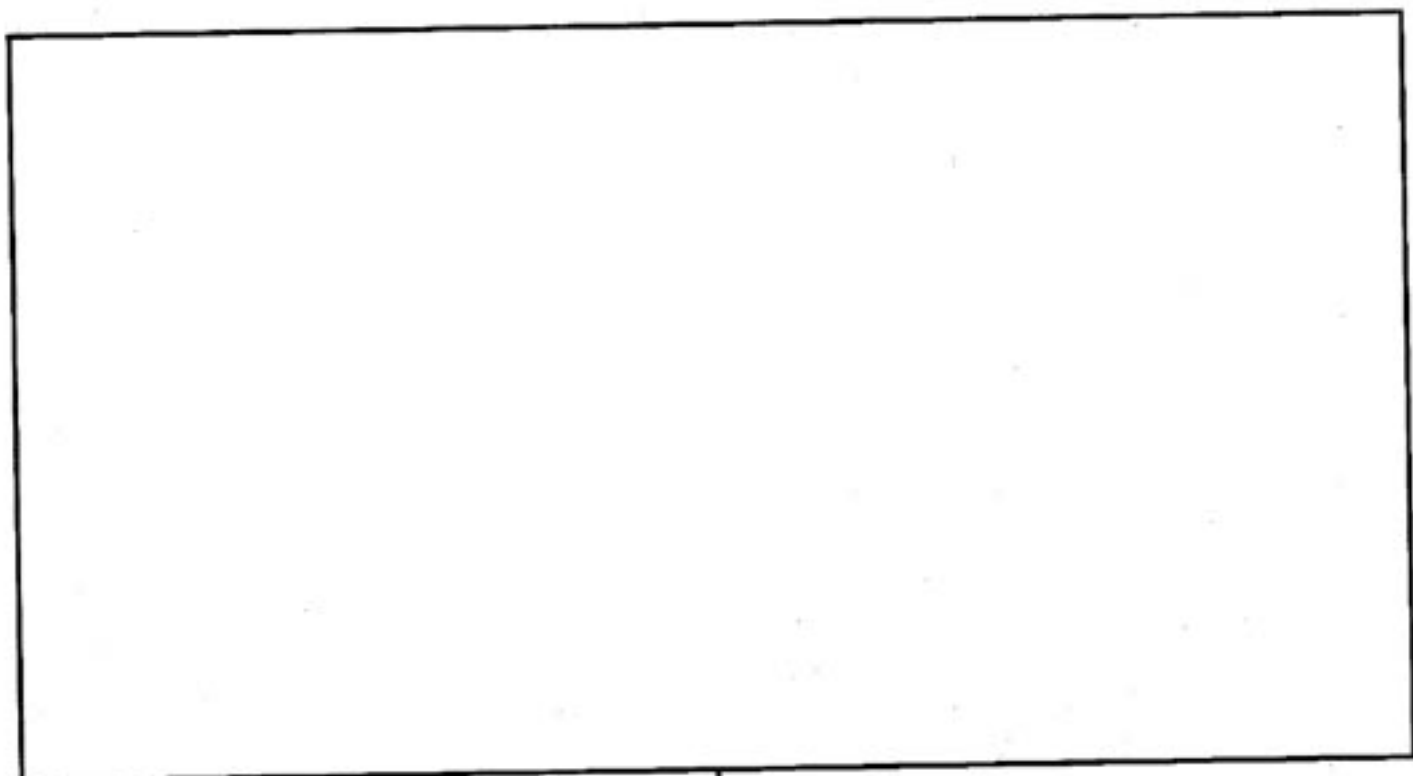
Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~



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

Classified By:

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

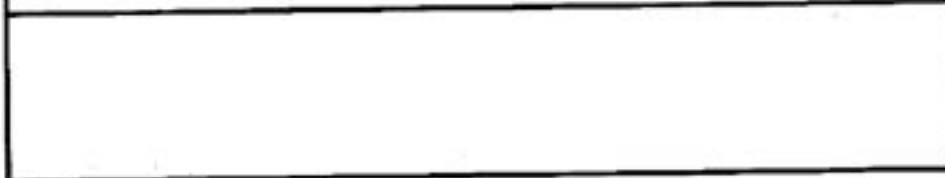
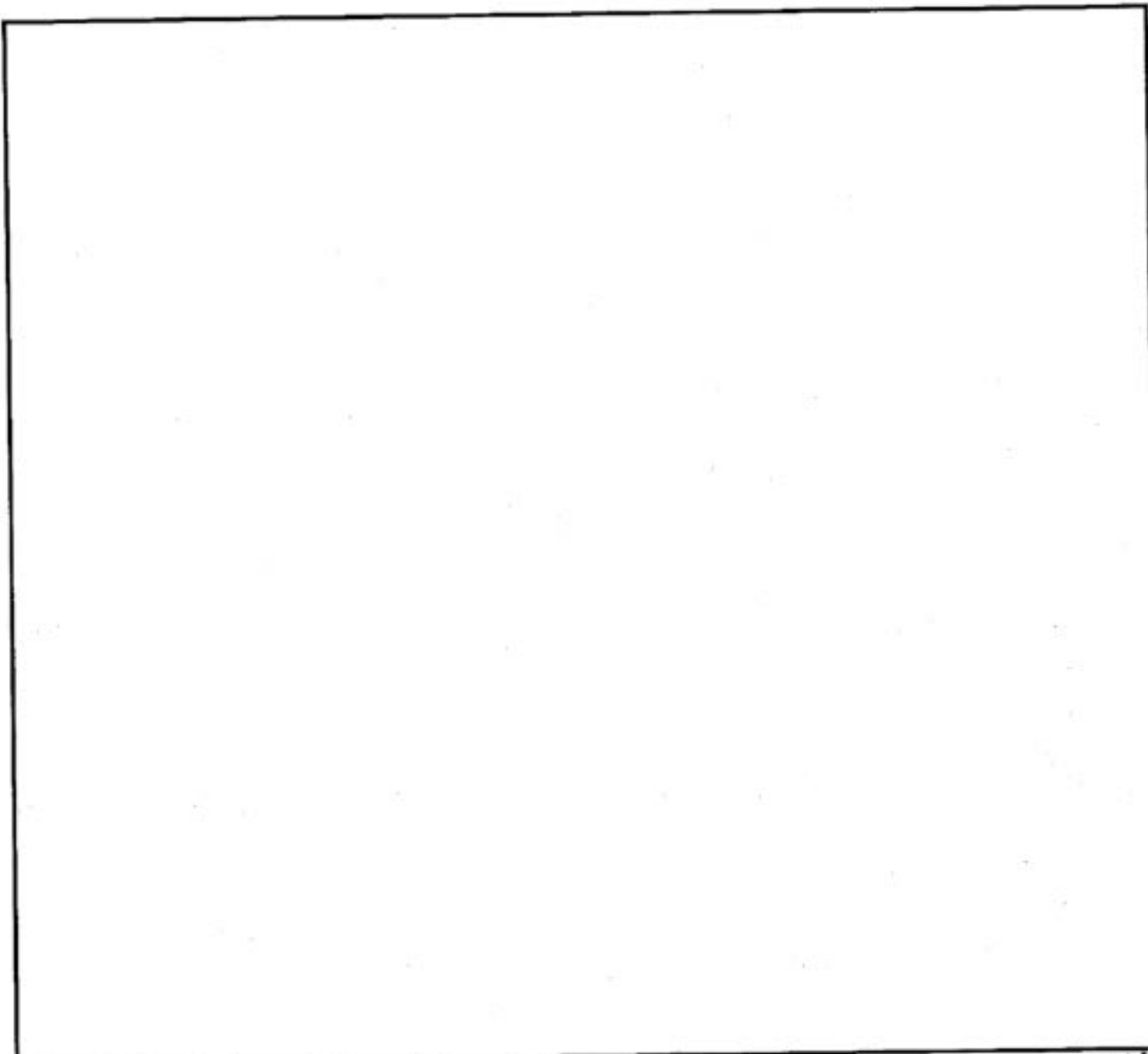
Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~



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

Classified By:

Derived From: NSA/CSSM 1-52

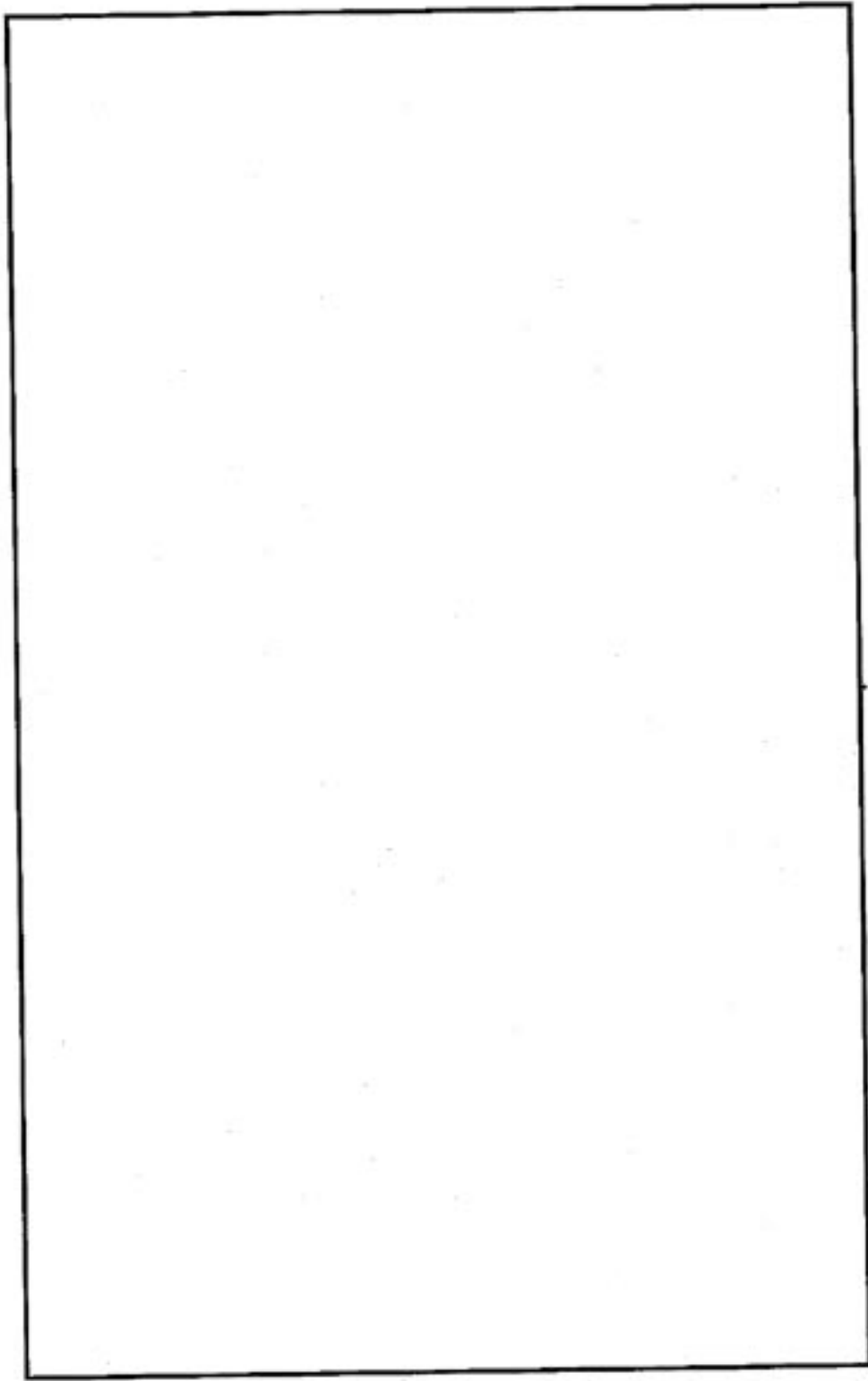
Dated: 20070108

Declassify On: 20380601

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

~~TOP SECRET//SI//NOFORN~~

~~TOP SECRET//SI//NOFORN~~

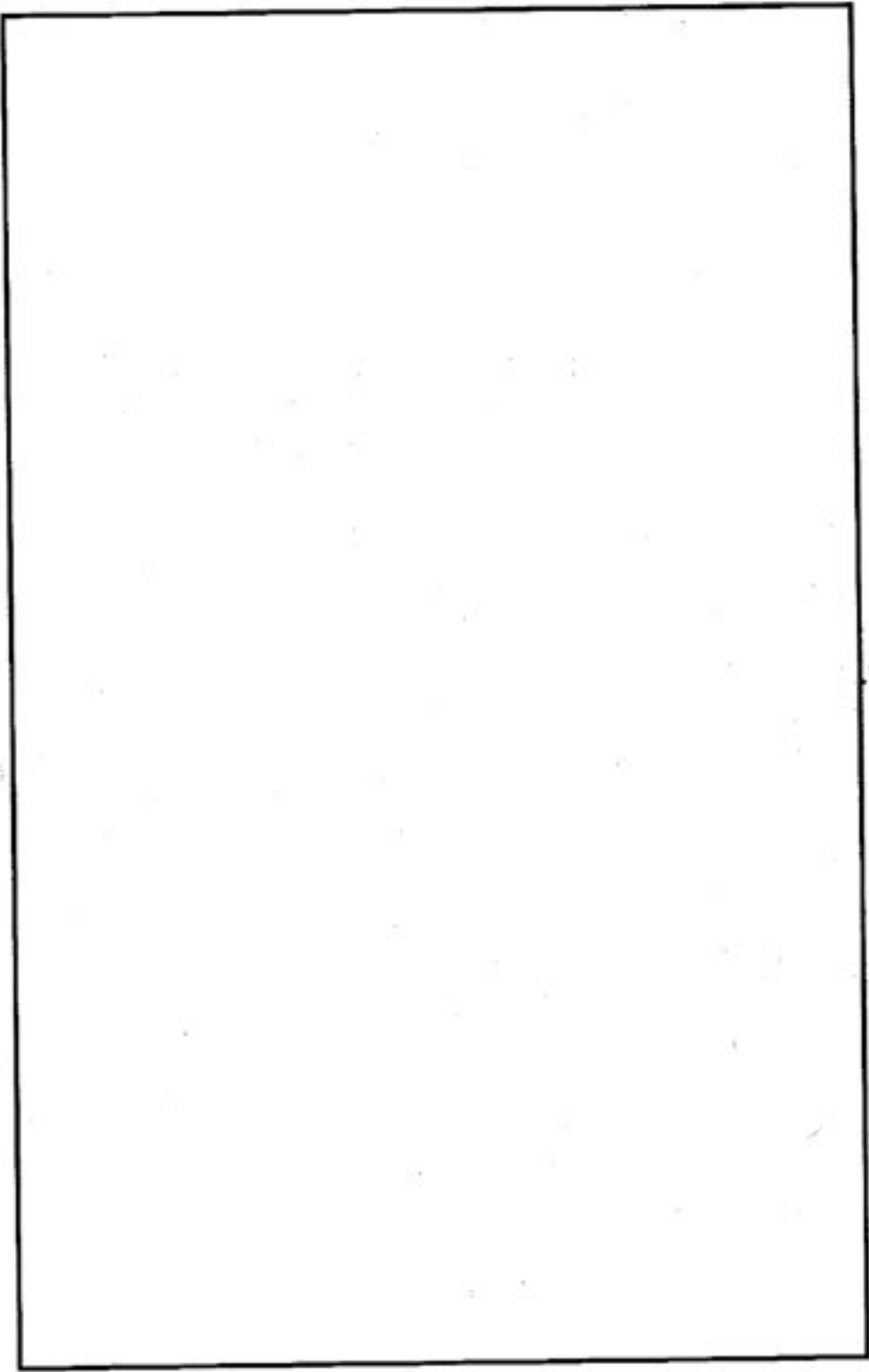


(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

Classified By
Derived From: NSA/CSSM 1-52
Dated 20070108
Declassify On: 20380601

~~TOP SECRET//SI//NOFORN~~



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

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

Classified By:

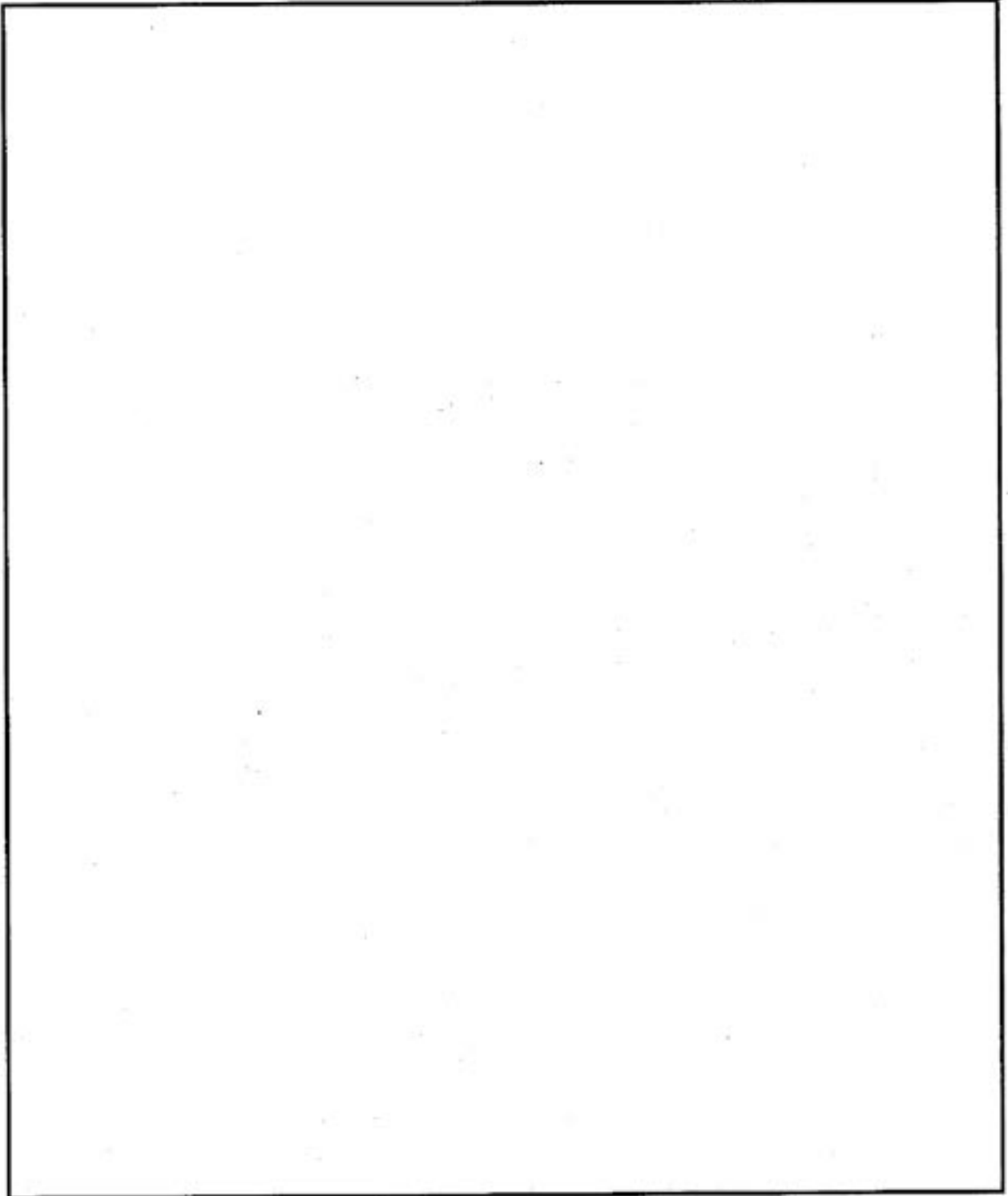
Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380601

~~TOP SECRET // SI // REL TO USA, FVEY~~

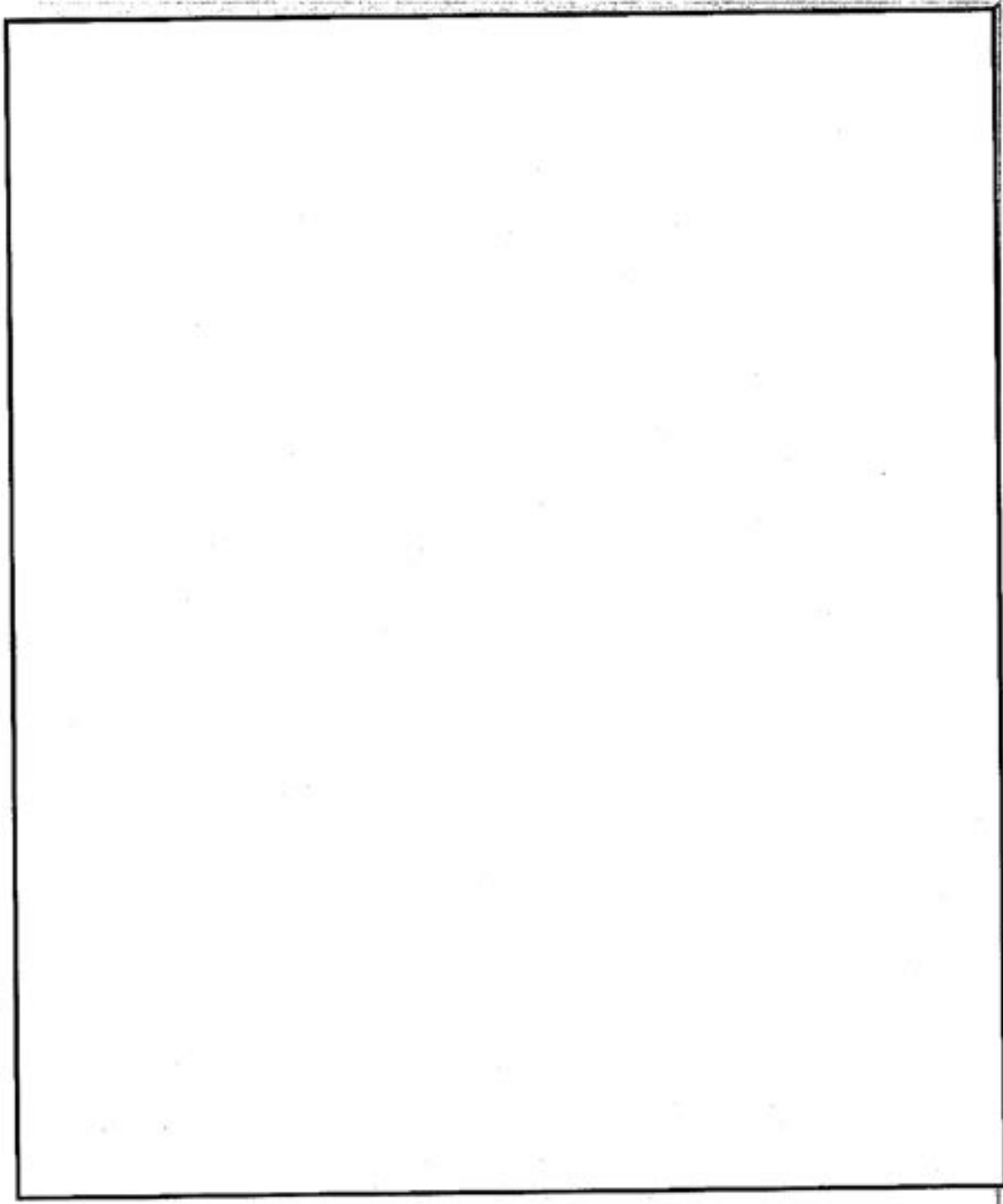
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36



~~TOP SECRET // SI // REL TO USA, FVEY~~

~~TOP SECRET//SI//REL TO USA, FROTH~~

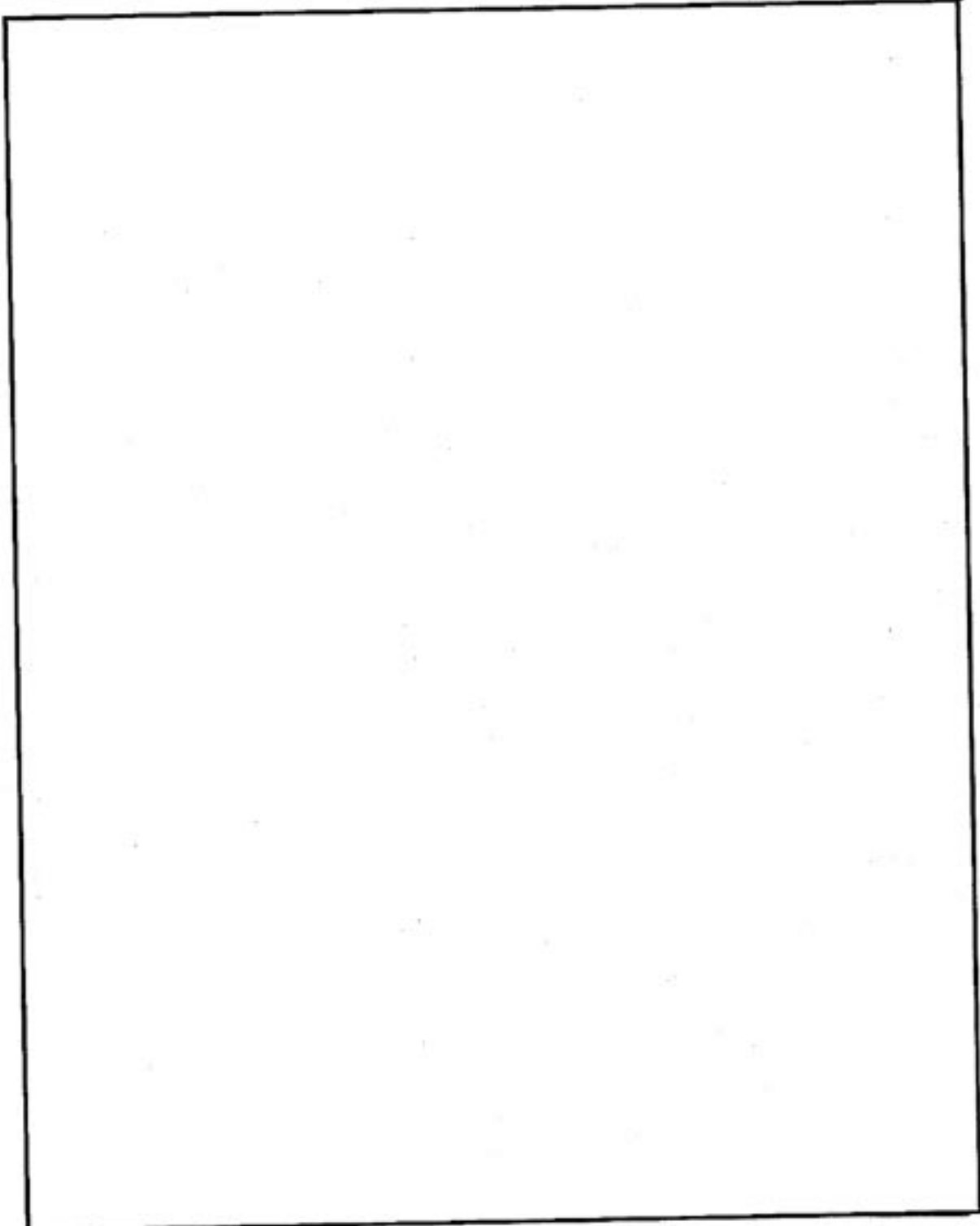
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (a)
(b) (3)-P.L. 86-36



~~TOP SECRET//SI//REL TO USA, FROTH~~

~~TOP SECRET // NOFORN, FROTH~~

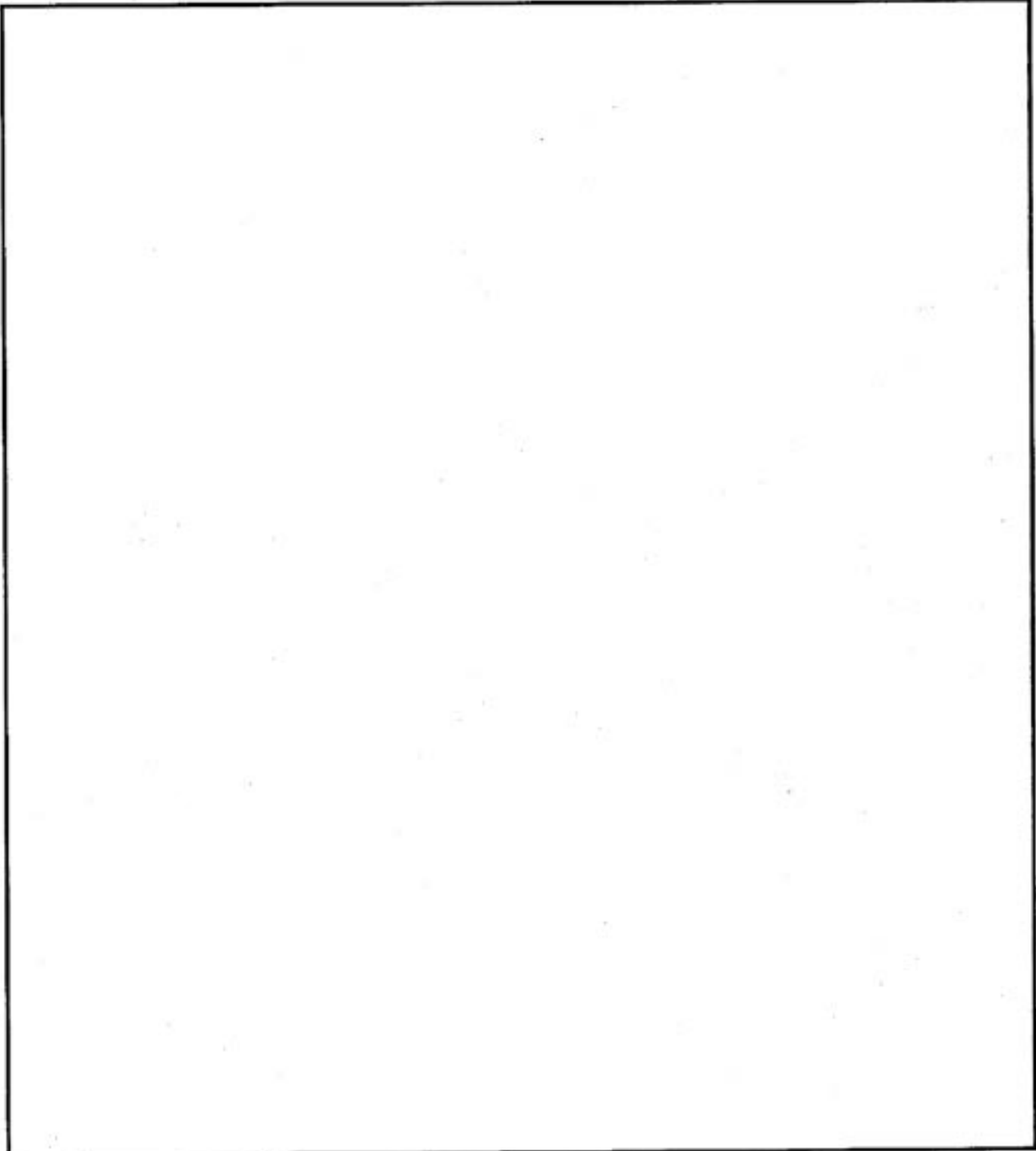
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36



~~TOP SECRET // NOFORN, FROTH~~

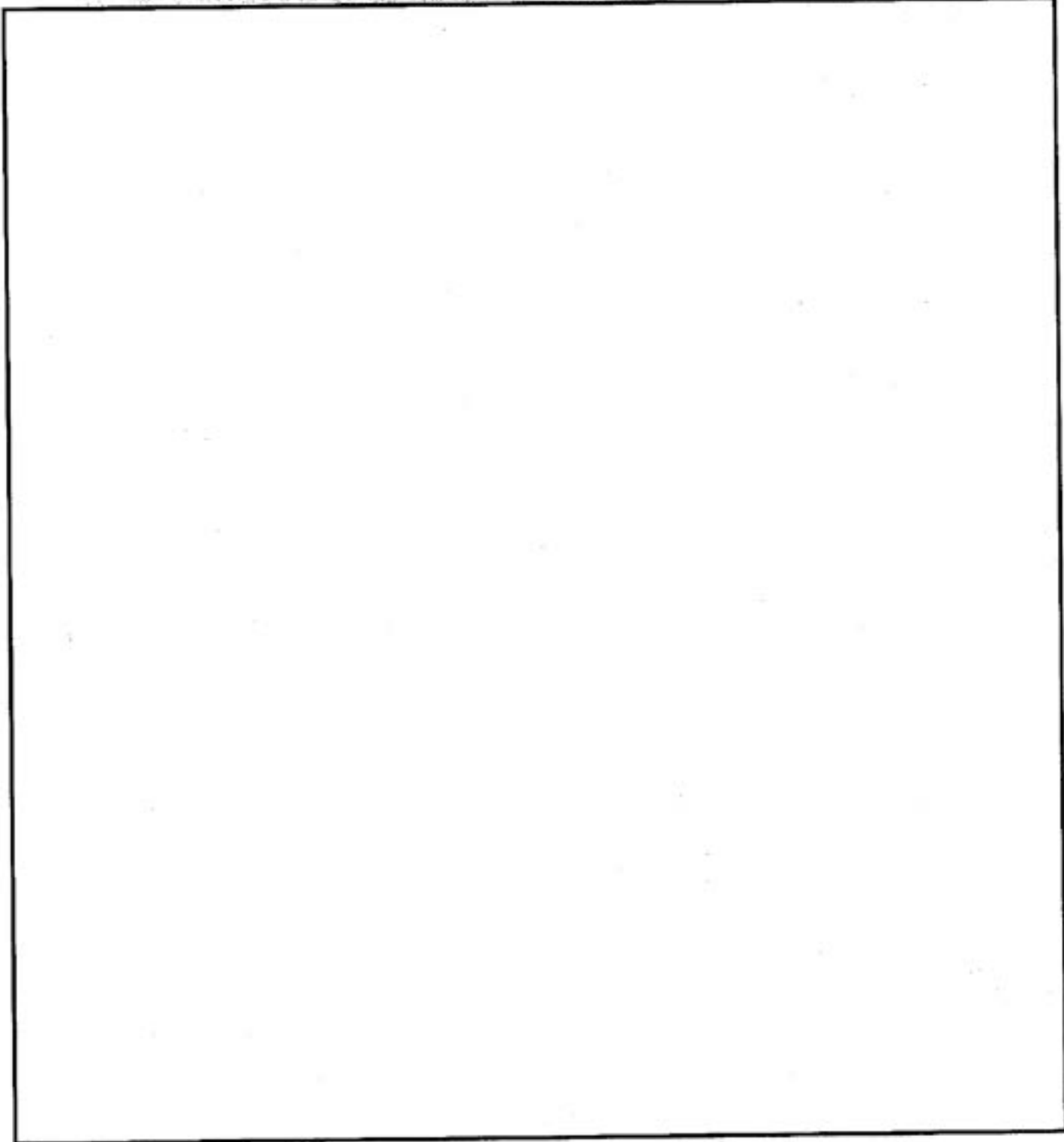
~~TOP SECRET//SI//REL TO USA, FVEY~~

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-E.O. 86-36

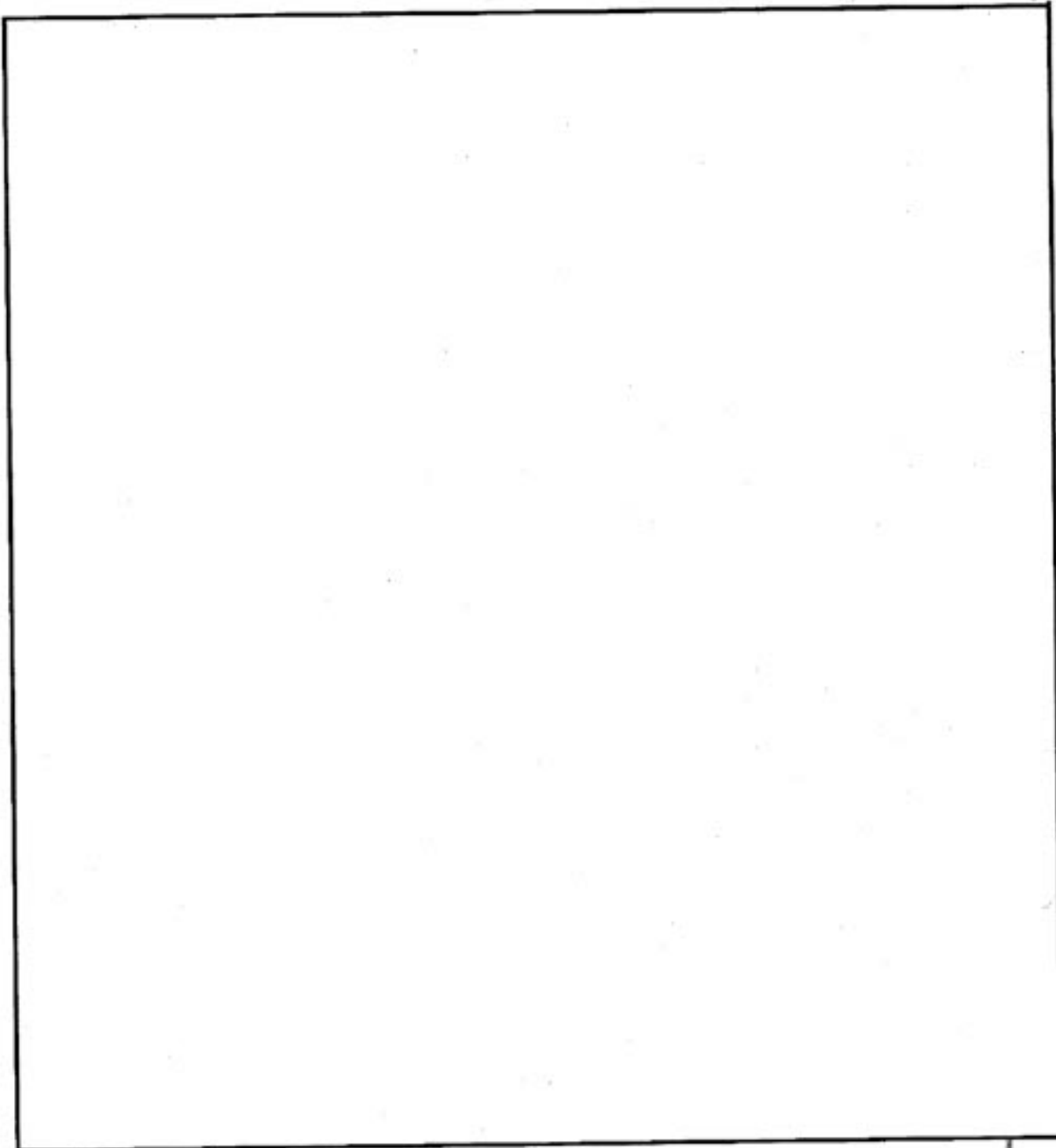


~~TOP SECRET//SI//REL TO USA, FVEY~~

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



(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 88-36



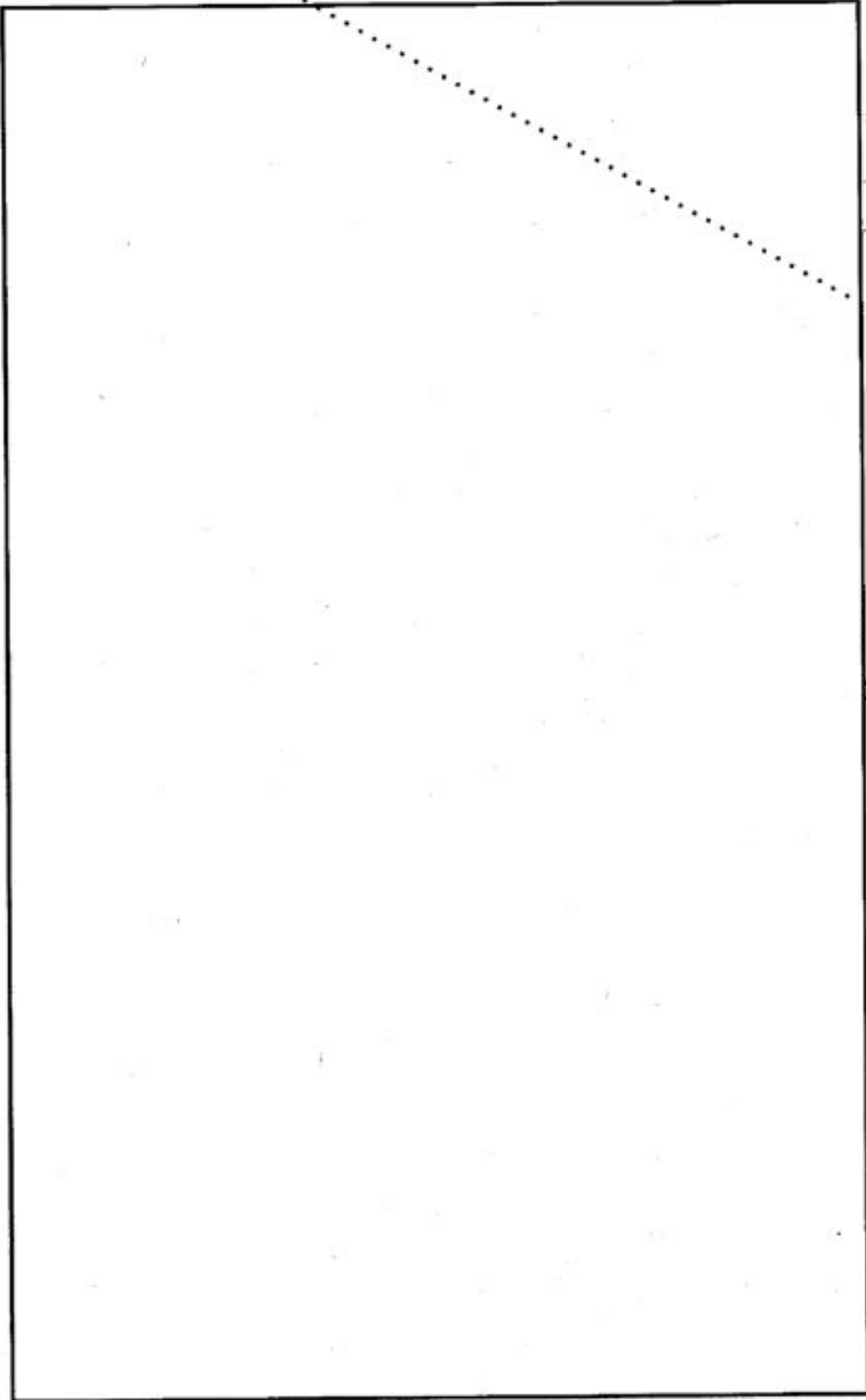
Dynamic Page - Highest Possible Classification (b)(1)-(3) (ISC 798, 3024 (1), P.L. 86-36)

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

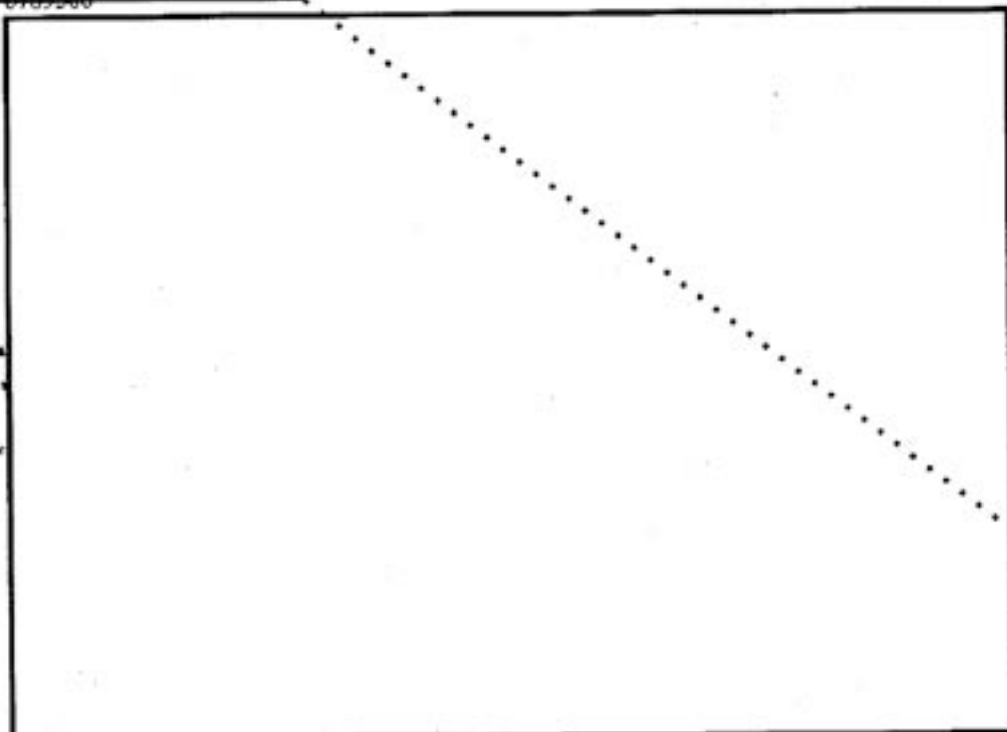
[Large redacted area]

Dynamic Page - Highest Possible Classification (b)(1)-(3) (ISC 798, 3024 (1), P.L. 86-36)

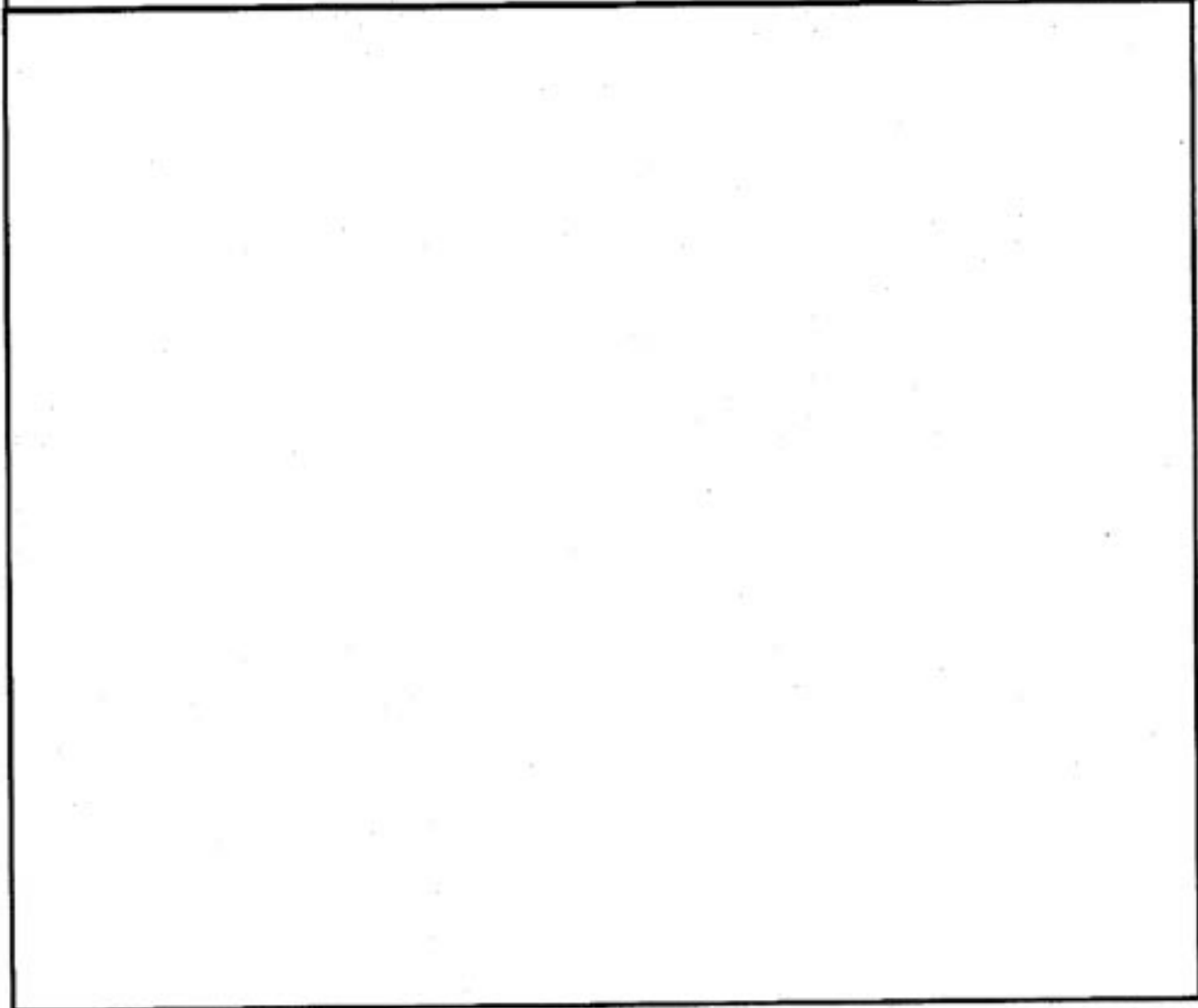
(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024(f)
(b) (3) - E.O. 13526

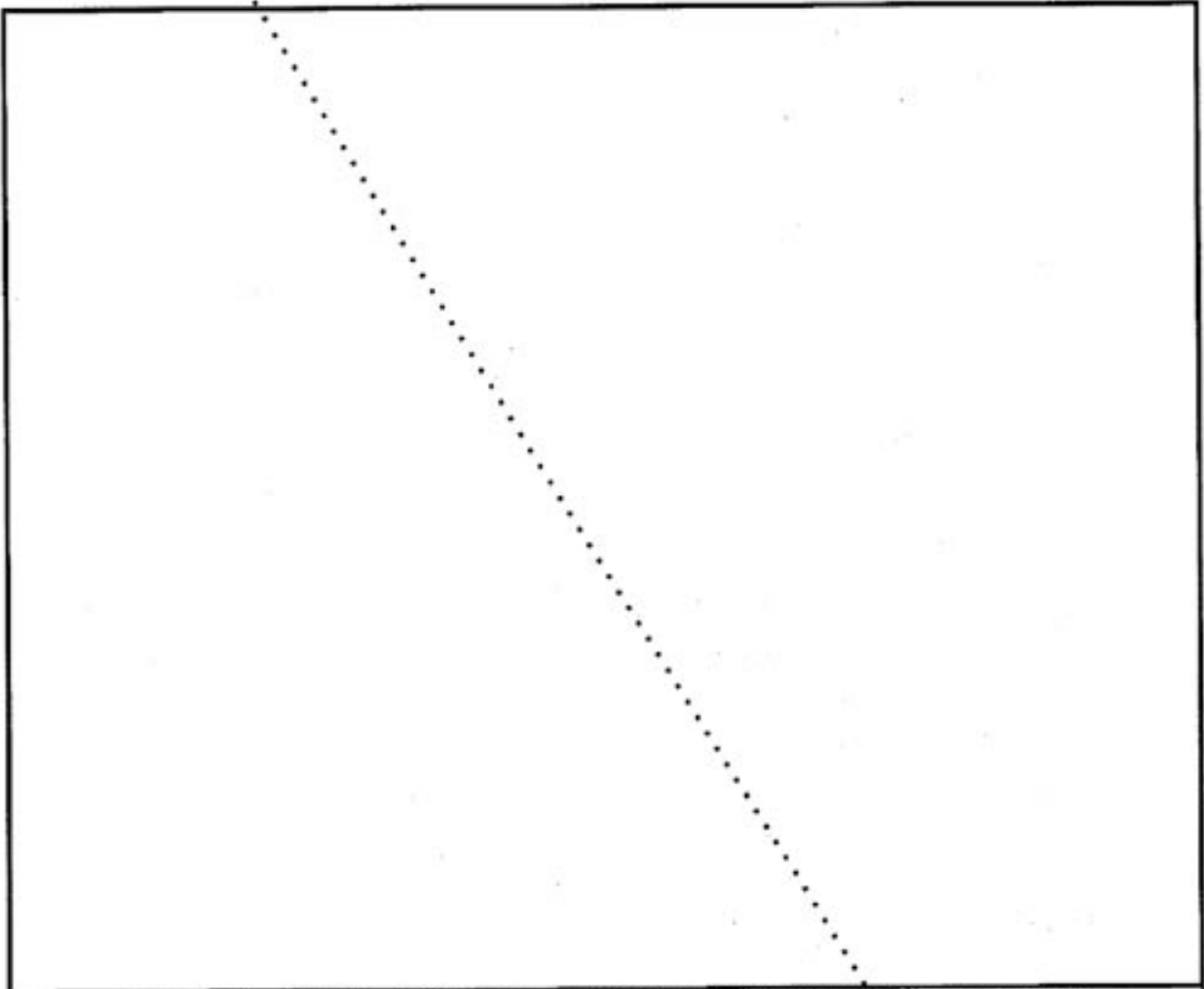


(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36



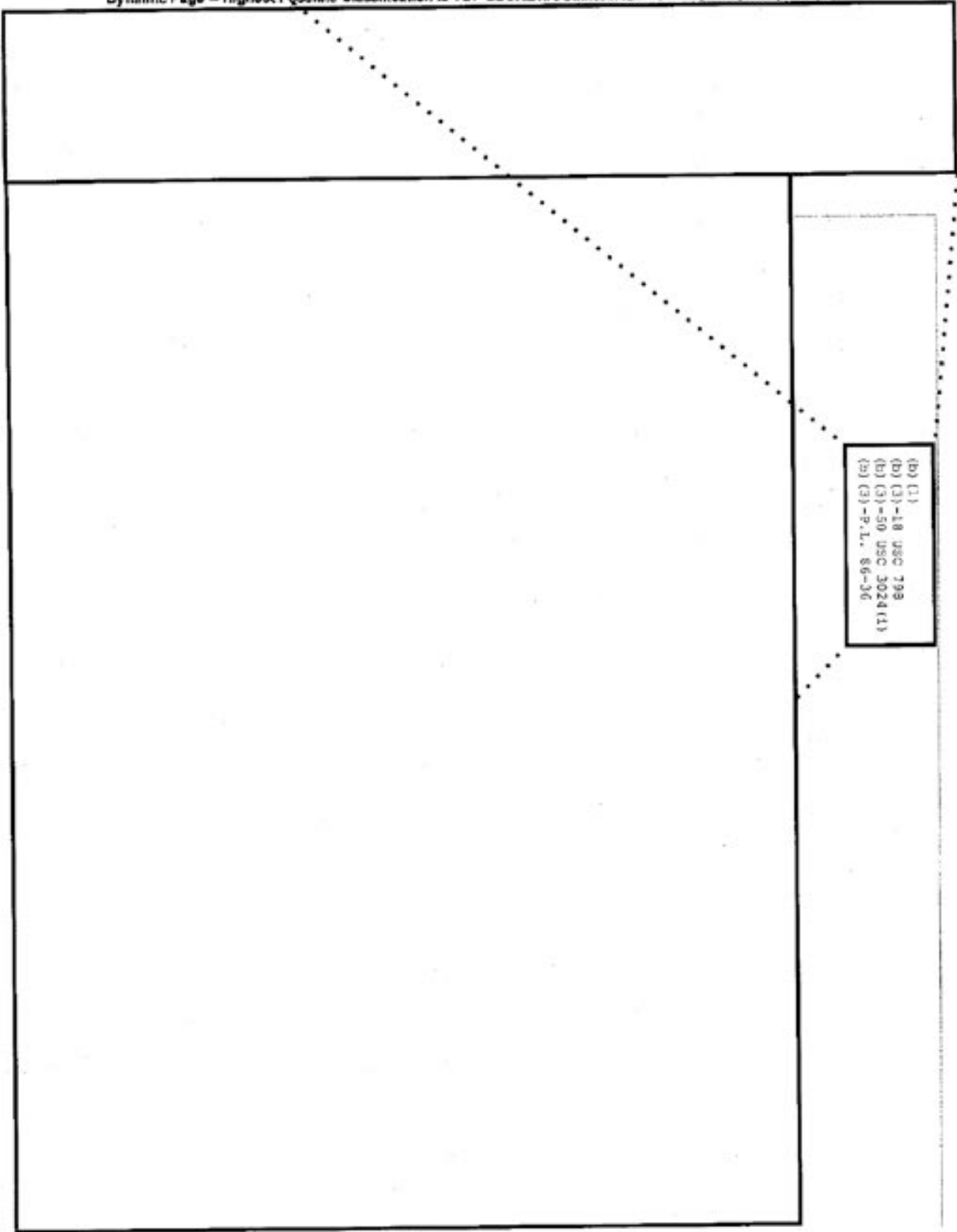
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36





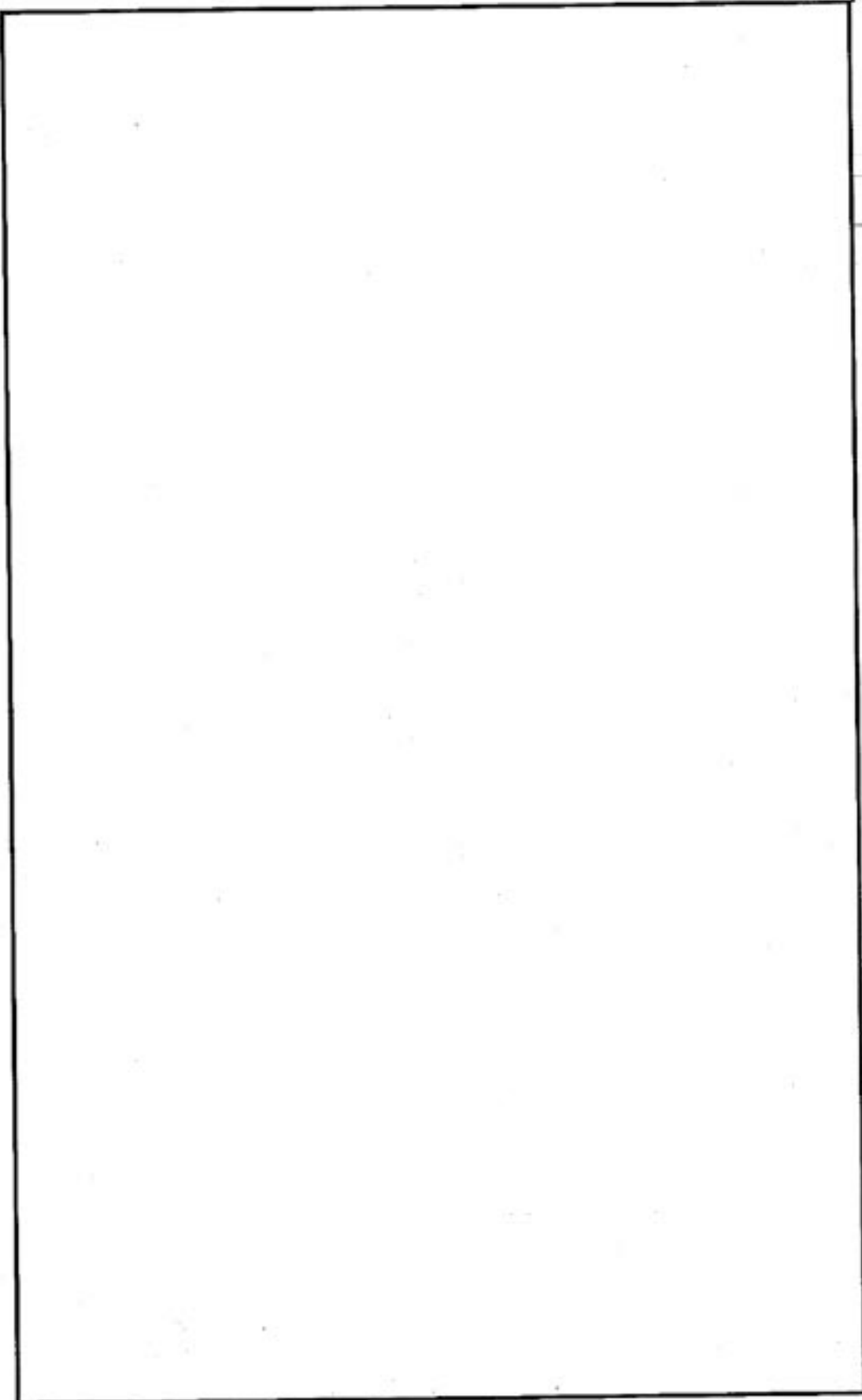
Dynamic Page - Highest Possible Classification is ~~TOP SECRET//COMINT//REL TO USA, AUS, GAN, GBR, NZL~~

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

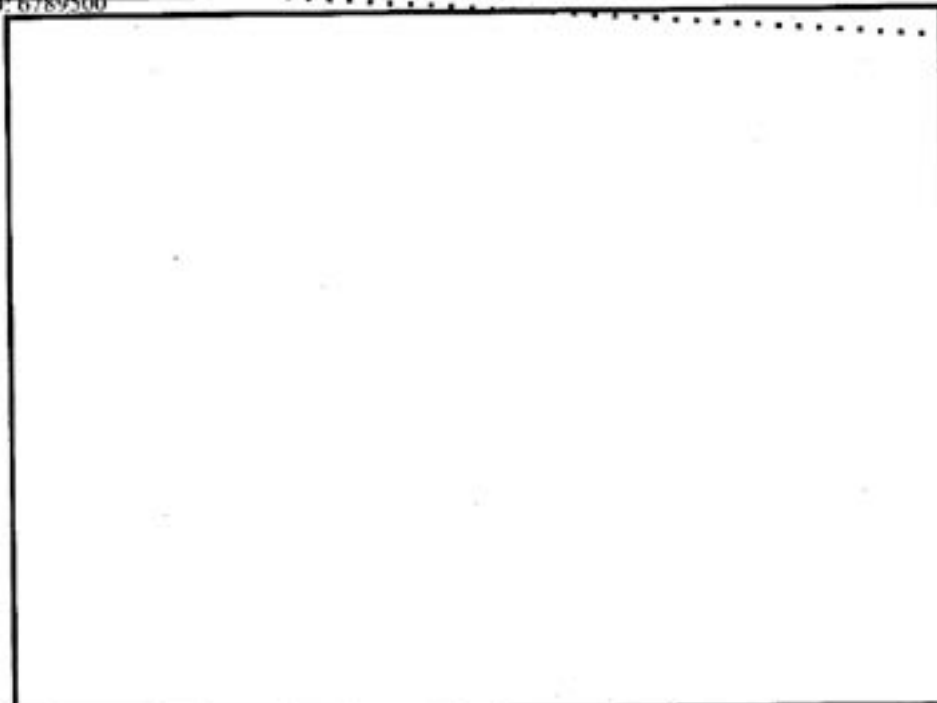


(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(5) (3) - P.L. 86-36

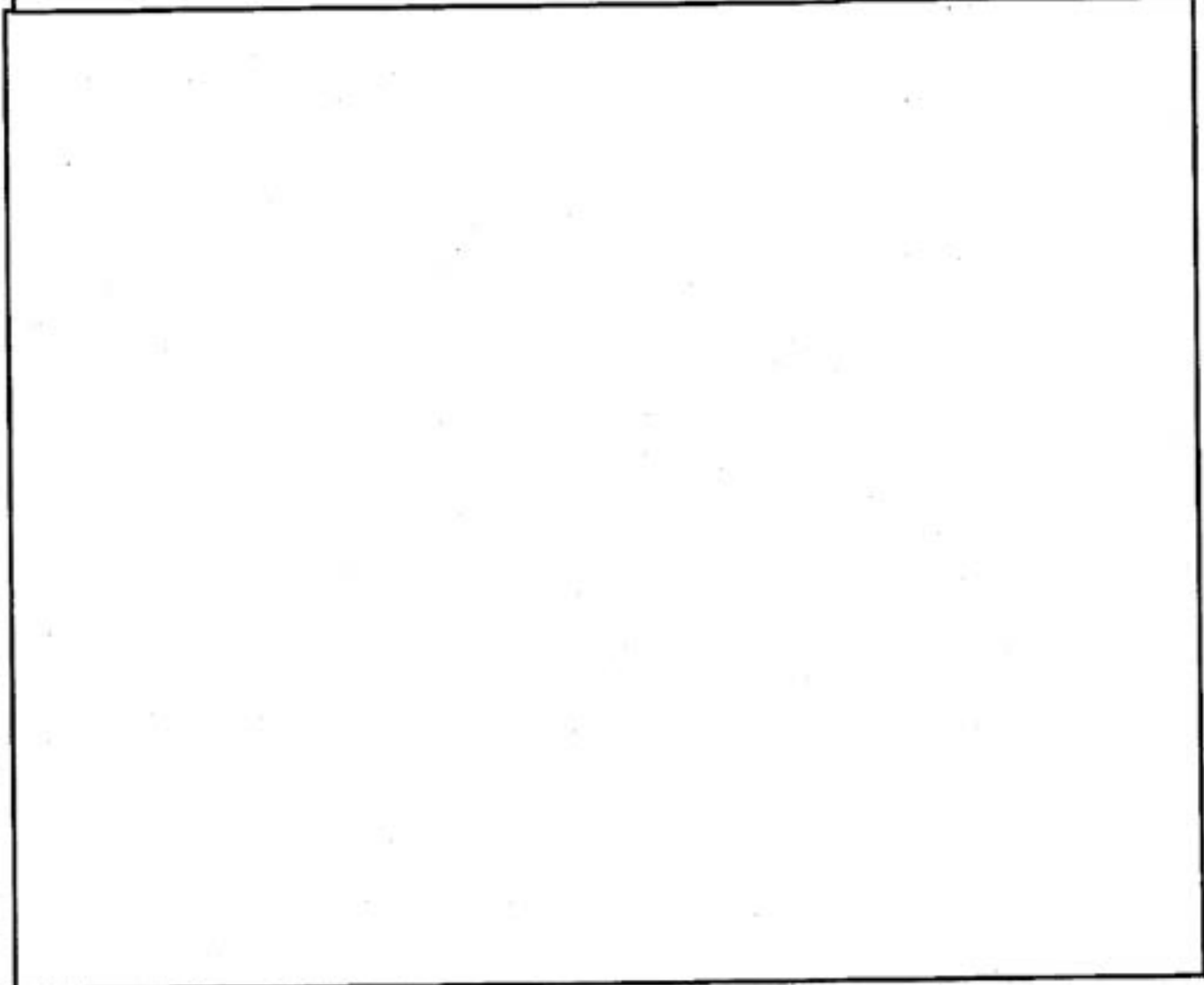
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36

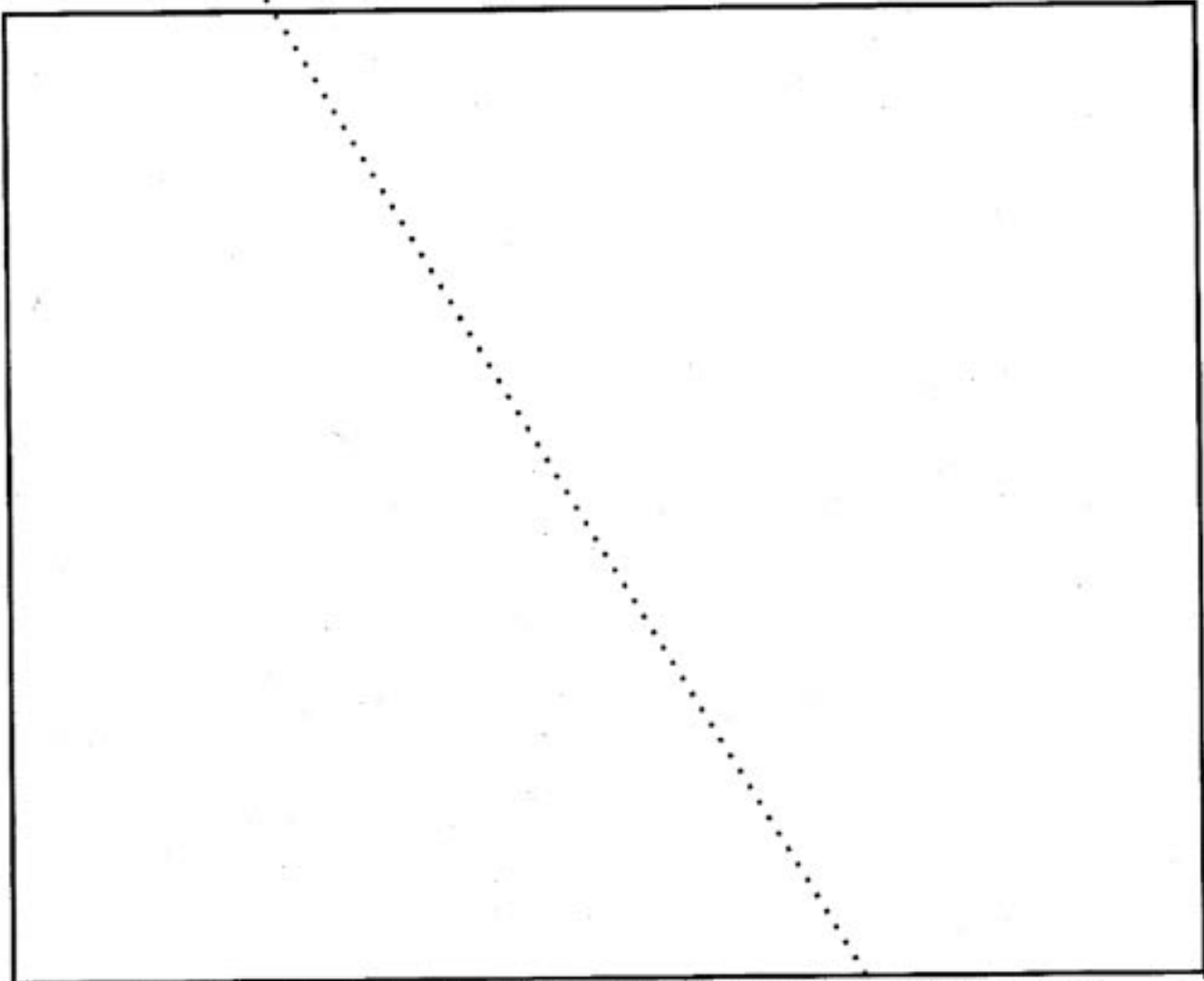


(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36



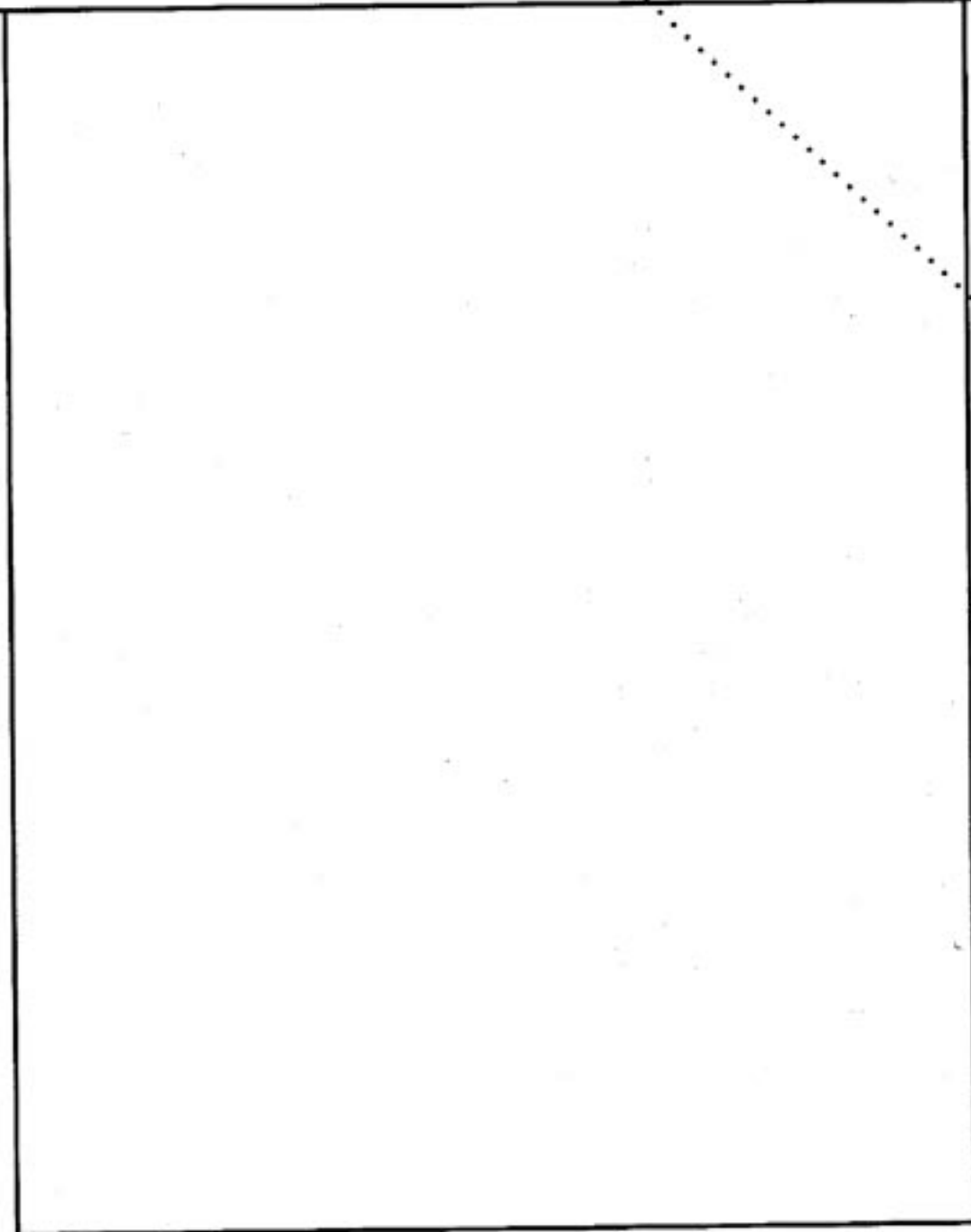
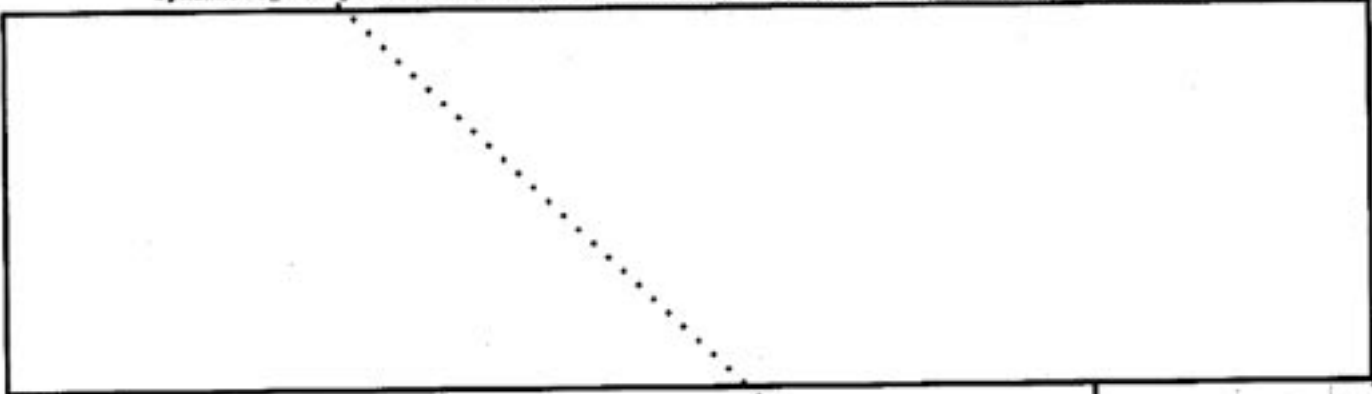
[Faint, mostly illegible text, possibly a list or table, partially obscured by redaction.]



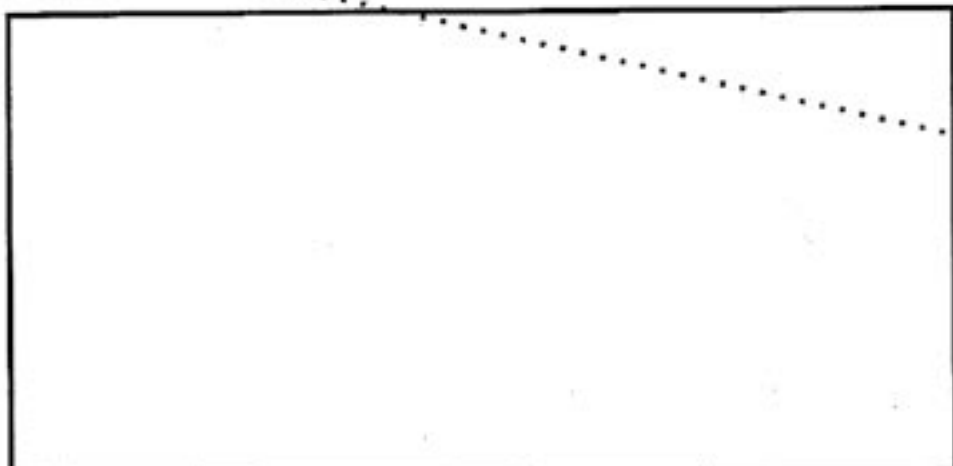


Dynamic Page - Highest Possible Classification is ~~TOP SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZ~~

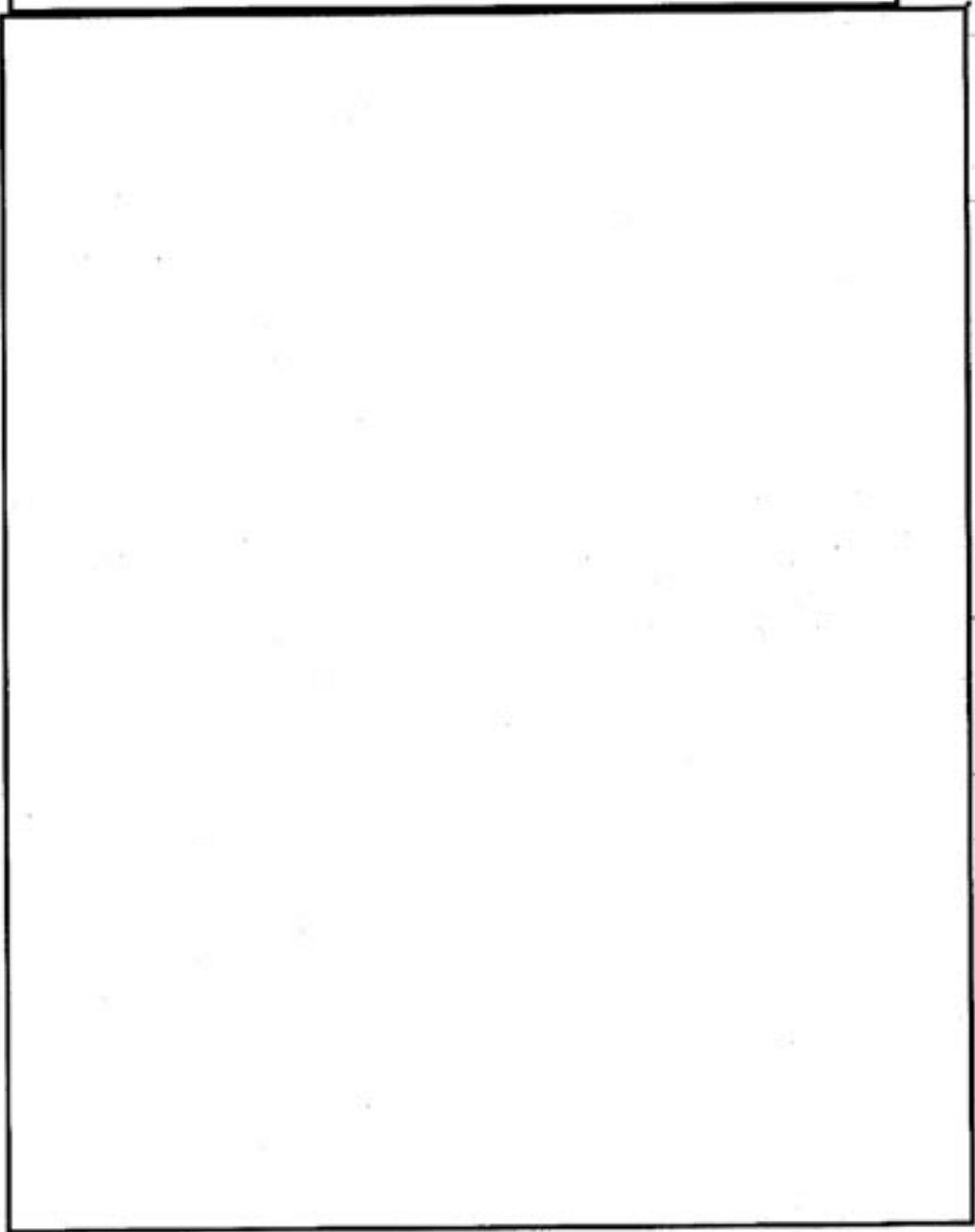
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36



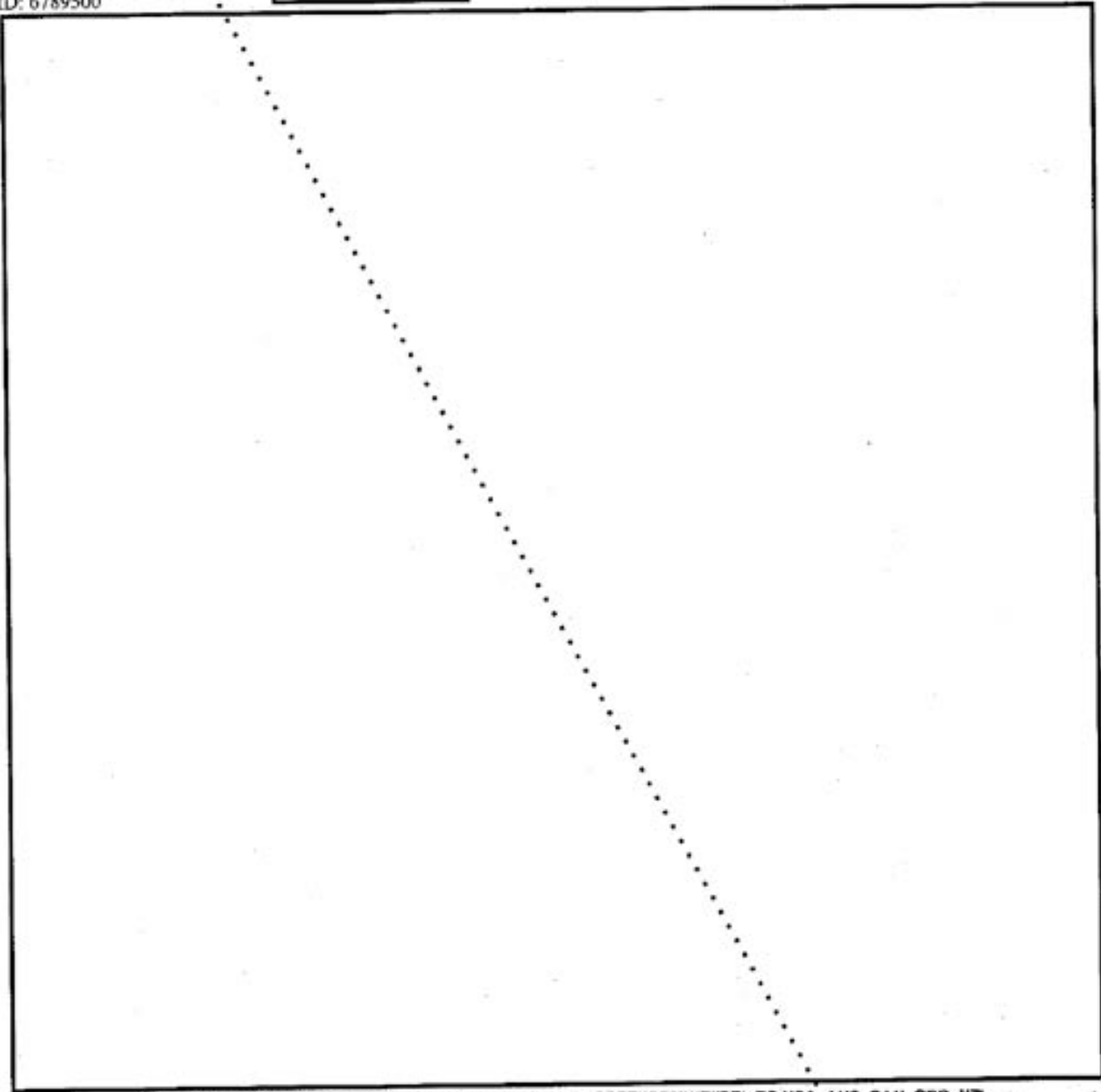
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526



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



(b) (3)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (A)
(b) (3) - F.L. 86-36



Dynamic Page - Highest Possible Classification is TOP SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZ

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

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

From: [redacted]
To: [redacted]
Subject: RE: (U) [redacted]
Date: Wednesday, November 27, 2013 12:15:06 PM

Classification: TOP SECRET//SI//NOFORN

[redacted]

[Large redacted block]

Right now we don't know for sure who did what, but it has multiple symptoms of [redacted]

[redacted] in general, since early last week. If somebody finally tracks this problem down and finds out he did it, you'll be getting another complaint.

[redacted] I simply can't understand that, but I give up trying to get it changed. All I can do is whine every time [redacted] I'll get back to you on this if and when someone comes up with the smoking gun. [redacted]

Thanks & Happy Thanksgiving,

[redacted]

(U//FOUO)

[redacted]

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

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

(b) (1)
(b) (3) - 1.0 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

From: [redacted]
Sent: Wednesday, November 27, 2013 11:38 AM
To: [redacted]
Subject: (U) [redacted]

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

Hi [redacted]

You previously provided the attached data to the OIG. [redacted]

[redacted]

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

<<.:>>

(U//FOUO) [redacted]

Senior Investigator

NSA/CSS OIG, Office of Investigations, D14

[redacted]

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

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: 20381101

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20381101

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

APPENDIX F7

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

From: [Redacted]
To: [Redacted]
Cc: [Redacted]
Subject: (U) Tasking/collection data
Date: Wednesday, July 03, 2013 4:18:26 PM
Attachments: [Redacted]

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

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

[Redacted]

You wanted a short/quick list for some of the targeting that's most obvious at a glance, correct?

[Redacted]

[Redacted]

Any problems/questions/etc, give a yell...

Thanks,

[Redacted]

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

<<...>>

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

~~(U//FOUO)~~

[Redacted]

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

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

APPENDIX F8

From:

To:

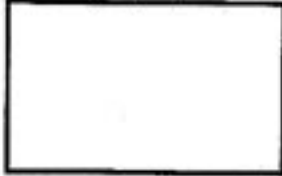
Subject:

(U) Data spreadsheets

Date:

Monday, July 08, 2013 12:29:41 PM

Attachments:

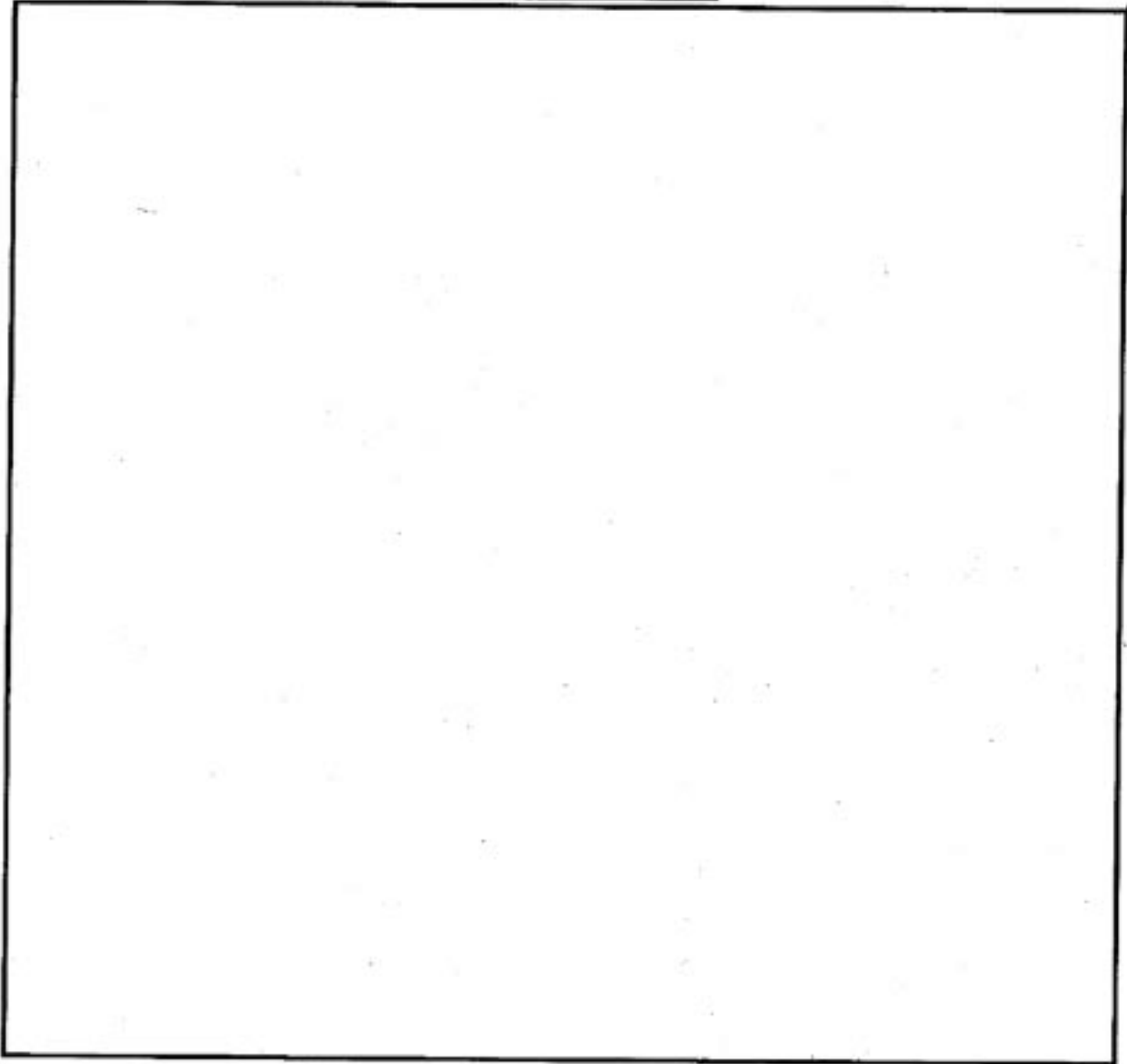
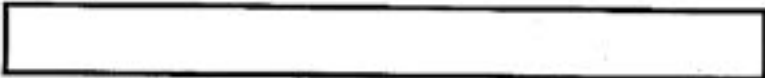


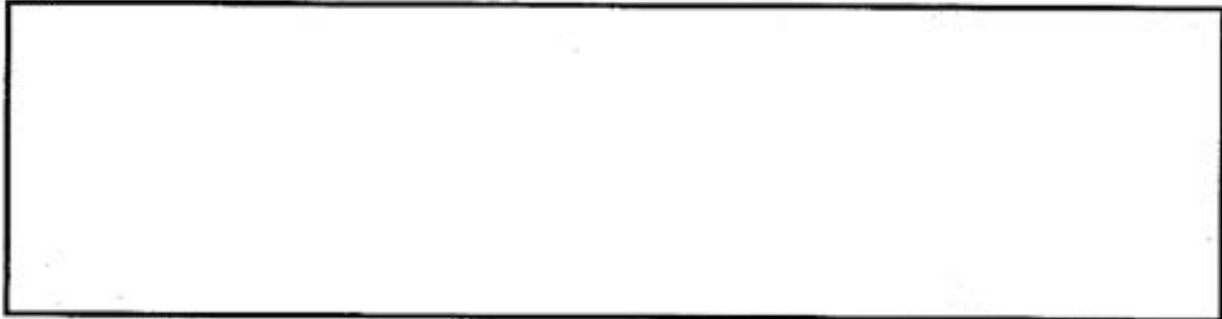
(b) (3) - P.L. 86-36

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

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

Notes:





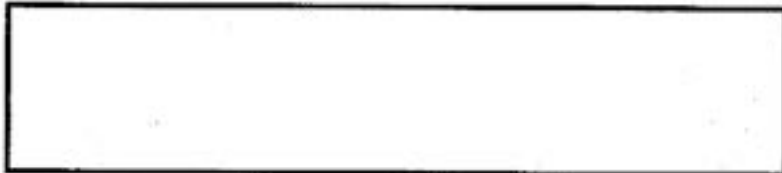
Thanks,



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

<<...>> <<...>> <<...>> <<...>> <<...>> <<...>> <<...>>

(U//FOUO)



(b) (1)
(b) (3) - 18 USC 799
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

Classified By

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

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

APPENDIX F9

From: [redacted]
To: [redacted]
Subject: FW: (U) Something else turned up
Date: Tuesday, June 30, 2015 1:43:44 PM
Attachments: [redacted]

Classification: TOP SECRET//SI//NOFORN

From: [redacted]
Sent: Wednesday, July 10, 2013 3:13 PM
To: [redacted]
Cc: [redacted]
Subject: (U) Something else turned up

Classification: TOP SECRET//SI//NOFORN

[redacted]

We may have to go through everything in [redacted] to see if there's anything else like this in there.

Thanks,

[redacted]

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

<<...>>

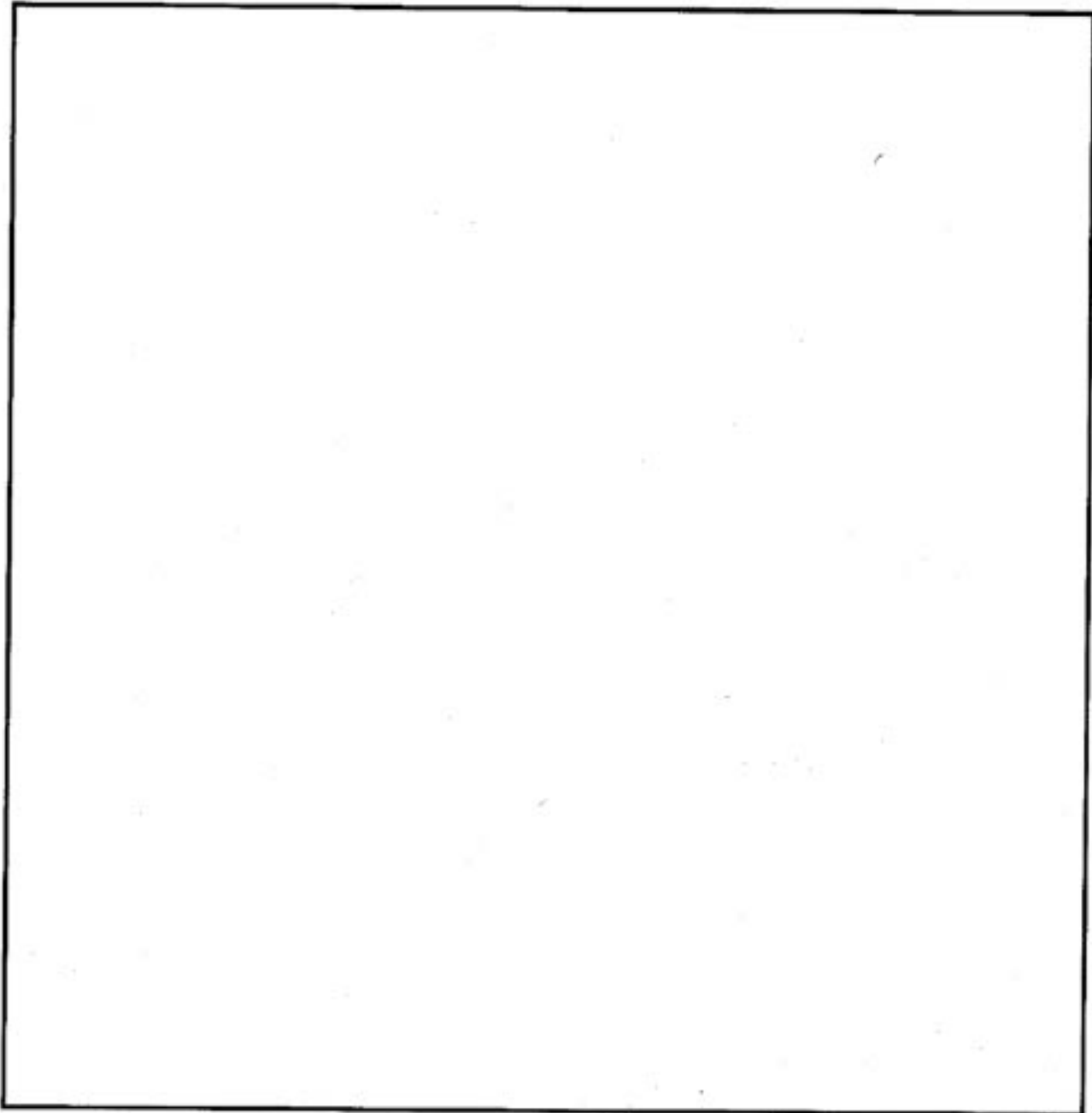
[redacted]

[redacted]

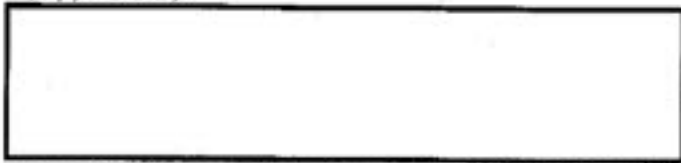
[redacted]

(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



(U//FOUO)-



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

From: [Redacted]

Sent: Friday, July 12, 2013 3:49 PM

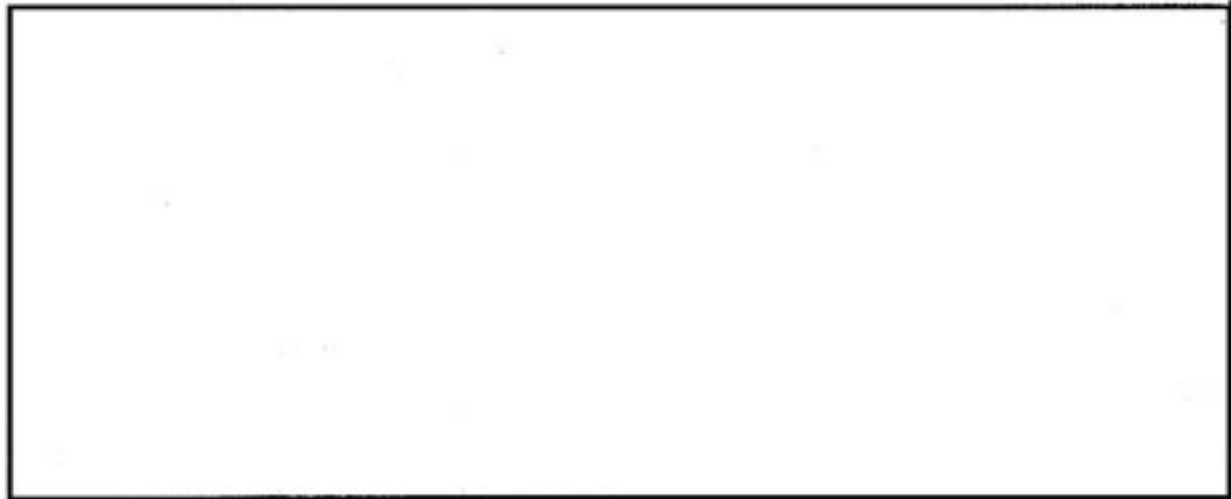
To: [Redacted]

Subject: (U) Spreadsheet

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

(b) (1)
(b) (3)-18 USC 198
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36

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

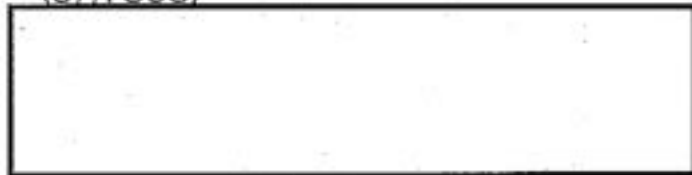


Thanks,

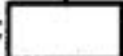


<<...>>

~~(U//FOUO)~~



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

Classified By: 

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

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

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

Classified By: []

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

APPENDIX F10

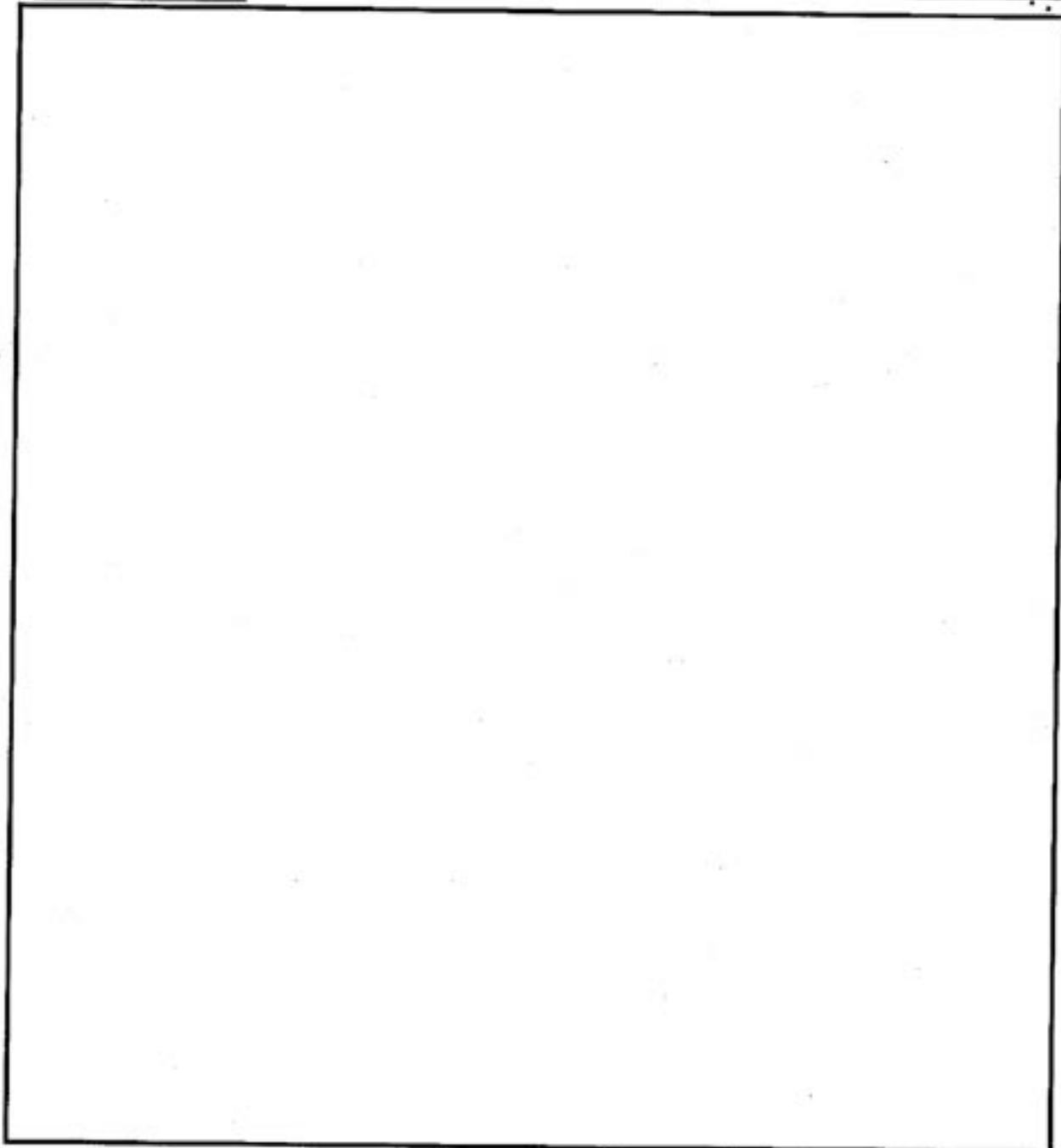
From: [Redacted]
To: [Redacted]
Subject: (U) FYI
Date: Thursday, August 01, 2013 2:26:10 PM

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

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

[Redacted]

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



Thanks,

[Redacted]

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

~~(U//FOUO)~~

[Redacted]

Classified By

[Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380801

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

APPENDIX F11

From: [Redacted]
To: [Redacted]
Subject: (U) screen shot
Date: Tuesday, August 13, 2013 12:41:34 PM
Attachments: [Redacted]

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

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

[Redacted]

If you are unable to view the file, I'll try sending it another way.

Thanks,

[Redacted]

<<...>>

~~(U//FOUO)~~

[Redacted]

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

Classified By [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380801

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

APPENDIX F12

From: [redacted]
To: [redacted]
Subject: PW: (U) short lists
Date: Tuesday, June 30, 2015 1:48:51 PM
Attachments: [redacted]

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

From: [redacted]
Sent: Tuesday, September 17, 2013 4:18 PM
To: [redacted]
Subject: (U) short lists

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

[redacted]

[Large redacted block]

<<...>> <<...>>

~~(U//FOUO)~~

[redacted]

From: [redacted]
Sent: Tuesday, September 17, 2013 10:36 AM
To: [redacted]

(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

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

Subject: RE: (U) RE: [redacted]

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

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

(U//FOUO)

[redacted]

From: [redacted]
Sent: Tuesday, September 17, 2013 10:04 AM
To: [redacted]
Subject: RE: (U) RE: Yellowstone data

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

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

[redacted]

[Large redacted area]

Spreadsheets to follow shortly.

Thanks,

[Redacted]

(U//FOUO)

[Redacted]

From: [Redacted]
Sent: Tuesday, September 17, 2013 9:06 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) RE: [Redacted]

(b) (3) - P.T., 06-36

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

[Redacted]

I provided your latest information to our technical point-of-contact.

[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.T., 06-36

Thanks,

[Redacted]

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

(b) (3) - P.T., 06-36

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: 20400601

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

APPENDIX F13

[Redacted]

From: [Redacted]
Sent: Friday, November 08, 2013 2:06 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) General compliance issues
Signed By: [Redacted]

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

Classification: TOP SECRET//NOFORN

[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

There are two incidents involved, so I'll cover them one at a time.

The first involves [Redacted]. That case is extremely complex and would take an encyclopedia to explain fully, but basically: he tasked [Redacted] U.S. phone numbers (most of them by [Redacted])

[Large redacted block]

[Redacted] One consequence of this case will be some changes to the software to prevent anything like this from happening again. [Redacted]

[Redacted]

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

[Large redacted block]

So much, much later... the IG is still investigating and should be wrapping it up soon. And they've been terrific, [Redacted]

[Redacted]

(b) (3) - P.L. 86-36
(b) (6)
Release 2022-10
NSA 22250

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

[Redacted]

[Redacted]

[Redacted]

Case number two: same branch, same supervisor, different analyst.

(b) (1)
(b) (3)-18 USC 793
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (6)

[Redacted]

(b) (1)
(b) (3)-18 USC 793
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (6)

Thank you,

[Redacted]

(U//FOUO)

[Redacted]

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20381101

Classification: ~~TOP SECRET//NOFORN~~

APPENDIX F14

From: [redacted]
To: [redacted]
Subject: FW: (U) [redacted]
Date: Tuesday, June 30, 2015 1:51:53 PM

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

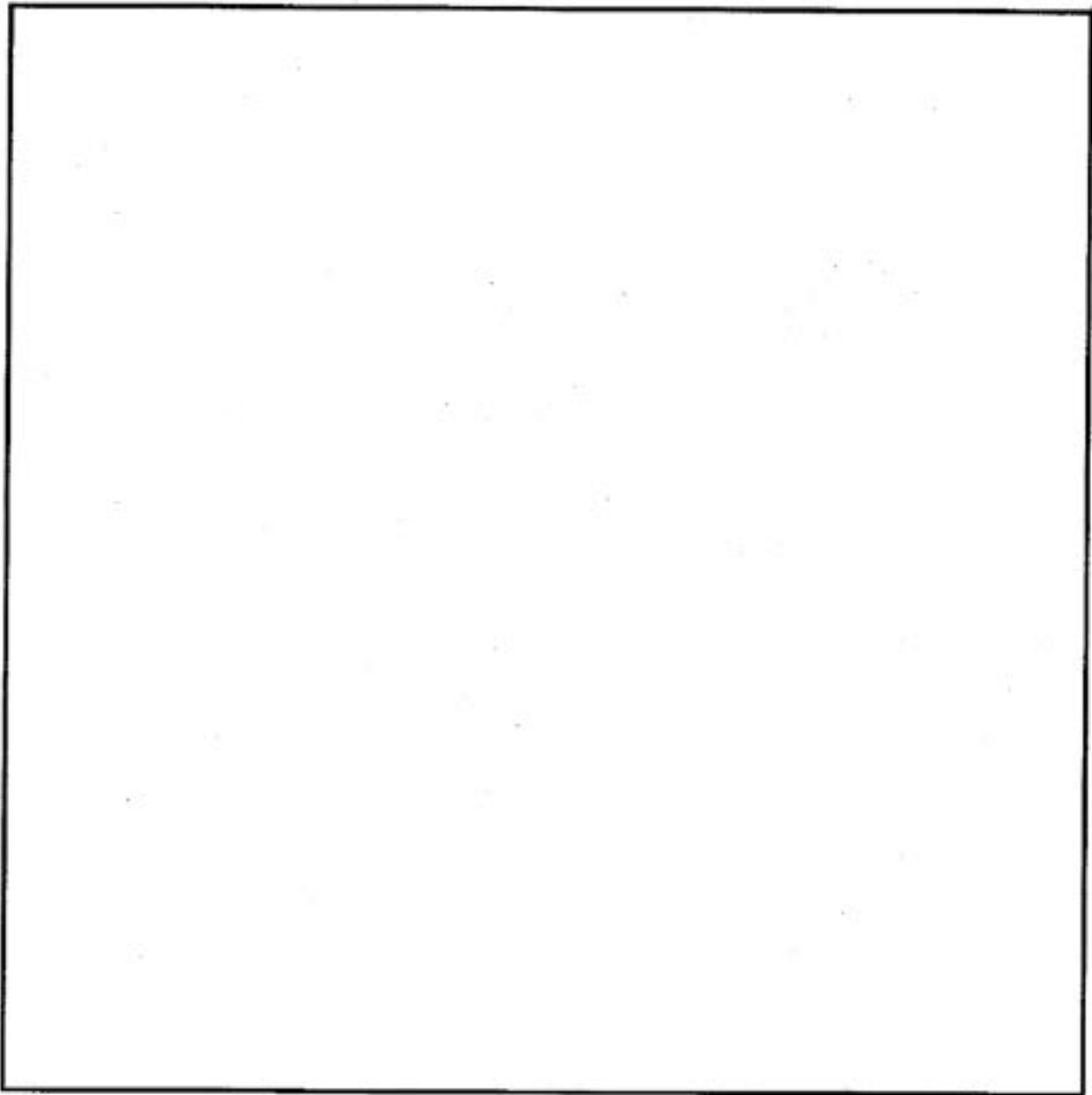
Classification: ~~TOP SECRET//SI//NOFORN~~

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

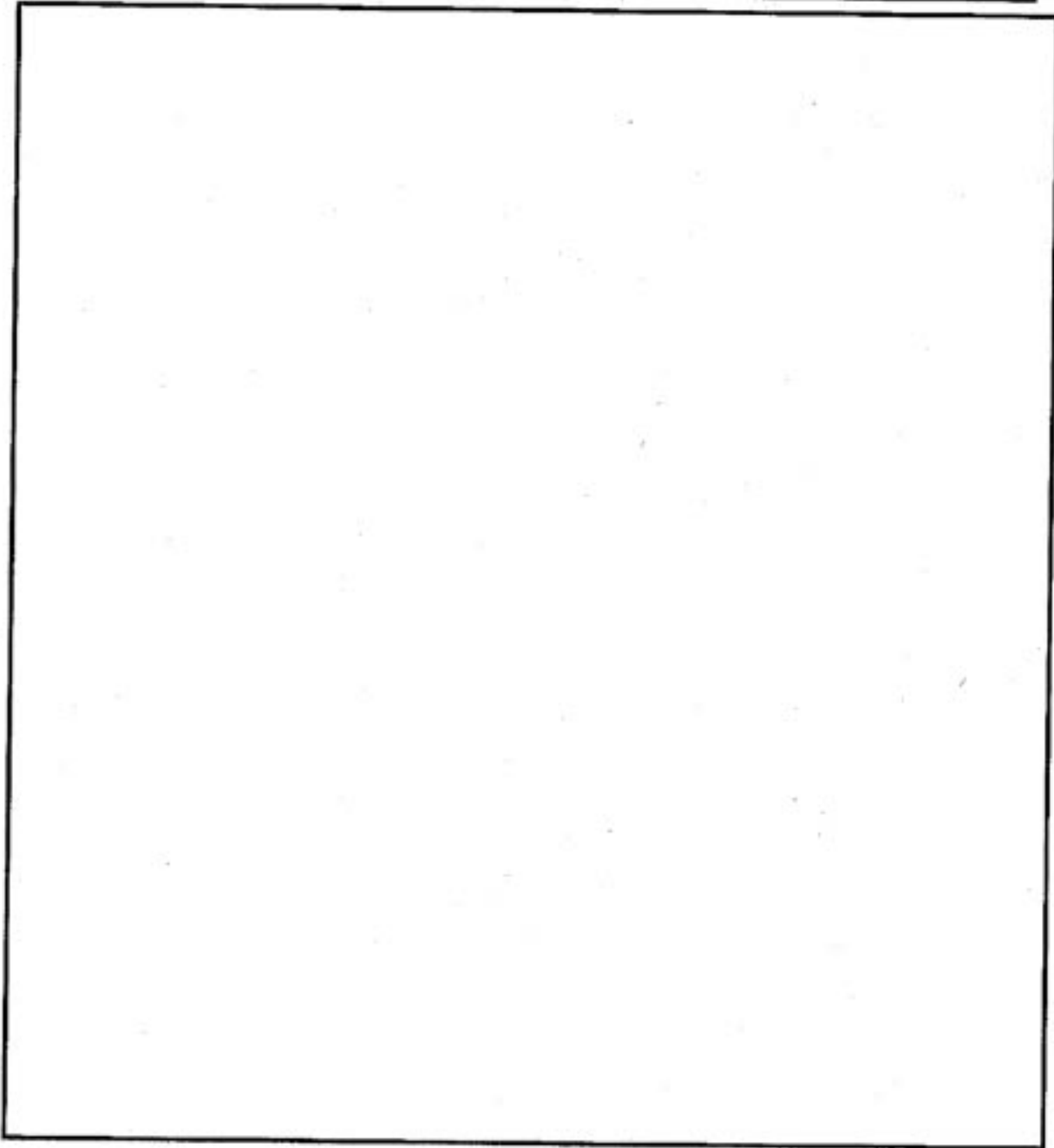
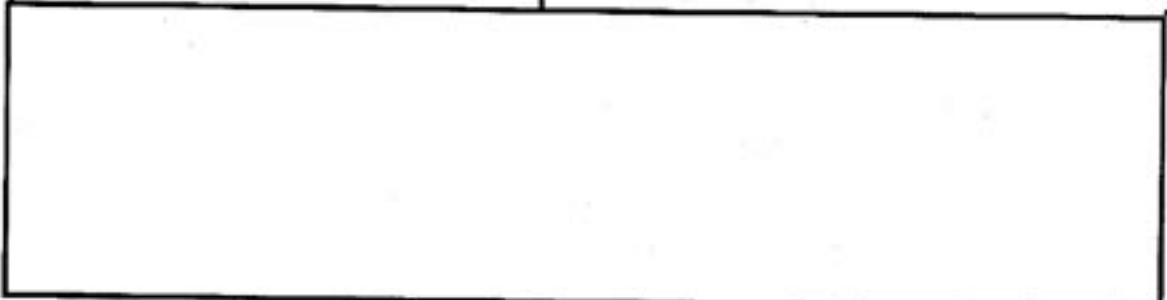
From: [redacted]
Sent: Thursday, November 14, 2013 4:03 PM
To: [redacted]
Subject: (U) [redacted]

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

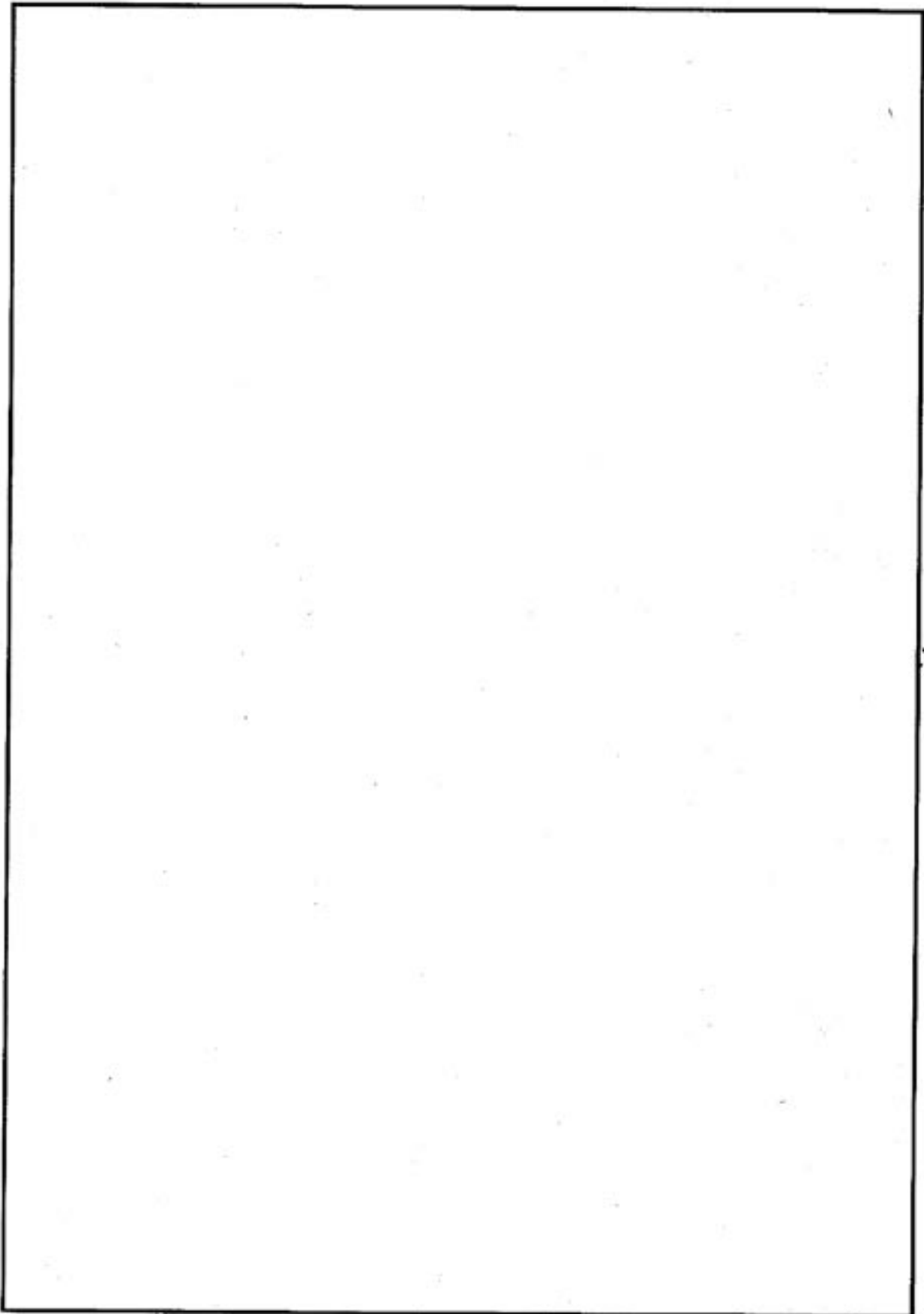
Classification: ~~TOP SECRET//SI//NOFORN~~



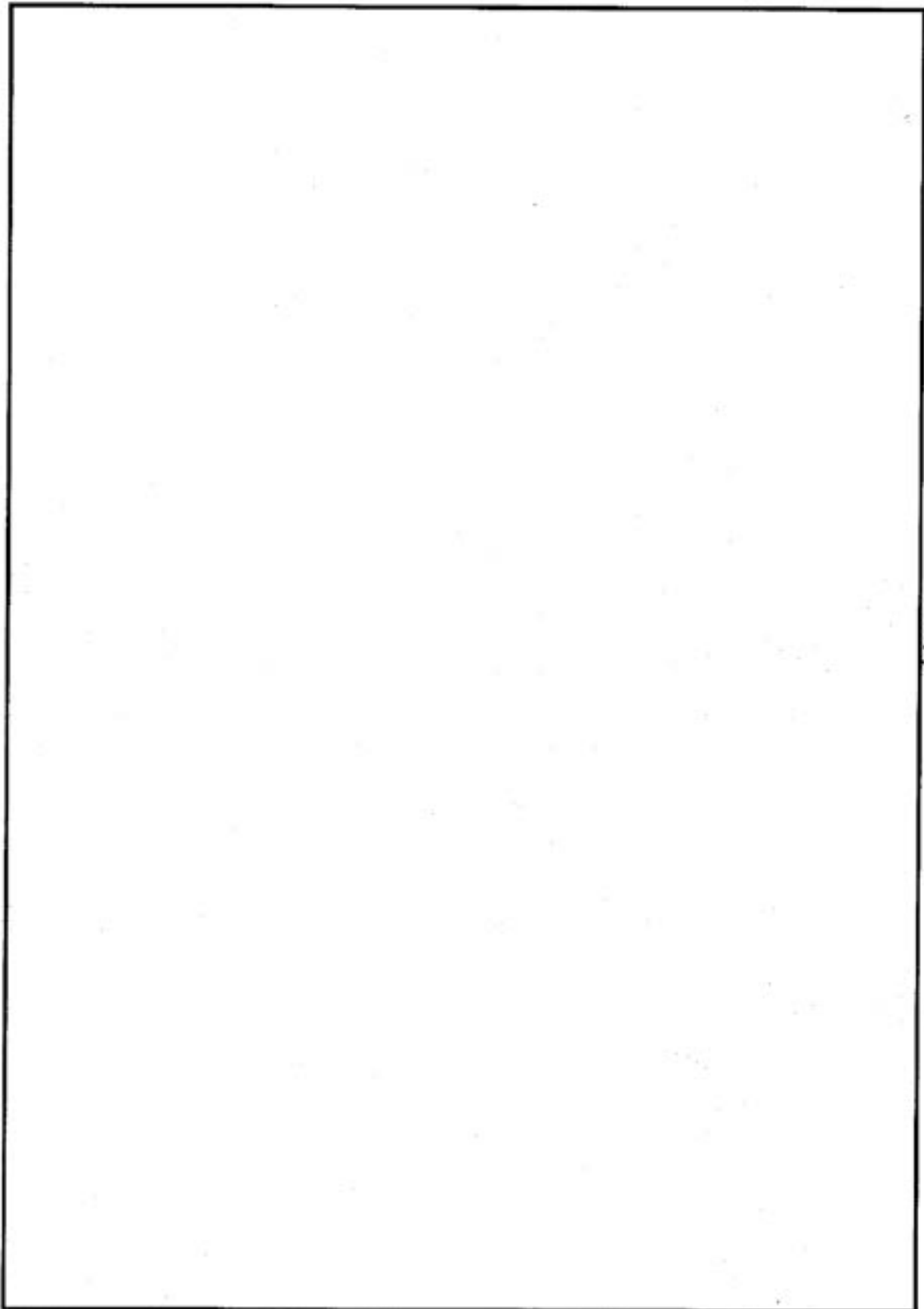
(b) (1)
(b) (3) - 10 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36
(b) (6)



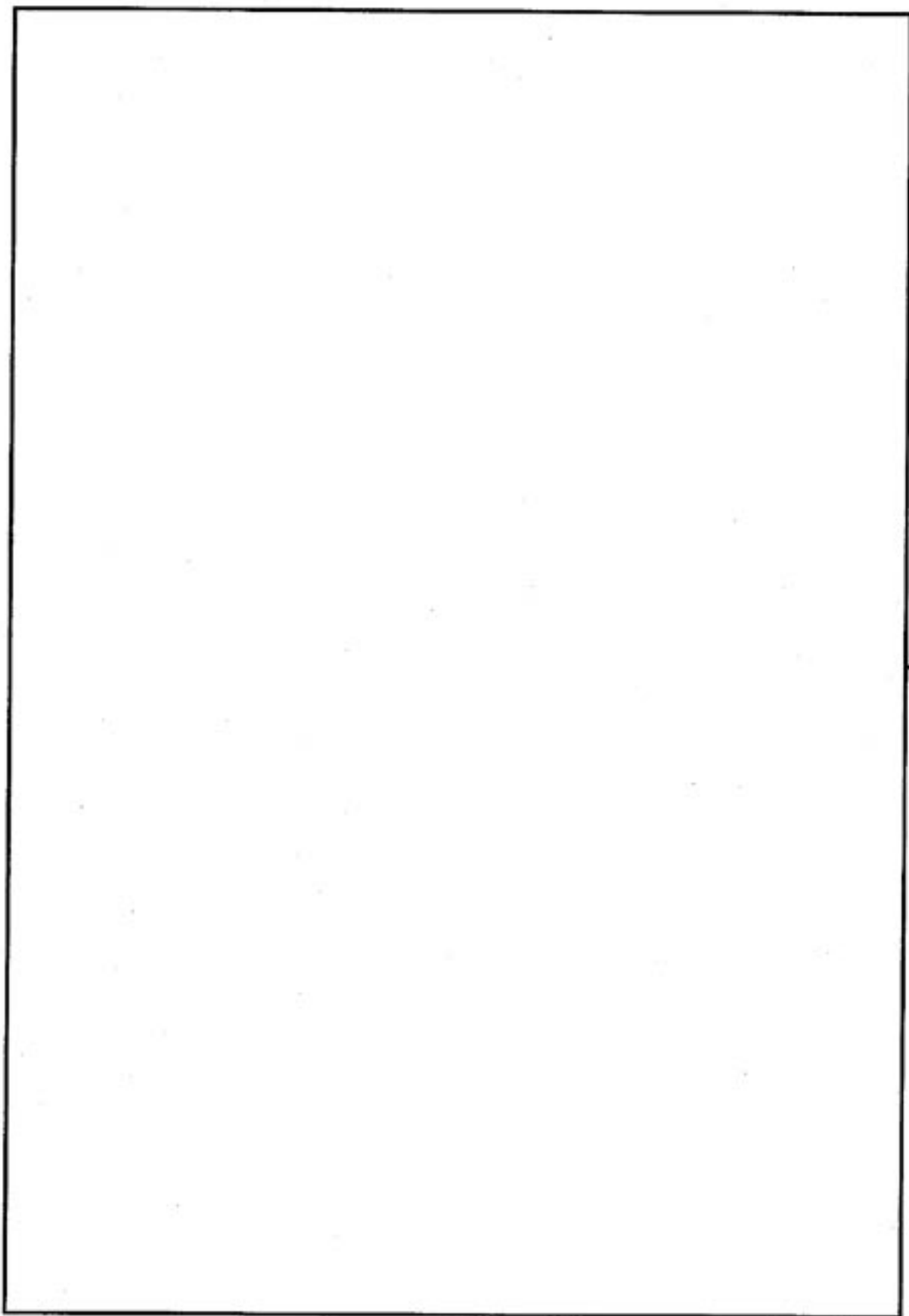
(b) (1)
(b) (3) - 10 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36



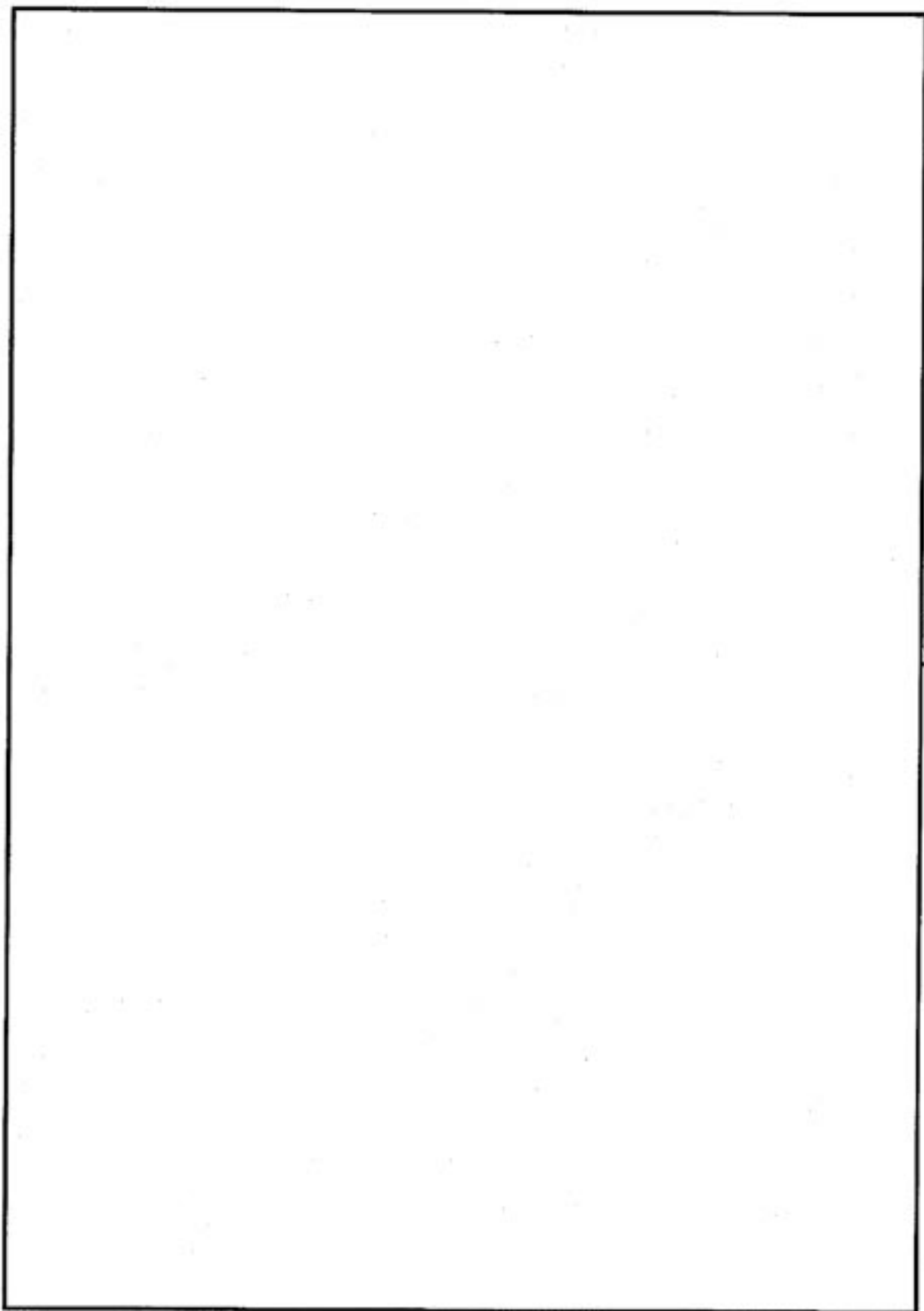
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36



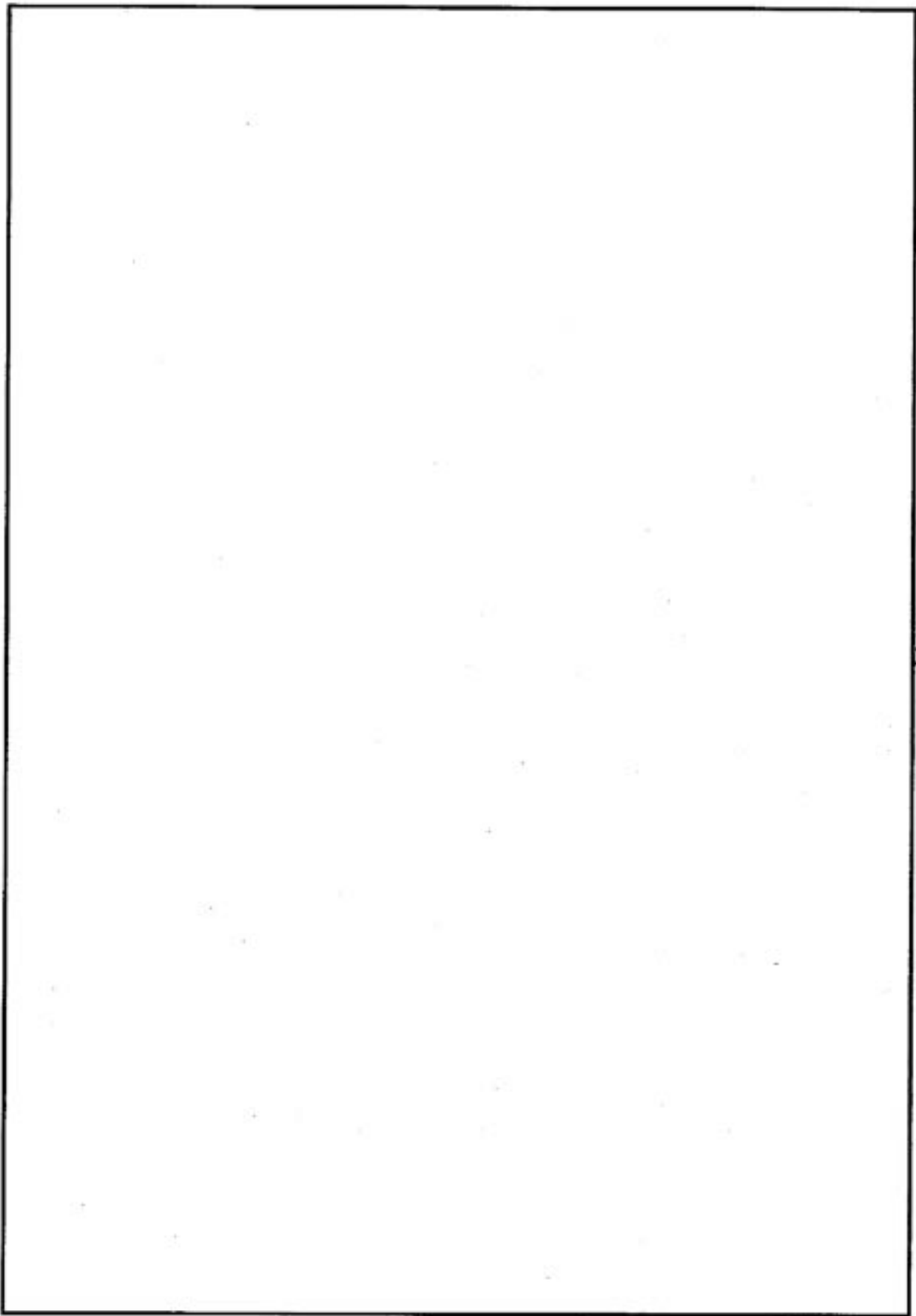
(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (a)
(b) (3) - P.L. 86-36



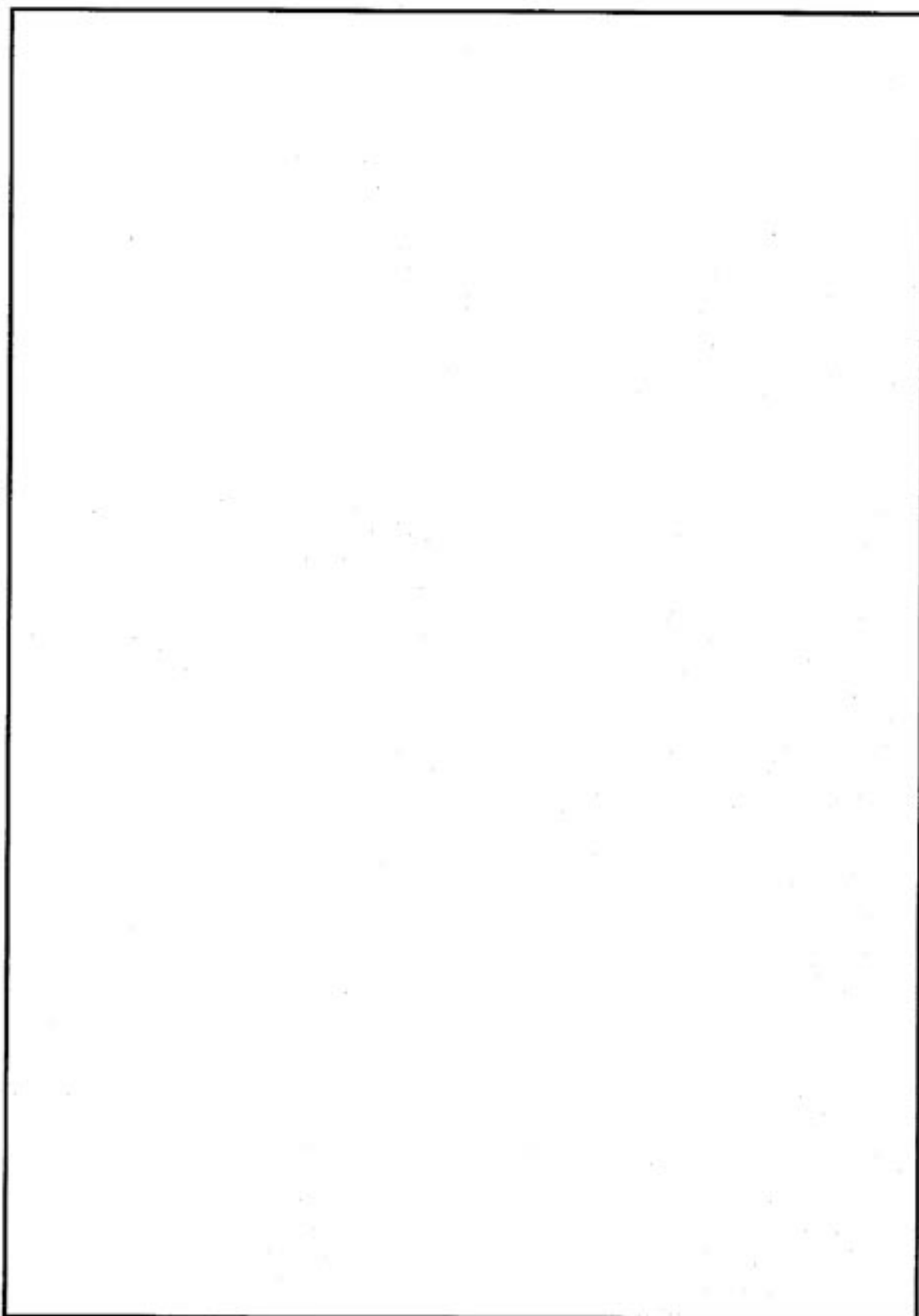
(b) (1)
(b) (3) - 16 USC 799
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36



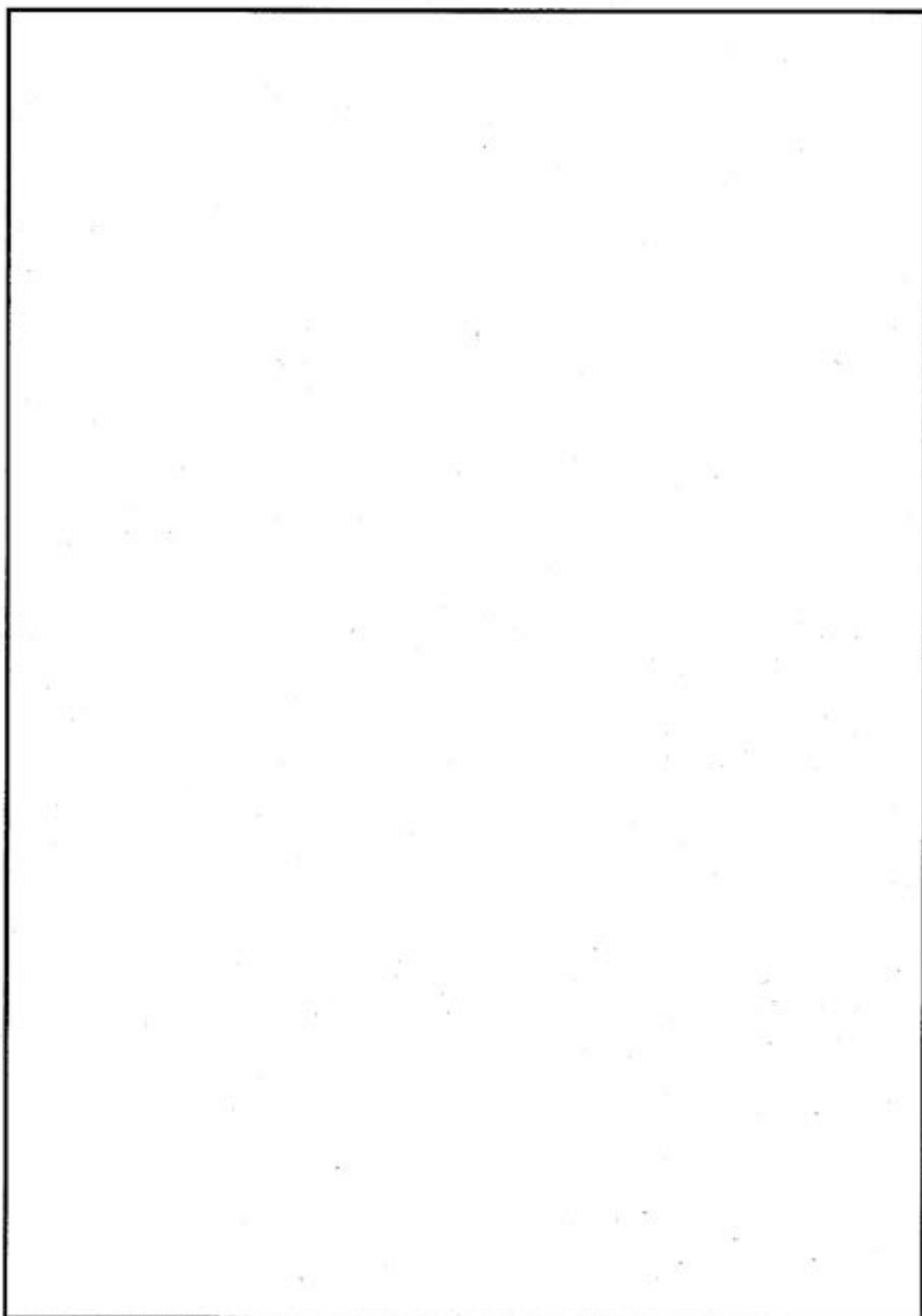
(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024(i)
(b) (3) -P.L. 86-36



(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - 7, 8, 86-36



(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - e.o. 12812, 86-36



(b) (1)
(b) (3) - 18 USC 756
(b) (3) - 50 USC 3024 (A)
(b) (3) - P.L. 86-36

[Redacted]

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

(U//FOUO)

[Redacted]

From: [Redacted]
Sent: Monday, November 18, 2013 9:21 AM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) [Redacted]

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

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

[Redacted]

[Redacted]

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

Thanks,

[Redacted]

(U//~~FOUO~~)

[Redacted]

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

APPENDIX F15

From: [redacted]
To: [redacted]
Subject: PW: (U) New tasking submitted
Date: Tuesday, June 30, 2015 1:57:25 PM
Attachments: [redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526

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

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

From: [redacted]
Sent: Monday, November 18, 2013 5:02 PM
To: [redacted]
Cc: [redacted]
Subject: (U) New tasking submitted

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

[redacted]

[Large redacted block]

Thanks,

[redacted signature]

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

~~(U//FOUO)~~

[redacted block]

From: [redacted]
Sent: Tuesday, November 19, 2013 10:02 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Re: New tasking submitted

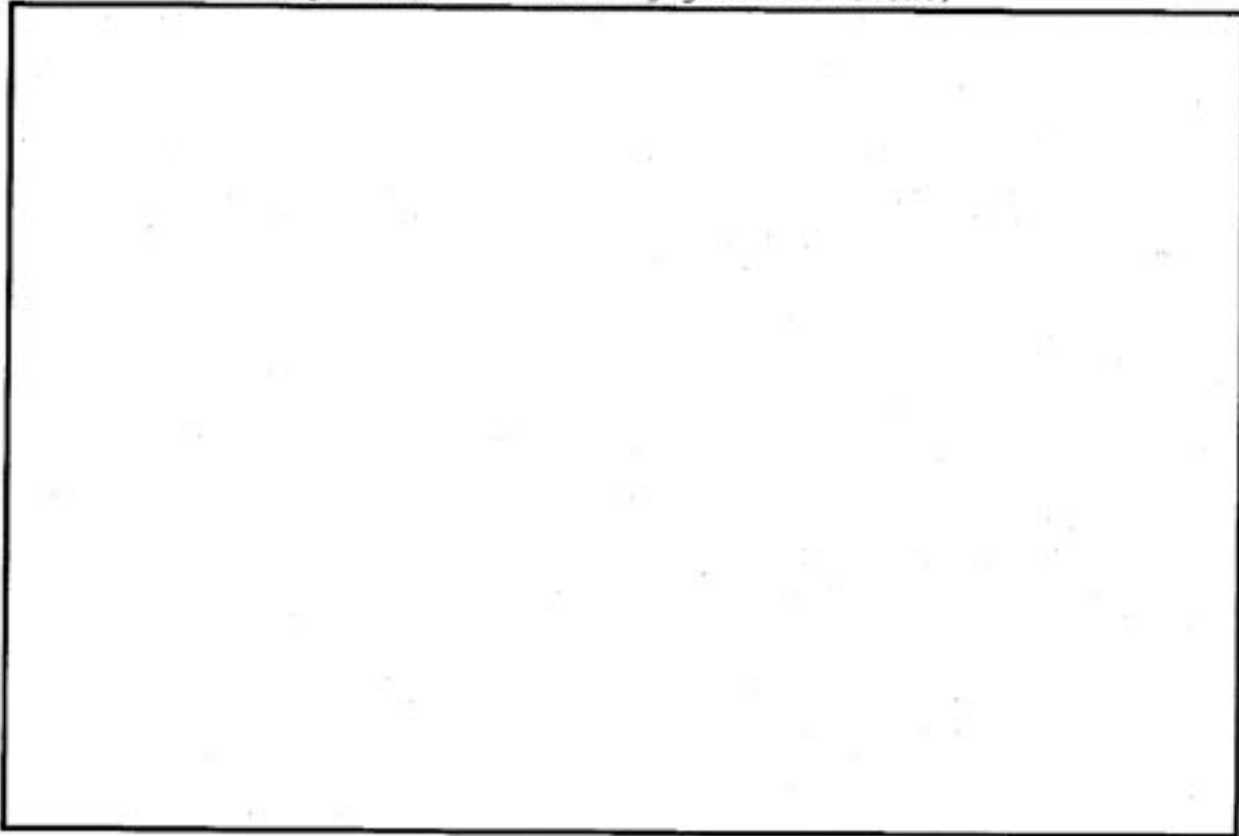
Classification: ~~TOP SECRET//SI//NOFORN~~

> Will you be able to tell if the tasking record is approved/released? If so, would you please let us know when/if that happens?

> Also, if approved/released, you should then report your concerns to your Oversight and Compliance point-of-contact, or directly to [redacted]

> We will definitely ask about this tasking with regard to the investigation. Is there a way to send us a copy of the tasking record (as is)?and if it ends up being approved, a copy of the approval record?

The record has not been released; I'll send notice if there are any changes. The attached file is a copy of the tasking request; it should open automatically in a web browser when you click on it. Let me know if there are any problems viewing it. (Side note: I can't imagine what "procedure troubleshooting" means as tasking justification.)



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

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

[redacted]
[redacted] In future I'll try to avoid mentioning details that aren't part of an actual problem.

Thanks,

[redacted]

<<...>>

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

From: [redacted]
Sent: Thursday, November 21, 2013 4:13 PM
To: [redacted]
Subject: (U) New tasking released

Classification: TOP SECRET//SI//NOFORN

[Large redacted area]

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

Thanks,

[redacted]

<<...>>

<<...>>

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

APPENDIX F16

From: [Redacted]
To: [Redacted]
Subject: FW: (U) [Redacted]
Date: Tuesday, June 30, 2015 2:03:24 PM
Attachments: [Redacted]

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

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

From: [Redacted]
Sent: Monday, April 21, 2014 6:44 PM
To: [Redacted]
Subject: (U) [Redacted]

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

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

[Redacted]

[Large Redacted Area]

[Redacted]

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

<< >>

[Redacted]

[Redacted]

[Redacted]

Thank you,

[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
(b) (6)

(U//FOUO)

[Redacted]

[Redacted]

(U//FOUO)

From: [Redacted]

Sent: Monday, April 21, 2014 5:04 PM

To: [Redacted]

Subject: RE: (U) Checking in

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

Classification: ~~TOP SECRET//NOFORN~~

[Redacted]

[Redacted]

Thank you,

[Redacted]

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

(U//~~FOUO~~)

[Redacted]

(b) (1)
(b) (3)-10 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36

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

From: [Redacted]
Sent: Monday, April 21, 2014 4:55 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: (U) Checking in

Classification: ~~TOP SECRET//NOFORN~~

[Redacted]

Thank you. I'd like to discuss this with my supervisor....let me get back to you very soon -- by tomorrow morning.
In the meantime, do you have a copy of the record showing his targeting that you could provide to us?

[Redacted]

(U//~~FOUO~~) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

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

From: [redacted]
Sent: Monday, April 21, 2014 4:38 PM
To: [redacted]
Subject: (U) Checking in

Classification: ~~TOP SECRET//NOFORN~~

Hi [redacted]

[redacted] targeting U.S. comms again. I wasn't sure whether to report it or wait till he actually gets collection (if any)... and also wasn't sure whether to send the information to you or file a new report with the IG hotline.

Thanks,

[redacted]

(U//FOUO)

[redacted]

[redacted] (U//FOUO)

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

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20390401

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20400601

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

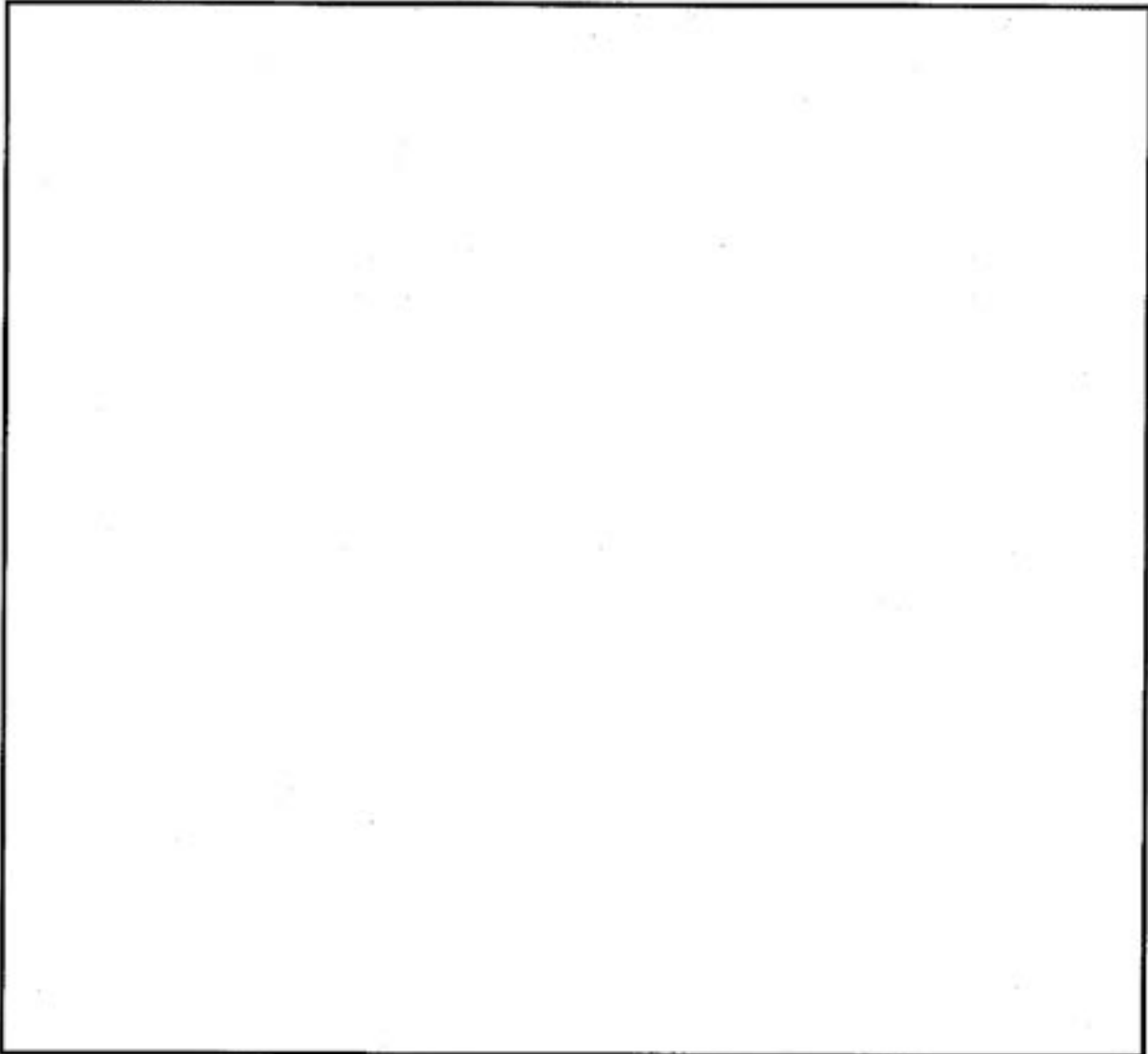
APPENDIX F17

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

• From: [Redacted]
• To: [Redacted]
• Cc: [Redacted]
• Subject: (U) [Redacted]
• Date: Thursday, December 11, 2014 1:02:45 PM
• Attachments: [Redacted]

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

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



Thanks,

[Redacted signature]

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

<<...>> <<...>> <<...>> <<...>>

(U//FOUO)

[Redacted]

[Redacted] (U//FOUO)

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

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: 20391201

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

APPENDIX H1

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

From: [Redacted]
To: [Redacted]
Subject: (U) [Redacted]
Date: Wednesday, June 26, 2013 12:37:35 PM
Attachments: [Redacted]

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

Classification: ~~TOP SECRET//COMINT//NOFORN~~

(U//FOUO) FYI

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

(U//FOUO)

[Redacted]

(U//FOUO)

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380301

Classification: ~~TOP SECRET//COMINT//NOFORN~~

APPENDIX H2

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: (U) RE: Updated document
Date: Friday, June 28, 2013 10:27:48 AM
Attachments: [redacted]

Classification: ~~SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL~~

[redacted]

(S//SI) After our original review with [redacted] I was ask to put together a SOP memo, here is the draft that was sent to [redacted]

(U//FOUO)

[redacted]

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

(U//FOUO)

From: [redacted]
Sent: Thursday, June 27, 2013 2:25 PM
To: [redacted]
Cc: [redacted]
Subject: Updated document

[redacted]

I was pleased to meet with both of you this morning; I ,however, wish the circumstances were different.

Regarding your request for an updated list: [redacted]

[redacted]

The best I can do would be screen shots and I believe that would be very cumbersome for all concerned.

[redacted]

(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

I've also rethought some of the more [redacted]

I ask for concurrence only to avoid the impression that I am trying to hide something.

I am still pretty certain of their [redacted] but they do look scary and are subject to the most misinterpretation.

The fact they continually show up as [redacted] has made a believer of me - they should go until we have a better plan in place.

R,

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

[redacted]

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

[redacted]

[redacted]

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

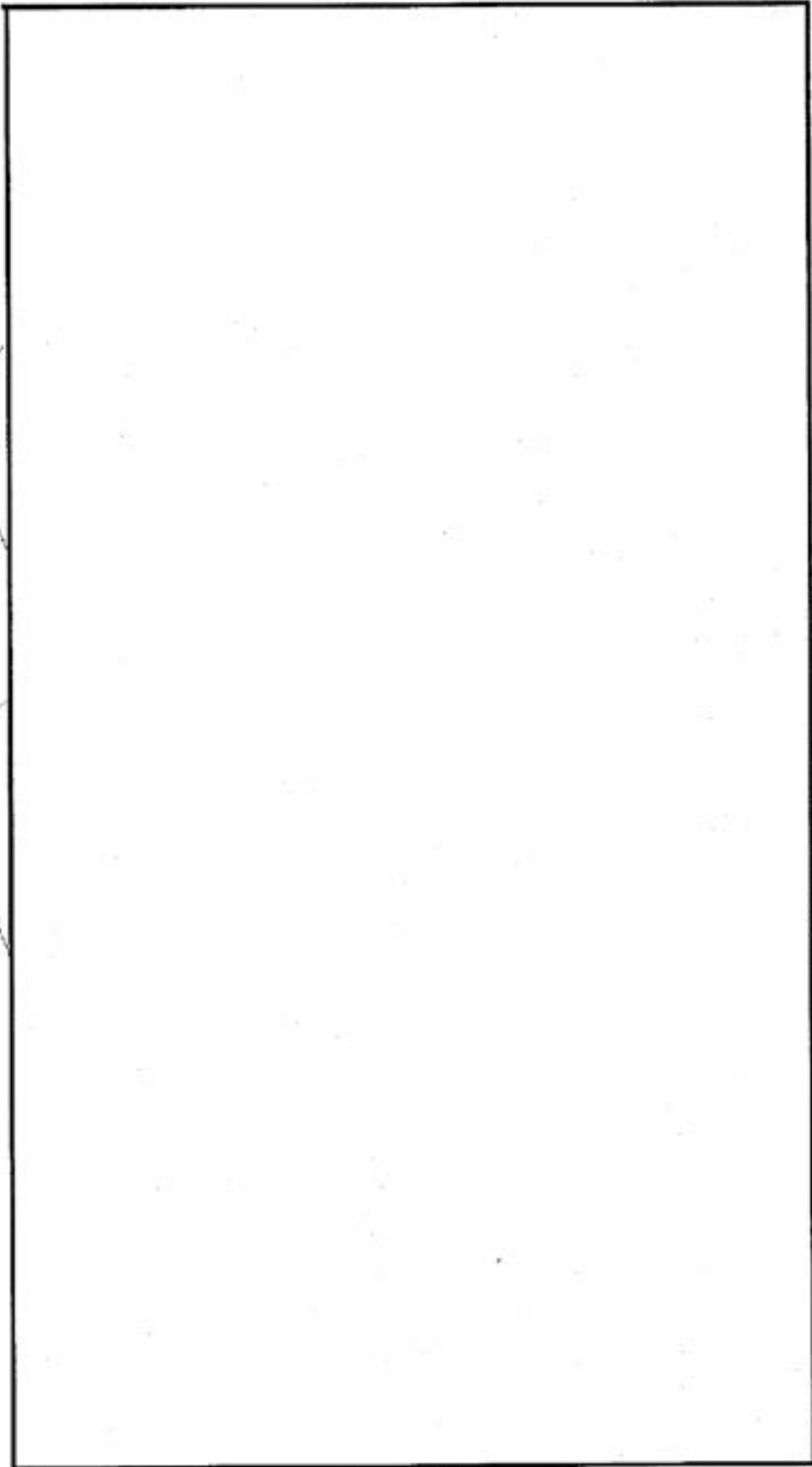
Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380601

Classification: ~~SECRET//GOMINT//REL TO USA, AUS, CAN, GBR, NZL~~

SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL

(S//SI)

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



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

Classified By: [redacted]
Derived From: NSACSSM 1-52
Dated: 20070108
Declassify On: 20380301

SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL

From: [redacted]
To: [redacted]
Subject: RE: (U) RE: Updated document
Date: Wednesday, September 17, 2014 10:12:55 AM
Attachments: [redacted]

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

(U//FOUO) Sorry it took a while to find my copy, [redacted]

(U//FOUO)

[redacted]

(U//FOUO)

From: [redacted]
Sent: Friday, September 12, 2014 9:07 AM
To: [redacted]
Subject: FW: (U) RE: Updated document

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

Hello [redacted]

Would you please provide to me a copy of the SPF [redacted] that is referenced in the attached
SPF? I'm trying to consolidate all of the background information on [redacted] and
realized I am missing this particular document. Thank you.

[redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[redacted]

**PRIVACY SENSITIVE - any misuse or unauthorized disclosure may lead to disciplinary
action**

From: [redacted]
Sent: Friday, June 28, 2013 10:28 AM
To: [redacted]
Cc: [redacted]
Subject: (U) RE: Updated document

Classification: ~~SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL~~

(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

(b) (3) - P.L. 86-36
(b) (6)

[Redacted]

(S//SI) After our original review with [Redacted] I was ask to put together a SOP memo, here is the draft that was sent to [Redacted]

(b) (3) - P.L. 86-36

(U//FOUO)

[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(U//FOUO)

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20390901

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20390901

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

APPENDIX H3

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Status? SPF [redacted]
Date: Thursday, August 01, 2013 7:12:05 AM

Classification: ~~SECRET//SI//NOFORN~~

Hello [redacted]

Thank you for your thoughtful response to my questions. The OIG has no requirements for the processing of your SPF.

Would you please let me know when/if you are successful in meeting with [redacted] [redacted] If that action is completed prior to the end of the OIG investigation, I will be sure to mention it in our report.

V/R,
[redacted]

(U//FOUO) [redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14
[redacted]

PRIVACY SENSITIVE - any misuse or unauthorized disclosure may lead to disciplinary action

From: [redacted]
Sent: Wednesday, July 31, 2013 8:03 AM
To: [redacted]
Cc: [redacted]
Subject: RE: (U) Status? SPF - [redacted]

Classification: ~~SECRET//COMINT//REL TO USA, FVEY~~

[redacted]

Status of SPF and Also, who will be the final approving authority for the SPF/activity described therein?

(S//SI) since the SPF is addressed to [redacted] members under my supervision and the purpose of the SPF was instruct the team on internal procedures I concluded that I am the approval authority. I can have my division Chief or whomever in my chain approve this protocol of action if you so order. They were given drafts and copies before I sent this to the team for comment. However, these types of instructions are typically very much in the noise of activity for them. There

(b) (3) - P, L, 86-36

(b) (1)
(b) (3) - 18 USC 793
(b) (3) - 50 USC 3024 (L)
(b) (3) - E, L, 86-36

are multiple processes throughout the Agency that senior management relies on front-line leaders to comply with guidelines in my mind this was one such activity, but I have been known to be wrong before.

~~(S//SI)~~ Additionally the SPF was to inform and assure my management and those external stakeholders of the process that; we have a thought out process, two that there are controls in place, three that there is accountability in the processes. It goes without saying that at any time anyone in my management chain veto these actions. It was not my intention to seek permission on [redacted] from external organizations that do not perform the work.

Are you seeking the concurrence of all individuals/elements listed in the 'Distribution' section of the SPF? No

~~(S//SI)~~ After some research I could not find a specific written policy that [redacted]
[redacted]

Our actions toward external groups:

~~(S//SI)~~ After discussion with management it was thought that we only needed to work with [redacted]
[redacted] I initiated meeting requests to get this setup in April of this year and it has not yet been accomplish. [redacted] has not yet responded to our repeated request for meetings to put this process in place.

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(U//FOUO)

[redacted]

(U//FOUO)

(b) (3) - P.L. 86-36

From: [redacted]
Sent: Tuesday, July 30, 2013 9:01 AM
To: [redacted]
Cc: [redacted]
Subject: (U) Status? SPF - [redacted]

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

Hello [redacted]

About one month ago you provided the attached draft SPF to the DIG. I would like to know the status of the SPF.

Also, who will be the final approving authority for the SPF/activity described therein?

Are you seeking the concurrence of all individuals/elements listed in the 'Distribution' section of the SPF?

Thank you

[Redacted]

(U//FOUO) [Redacted]
Senior Investigator
NSA/CSS OIG, Office of Investigations, D14

[Redacted]

****PRIVACY SENSITIVE – any misuse or unauthorized disclosure may lead to disciplinary action****

(b) (3) - P.L. 86-36

From: [Redacted]
Sent: Friday, June 28, 2013 10:28 AM
To: [Redacted]
Cc: [Redacted]
Subject: (U) RE: Updated document

Classification: SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL

[Redacted]

(S//SI) After our original review with [Redacted] I was ask to put together a SOP memo, here is the draft that was sent to [Redacted]

(U//FOUO)
[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36

(b) (3) - P.L. 86-36
(b) (5)

(U//FOUO)

From: [Redacted]
Sent: Thursday, June 27, 2013 2:25 PM
To: [Redacted]
Cc: [Redacted]
Subject: Updated document

[Redacted]

I was pleased to meet with both of you this morning; I ,however, wish the circumstances were different.

Regarding your request for an updated list:

[Redacted]

The best I can do would be screen shots and I believe that would be very cumbersome for all concerned.

[Redacted]

(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

I've also rethought some of the more

[Redacted]

[Redacted]

I ask for concurrence only to avoid the impression that I am trying to hide something.

I am still pretty certain of their [Redacted] but they do look scary and are subject to the most misinterpretation.

The fact they continually show up as [Redacted] has made a believer of me - they should go until we have a better plan in place.

R,

=====
Unclassified//For Official Use Only

[Redacted]

[Redacted]

[Redacted]

(b) (3) - P.L. 86-36
(b) (6)



Unclassified/For Official Use Only

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380601

Classification: ~~SECRET//COMINT//REL TO USA, AUS, CAN, GBR, NZL~~

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380701

Classification: ~~SECRET//SI//REL TO USA, FVEY~~

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380701

Classification: ~~SECRET//COMINT//REL TO USA, FVEY~~

Classified By: [redacted]
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380801

Classification: ~~SECRET//SI//NOFORN~~

(b) (3) - P.L. 86-36

APPENDIX H4

~~SECRET~~ ~~COMINT REL TO CIA, AUSA CAN, CHR, NZI~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL



GENERAL COUNSEL OFFICE

Serial: GC/051/11

28 September 2011

TO:

[Redacted]

(b) (3) - P.L. 86-36

ISSUE:

~~(S//SI//REL FVEY)~~ [Redacted]
[Redacted]

BACKGROUND AND ANALYSIS

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36
(b) (5)

~~(S//SI//REL FVEY)~~ [Redacted]
[Redacted]

~~(S//SI//REL FVEY)~~ [Redacted]
[Redacted]

~~SECRET~~ ~~COMINT REL TO CIA, AUSA CAN, CHR, NZI~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

~~SECRET COMPARTMENTED FOR SA, AT & CA, CDR, A71~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - P.L. 86-36
(b) (5)

~~SECRET COMPARTMENTED FOR SA, AT & CA, CDR, A71~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

~~SECRET COMINT REL TO USA, AFN, CAN, GBR, NZ~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

CONCLUSIONS

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

~~(S//SI//REL FVEY)~~

[Redacted]

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024(i)
(b) (3) -P.L. 86-36
(b) (5)

~~SECRET COMINT REL TO USA, AFN, CAN, GBR, NZ~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
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~~SECRET COMINT REF TO: SA, AU, S, CAA, CDR, NZP~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

[Redacted]

~~(S//SI//REL, FVEY)~~

[Redacted]

[Redacted]

Senior Operations Counsel

(b) (3)-P.L. 86-36
(b) (6)

~~SECRET COMINT REF TO: SA, AU, S, CAA, CDR, NZP~~
ATTORNEY CLIENT PRIVILEGED COMMUNICATION
DO NOT RELEASE WITHOUT LOGIC APPROVAL

[Redacted]

[Redacted]

(b) (3)-P.L. 86-36

From: [Redacted]
 Sent: Wednesday, August 24, 2011 3:59 PM
 To: [Redacted]
 Cc: [Redacted]
 Subject: RE: (U) FW: Feedback from [Redacted] website
 Signed By: [Redacted]

(b) (3)-P.L. 86-36
 (b) (6)

Classification: ~~SECRET~~

(b) (1)
 (b) (3)-18 USC 798
 (b) (3)-50 USC 3024 (i)
 (b) (3)-P.L. 86-36

[Redacted]

I talked to [Redacted] today about this issue, and he is going to send you and e-mail describing our [Redacted]

[Redacted] asked me whether you have a copy of any old guidance regarding [Redacted] if you do, can you send him a copy right away?

[Redacted] asked me for a status this morning), so I appreciate your efforts to ensure that we are doing this right.

[Redacted]

(b) (3)-P.L. 86-36

[Redacted]

[Redacted]

(b) (3)-P.L. 86-36

-----Original Message-----

From: [Redacted]
 Sent: Tuesday, August 23, 2011 1:31 PM
 To: [Redacted]
 Subject: FW: (U) FW: Feedback from [Redacted] website

Classification: ~~SECRET~~

Fyi.....

(U//FOUO)
 [Redacted]

-----Original Message-----

From: [redacted]
Sent: Tuesday, August 23, 2011 1:16 PM
To: [redacted]

Subject: FW: (U) FW: Feedback from [redacted] website

Classification: ~~SECRET~~

FYI

[redacted]

(b) (3) - P.L. 86-36
(b) (6)

(b) (3) - P.L. 86-36

-----Original Message-----

From: [redacted]
Sent: Tuesday, August 23, 2011 1:09 PM
To: [redacted]

Subject: FW: (U) FW: Feedback from [redacted] website

Classification: ~~SECRET~~

FYI, all please pass around, [redacted]

(U//FOUO)

[redacted]

(U//FOUO)

-----Original Message-----

From: [redacted]
Sent: Friday, August 19, 2011 9:46 AM
To: [redacted]

Cc: [redacted]
Subject: FW: (U) FW: Feedback from [redacted] website

Classification: ~~SECRET~~

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

[redacted]
Thanks for your query, [redacted]

[redacted]

[Redacted]

Thank You,

[Redacted]

(U//FOUO)

(b) (3) - P, L, 86-36

[Redacted]

-----Original Message-----

From: [Redacted]
Sent: Thursday, August 18, 2011 12:11 PM
To: [Redacted]
Subject: (U) FW: Feedback from [Redacted] website

Classification: ~~SECRET~~

[Redacted]

This one is for you guys.

[Redacted]
(U//FOUO)

[Redacted]

(b) (3) - P, L, 86-36

-----Original Message-----

From: [Redacted]
Sent: Thursday, August 18, 2011 11:58 AM
To: [Redacted]
Cc: [Redacted]
Subject: Feedback from [Redacted] website

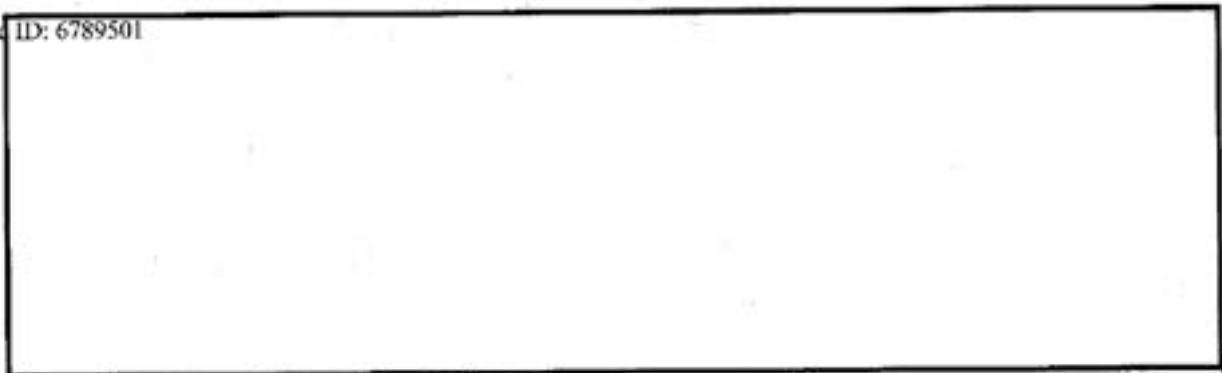
Classification: ~~SECRET // FVEY~~

[Redacted]

MESSAGE: ~~(S//SI)~~ I am the Chief of [Redacted]

[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(L)
(b) (3) - P, L, 86-36



Can we meet on this subject please.

Classification: ~~SECRET~~ // ~~FVEY~~
Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20360801
Classification: ~~SECRET~~

(b) (1)
(b) (3)-10 USC 798
(b) (3)-50 USC 3024 (1)
(b) (3)-P.L. 86-36

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] FYI.

(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

My hope is to schedule the OIG's 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]

(b) (3) - P.L. 86-36
(b) (6)

• ~~(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]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36

• ~~(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]

[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)
(2) (3)-18 USC 798
(2) (3)-50 USC 3024 (1)
(2) (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]

~~(TS//SI//REL TO USA//FVEY)~~ [Redacted]

[Redacted]

~~(TS//SI//REL TO USA//FVEY)~~ [Redacted]

[Redacted]

~~(TS//SI//REL TO USA//FVEY)~~ [Redacted]

[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (1)
(b) (3) - E.O. 13526
(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

[Redacted]

(b) (3) - P.L. 86-36

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]

(b) (3) - P.L. 86-36

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.

(b) (3) - P.L. 86-36
(b) (5)

R,

~~Unclassified/For Official Use Only~~

[redacted]

[redacted]

[redacted]

~~Unclassified/For Official Use Only~~

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 area]

(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 799
(b) (3) - 50 USC 3024 (L)
(b) (3) - P, L, 86-36

when the storm broke.

- o 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.
 - o [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.
 - o 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.
 - o 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.
 - o 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.
 - o Even when I grabbed the floor, it was awkward explaining anything from such a cold start.

(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

(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]

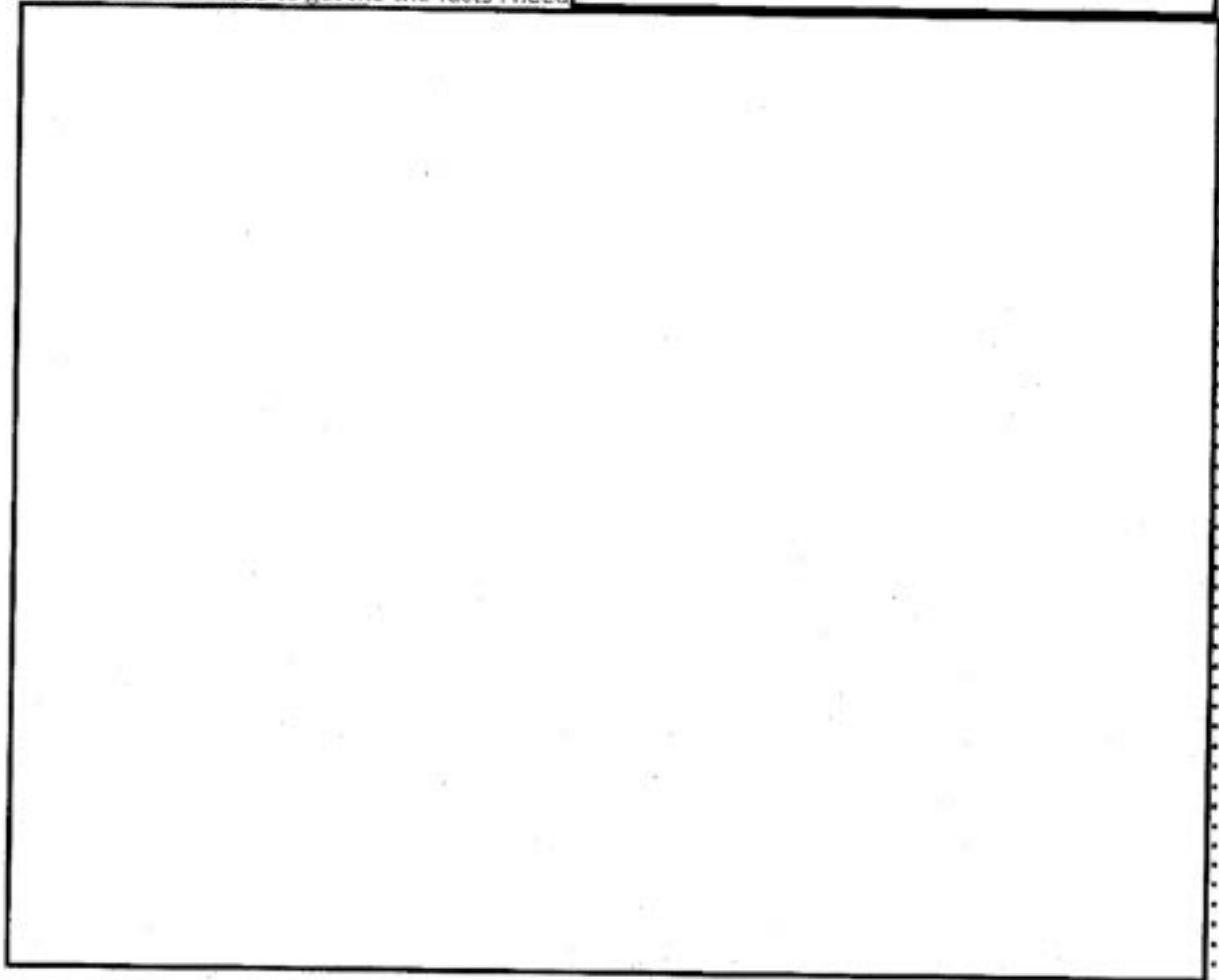
I get where you're coming from, but I think a meeting with at least you and [redacted] at the same

(b) (3) - P, T, (c) (4)
95-98 - P, T, 86-36

(b) (3) - P, T, 86-36
(c) (6)

(b) (1)
(b) (3) - S2 USC 3024(L)
(b) (3) - P.L. 86-36
(b) (5)

time is what I need to get me the facts I need



[Redacted]

From: [Redacted]
Sent: Wednesday, June 26, 2013 11:35 AM
To: [Redacted]
Subject: FW: (U) Collection meeting

Classification: ~~CONFIDENTIAL//REL TO USA, FVEY~~

[Redacted]
Office Manager to the Deputy General Counsels
Office of General Counsel (D2)

[Redacted]
(U//FOUO) My Dropbox

(b) (3) - P.L. 86-36

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]

(b) (3) - P.L. 86-36
(b) (5)

~~Unclassified/For Official Use Only~~

From: [redacted]
Sent: Wednesday, June 26, 2013 10:30 AM
To: [redacted]
[redacted]
[redacted]
Cc: [redacted]

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] (U//FOUO) My
Dropbox

(b) (3) - P, L, 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~~

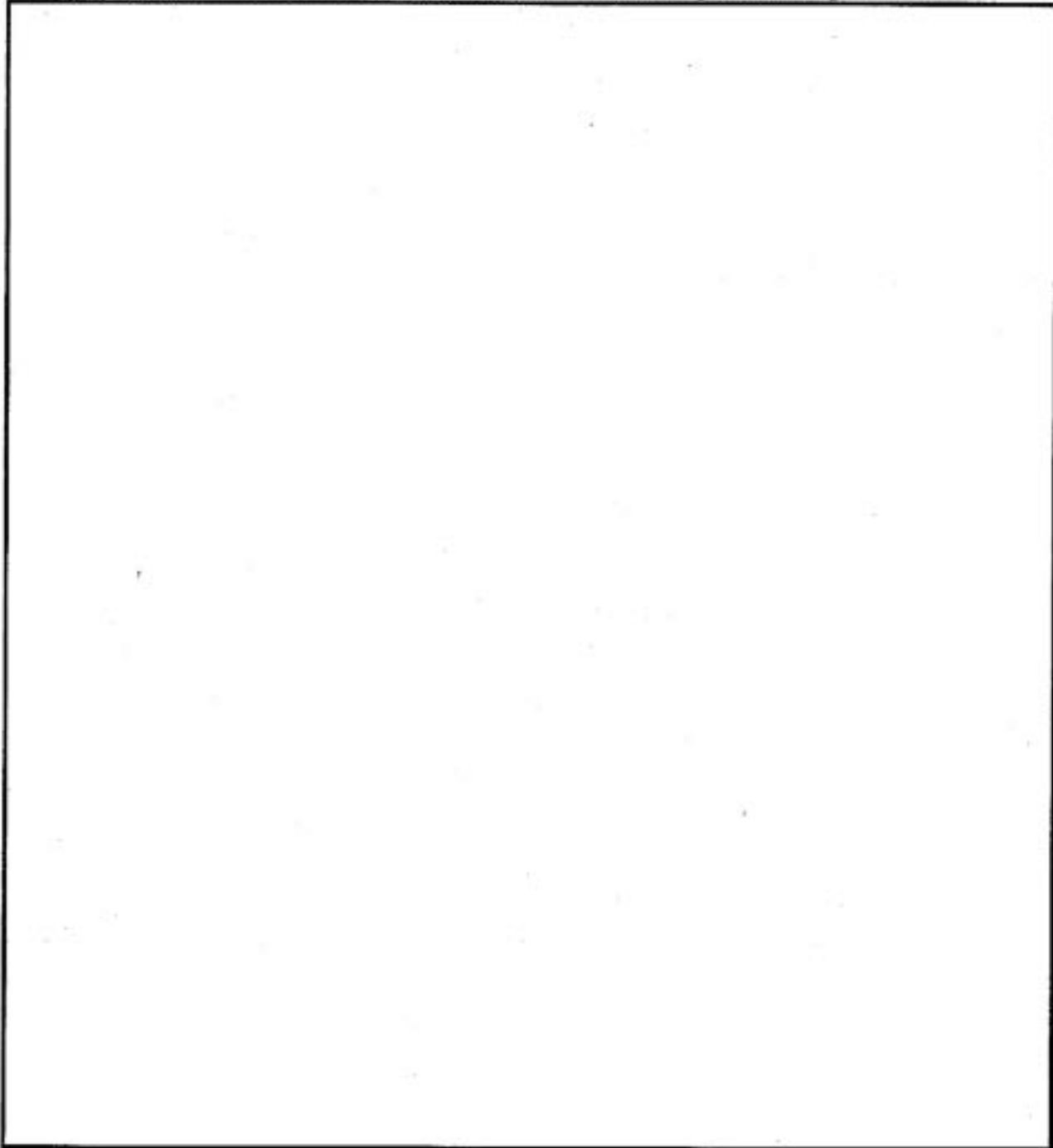
APPENDIX I3

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.



[Redacted]

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(f)
(b) (3) - P.L. 86-36
(b) (5)

From: [Redacted]
Sent: Friday, June 28, 2013 4:02 PM
To: [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]
Cc: [Redacted]
Subject: (U) Collection meeting

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted] Senior Ops Attorney, QOC has asked that I schedule a meeting regarding [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.

(b) (3) - P.L. 86-36
(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

[Redacted] (b) (3) - P.S. 86-35

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//SI//REL TO USA, FVEY~~