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~~TOP SECRET//COMINT//NOFORN~~
NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

28 May 2010

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 31 March 2010 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard
GEORGE ELLARD
Inspector General

PATRICK J. REYNOLDS
Acting General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

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Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

1. (U) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as actions taken as a result of the violations

(U) Intelligence Activities

(U//~~FOUO~~) Unintentional Collection Against U.S. Persons

(S//SI//REL USA, FVEY) This quarter there were [ ] instances in which Signals Intelligence (SIGINT) analysts inadvertently targeted or collected communications to, from, or about U.S. persons while pursuing foreign intelligence tasking. All intercepts and reports have been deleted or destroyed as required by United States SIGINT Directive (USSID) SP0018.

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

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

(U) [ ] Travel to the United States

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

~~(TS//SI//REL USA, FVEY)~~ On [ ], an NSA analyst inadvertently targeted the e-mail selector belonging to an individual while he was in the United States from [ ] through [ ]. The analyst was not aware of the target's travel to the United States until [ ] total of [ ] pieces of intercept was collected during the target's stay in the United States. The analyst deleted the query and results.

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

~~(TS//SI//NF)~~ [ ] an NSA language analyst targeted an individual with dual U.S and foreign citizenship while the individual was in the United States from [ ] NSA was authorized under a consensual collection tasking order to target the individual, who currently lives in the United States, [ ] while the individual traveled outside the United States. The analyst later learned that the Intelligence Community (IC) customer knew beforehand that the target had returned to his residence in the United States on [ ] The target's telephone and e-mail selectors were detasked on [ ]. In addition, [ ] queries were canceled and the results were deleted. All traffic was purged from NSA databases. No transcripts were created and there was no reporting. The IC customer was reminded of the responsibility to inform NSA when a target enters the United States.

(U) Targeting

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

(U//~~FOUO~~) [ ] an NSA analyst discovered that a targeted subject believed to be a valid foreign intelligence target was a U.S. person. [ ] [ ] before a report from an IC customer confirmed the subject's U.S. citizenship. The analyst deleted all queries and results, and no reporting was issued.

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

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

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

(U//~~FOUO~~) an NSA analyst targeted an apparently valid foreign intelligence target who turned out to be a U.S. person. While researching the selector before tasking, the analyst tasked a related selector. The analyst was informed by another analyst that the target was a U.S. person. The analyst detasked the target selector No were collected from this targeting, and there was no reporting. The branch chief reminded branch analysts to become familiar with branch working aids

(U) Database Queries

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

~~(S//REL TO USA, FVEY)~~ On occasions, analysts constructed poor database queries that targeted U.S. persons, and on of those occasions, the queries returned results from the database. The returned results from overly broad or incomplete queries were deleted, and no reports were issued. Procedural errors contributed to of the violations.

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

~~(S//REL TO USA, FVEY)~~ An NSA analyst performed queries using the analyst believed was being used by foreign targets. No data was retrieved by the queries, and no reports were issued.

- ~~(S//REL TO USA, FVEY)~~ NSA learned that analysts had performed queries between in raw SIGINT databases on telephone number and e-mail selectors belonging to a foreign intelligence target while in the United States. On NSA received Attorney General approval to query the target's selectors, A SIGINT report included information from these queries. The queries and results were deleted

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

- (U//~~FOUO~~) An NSA analyst mistakenly queried a co-worker's in a raw SIGINT database, because the analyst was not familiar with the database's user interface. The analyst entered the identifier a second time because he thought he had mistyped the first time. He was counseled by management to review the database User's Manual before performing another search in the tool. No data was returned.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst queried a database using selectors that contained valid U.S. telephone numbers and additional potentially valid U.S. telephone numbers. Assuming that the selectors had already been properly vetted, the analyst ran existing database queries to evaluate the effectiveness of a new tool. The query yielded approximately results. The analyst did not note any U.S. information in a cursory review of the result set immediately after the query. The analyst deleted the query and all results on and there was no reporting. The analyst was counseled to personally review all selectors before performing a query.

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

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

~~TOP SECRET//COMINT//NOFORN~~

- (U//~~FOUO~~) an NSA analyst a U.S. entity. The targeting error occurred because the analyst failed to verify that did not belong to protected entities before performing the query. The analyst reported that a database feature intended to warn users of had failed. The analyst was advised to always verify before querying for them. An effort is underway to determine why the database did not warn the user that the belonged to a U.S. entity.

- ~~(S//SI//REL TO USA, FVEY)~~ NSA analysts queried in a raw SIGINT database. pieces of traffic were found. All queries and results were erased when the analysts exited the database. No reports or translations were made of the traffic. The incident occurred due to erroneous guidance and training received by the analysts. Action has been taken to correct the training and improve the guidance concerning the use of this database. Auditing functions are being instituted, and future training will include the appropriate caveats to ensure adherence to USSID SP0018 standards. There was no reporting.

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

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly queried in a raw SIGINT database. The error occurred when the analyst The query returned more than records. The query results were deleted on 4 February 2010, and the query was resubmitted with the correct query terms.

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

- ~~(S//REL TO USA, FVEY)~~ an NSA analyst performed a database query using that was believed to belong to a valid foreign intelligence target. The however, was located in the United States. the analyst updated the record for future reference. The analyst deleted the query and results on No reports were issued.

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

- (U//~~FOUO~~) an NSA analyst discovered that a selector used in queries since belonged to a U.S. person whom the branch did not have authority to target until FAA 704 targeting authority was received on The error occurred because the analyst was newly assigned to the office and did not have access to files containing updated target information. the analyst deleted the queries and the resulting collection. There was no reporting.

- ~~(S//REL TO USA, FVEY)~~ an auditor informed a supervisor that a newly assigned analyst performed a query in a raw SIGINT database using his personal e-mail address. The analyst stated that the intent for querying on his own e-mail was to "practice," because it had been over a year since the analyst last had database access. the analyst deleted the query on his personal e-mail address and any results, without reviewing them or taking note of the number of results. No reports were written. The supervisor counseled the analyst on the requirements of USSID SP0018 and how these specifically apply to database queries.

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

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

- ~~(S//REL TO USA, FVEY)~~ an analyst performed a query on in a raw SIGINT database without first verifying with the requestor that the selector was a non-U.S. While performing the queries, the analyst learned from the requestor that the was U.S. and canceled the query. The analyst deleted the query results without viewing them

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

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst incorrectly typed an in a query of a raw SIGINT database and performed a query that returned results. The analyst immediately halted the query upon discovery of the error and deleted the query results without viewing them. It is very likely that U.S. person information had been collected because of the broad scope of the query. Nothing was reported or disseminated in any product or service.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that his database account contained a query targeting Although the analyst had not worked at NSA for five months— The analyst deleted the query The query returned results, which were not reviewed, but most likely contained U.S. communications. The results were deleted No reports were issued.

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

(U) Detasking Delays

~~(TS//SI//NF)~~ an NSA analyst discovered that the selectors belonging to a U.S. person involved in a hostage situation had not been detasked. The selector was overlooked No traffic was collected between

~~(S//REL TO USA, FVEY)~~ an NSA analyst received an intercept from a targeted selector believed to have been detasked because it belonged to a U.S. person. The telephone number was either never detasked or subsequently had been retasked. The analyst deleted the intercept, and the supervisor confirmed the deletion. The supervisor sent a message to requesting that all selectors used by this target be detasked.

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

(U//~~FOUO~~) **Dissemination of U.S. Identities**

~~(TS//SI//REL USA, FVEY)~~ The NSA Enterprise issued SIGINT product reports during this quarter. In those reports, SIGINT analysts disseminated communications to, from, or about U.S. persons or entities on occasions while pursuing foreign intelligence tasking this quarter. A total of SIGINT products were canceled as NSA analysts learned of the U.S. persons, organizations, or entities named in products without authorization. All data in the canceled reports was deleted as required, and the reports were not reissued or were reissued with proper minimization.

(U//~~FOUO~~) an NSA analyst sent briefing materials that included raw SIGINT data containing U.S. person data to individuals who were not authorized to receive the information. The error was discovered by one of the unauthorized recipients. When notified of the error, NSA analysts replaced the briefing slides with a corrected version and instructed all recipients to delete the earlier version. (b)(3)-P.L. 86-36

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

(U) The Foreign Intelligence Surveillance Act (FISA)

(U) Targeting

~~(TS//SI//NF)~~ During review of FISA tasking associated with a Foreign Intelligence Surveillance Court (FISC) order, NSA analysts discovered unauthorized tasking related to selectors on the Order As a result of the review, an NSA analyst determined that The tasking for both selectors was terminated on and intercepts were deleted. Deletion of all intercepted communications remaining in NSA repositories was confirmed on No reporting occurred from this collection. An NSA analyst also determined that the users of Both numbers were detasked on Intercept collected from the targeted phones was purged from NSA databases reports issued from collection on these phone numbers were canceled on

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

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst identified intercepts from a non-targeted individual The telephone number was on a date that could not be determined. A database review of a 120-day period revealed that additional calls were made by a non-targeted individual between No reporting occurred from the intercept. The intercept was deleted and the number was detasked. The number was also deleted from the Court order renewal process.

~~(TS//SI//NF)~~ an NSA analyst performing a review of authorized, tasked e-mail selectors discovered that the analyst detasked the e-mail addresses. No reporting was issued based on targeting these selectors. the unauthorized collection was purged from the database.

~~(TS//SI//NF)~~ Due to an error in a database record, NSA continued the tasking of a target without authorization. On while verifying selectors for renewal of a FISC order, an NSA analyst The selector was detasked on and

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

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

[redacted] No reports were issued based on traffic from this selector.

~~(TS//SI//NF)~~ [redacted] an NSA analyst determined that [redacted] tasked cell phone numbers [redacted] During the process of renewing the FISC order, the analyst noted [redacted] The analyst promptly detasked the numbers. The analyst deleted all [redacted] calls on [redacted] No reporting was issued based on information derived from targeting these selectors.

(U) Database Queries

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

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA auditor found queries [redacted] raw SIGINT database. The analyst had submitted [redacted] queries without limiting the search to Court-authorized FISA traffic on [redacted] The analyst did not view any traffic content and deleted the data on [redacted] That same day, the analyst and auditor completed a detailed review of each query. There was no reporting on the query results.

~~(TS//SI//NF)~~ Business Records (BR) Order

(U) Nothing to report.

(U) The Protect America Act (PAA)

(U) Nothing to report.

(U) The FISA Amendments Act (FAA)

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

(U) Section 702

(U) Unauthorized Targeting

~~(S//REL TO USA, FVEY)~~ During a review of FAA-tasked selectors [redacted] NSA discovered that the user of a tasked selector had [redacted] the United States. The analyst had overlooked information in a [redacted] report that showed that the target [redacted] the United States on [redacted] The selector was submitted for emergency detasking [redacted]

~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts discovered that the account belonging to a valid foreign intelligence target [redacted] who lives in the United States. The analyst was not aware of the requirement to detask the selector [redacted] in the United States. The selector was detasked on [redacted] and all data and reporting from the FAA 702 collection was purged.

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

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

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

~~(S//REL TO USA, FVEY)~~ NSA analysts the target had entered the United States. selectors used by the target were subsequently detasked on On it was discovered that selector remained on tasking The selector was detasked on All collection was purged by

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst found that the selectors used by a valid foreign intelligence target the United States. and All data collected during the period was purged.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently tasked an incorrect e-mail selector. The tasking error was not discovered during the tasking review process. It was discovered when an analyst performed a query on the target using the incorrect address and retrieved results. The selector was detasked and retasked to the correct e-mail address on The traffic was retained because it was obtained from a different selector.

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

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector used by a valid foreign intelligence target had been The two selectors used by the target were detasked on

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

~~(TS//SI//NF)~~ during a review of FAA-tasked selectors, NSA analysts discovered that a selector belonging to a valid foreign intelligence target the United States The IC customer the United States the analyst submitted the selector for detasking on they did not detask the selector. Furthermore, the customer did not follow procedures All data collected from was purged from NSA's principal raw traffic repositories.

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

(U) Database Queries

~~(S//REL TO USA, FVEY)~~ an NSA analyst discovered The error occurred because the first analyst was on leave when the selectors were detasked. The analyst deleted the query and the results upon his return from leave on

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

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

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

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly queried on a selector that had not been tasked under FAA 702 authority. The analyst queried the selector showed that the selector the United States. The query did not return results, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ NSA analysts incorrectly performed queries on FAA 702-tasked selectors in a raw SIGINT database. Analysts deleted the query results without viewing them on

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

~~(TS//SI//REL TO USA, FVEY)~~ On an NSA analyst tasked the selector believed to be used by a foreign intelligence target that a U.S. city from Further research showed that the U.S. city. The selector was detasked on and the purge of the collection was completed on

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

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently while analyzing query results on an FAA 702 target retrieved from a raw SIGINT database. Believing that the database , the analyst performed additional queries The queries returned results, which were deleted on

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

(U) Tasking Error

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

(U//~~FOUO~~) As part of a update associated with an administrative change, NSA analysts mistakenly retasked selectors that had been detasked. selectors, previously detasked because they were no longer of interest, were retasked during update. Data was collected from only selectors and was purged from NSA databases. an NSA analyst discovered that selectors, There was no collection from these selectors.

(U) Retention

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

~~(S//REL TO USA, FVEY)~~ NSA became aware that information that had been purged from other NSA databases. As of NSA was investigating whether data acquired NSA discovered that numerous reports had been issued and was currently conducting research to determine if any of these reports was based on non-compliant data that had been purged from other databases

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

(U) Section 704

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

(U) Unauthorized Targeting

(U//~~FOUO~~) an NSA analyst discovered that, on he had submitted tasking for a selector under an FAA 704 order to collection sites that were not approved for FAA 704 tasking. the analyst detasked the selector from the sites. There was no collection from these sites and no reporting.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently queried a raw traffic database using a selector that belonged to a U.S. person. Discussions with other branch members revealed that the selector had previously been used by a U.S. person. The analyst immediately detasked the selector. The query returned records, which were deleted, and no reporting resulted. The analyst was counseled by his branch chief on the necessity of researching selectors more carefully before querying raw SIGINT databases to lessen the possibility of retrieving U.S. person data.

(U) Section 705b

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

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

(U) Database Queries

~~(S//REL TO USA, FVEY)~~ NSA analysts determined that selectors for a FAA 705b subject The error occurred because the analysts had not known contained the information they were authorized to search using FAA 705b selectors. All data retrieved from the queries was deleted, and no reports were issued.

~~(S//REL TO USA, FVEY)~~ an NSA analyst inadvertently queried a selector a target, who was authorized under FAA 705b authority. On an analyst received the selector and initiated the query without researching it. The analyst deleted the query and results that same day. The analyst discovered that the selector had not been tasked because and had been detasked earlier for that reason. There was no reporting. On the branch chief counseled the analyst on the necessity of confirming the status of targets prior to targeting and running a query.

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

~~(S//REL TO USA, FVEY)~~ an NSA analyst performed an query in an NSA raw SIGINT database on a list of selectors for a valid foreign intelligence target. The analyst later discovered that the list included FAA 705b-approved selectors. These selectors were not authorized to be queried in the FAA 702 The query and results were deleted on and no reports were issued based on the query results.

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

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst ran a database query on an e-mail address used by an FAA 705b subject The analyst included containing FAA 702 data. a supervisor

discovered the incident during a routine branch audit of queries. The query returned [ ] results, none of which contained unauthorized data and thus were not deleted. There was no reporting. [ ] the supervisor counseled the analyst on the importance of [ ] [ ] for FAA 705b subjects.

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

~~(S//SI//REL TO USA, FVEY)~~ From [ ] an NSA analyst queried [ ] e-mail selectors for an FAA 705b subject [ ] in a raw SIGINT database, including FAA Section 702 [ ]. The query resulted in [ ] of intercepts, which were all deleted by the analyst on [ ] deletions were confirmed by a supervisor on the same day. Although the training had been conducted to reinforce standards, this analyst was on leave during the training. The analyst received training and a new working aid.

~~(S//REL TO USA, FVEY)~~ [ ] an NSA analyst incorrectly queried the selector used by an FAA 705b target [ ] FAA 702 data. The query and the results were deleted by the analyst immediately following incident recognition [ ] and no reporting resulted. The analyst was counseled on the importance of determining the nationality of the target and verifying the authorization before querying any selectors in raw SIGINT databases.

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

~~(S//REL TO USA, FVEY)~~ [ ] NSA analysts performed searches on FAA 705b targets in a raw SIGINT database containing FAA 702 data. The analysts did not follow guidance that prohibits querying FAA 702 data while searching on FAA 705b targets. [ ] [ ] the analysts were instructed not to query on FAA 705b targets in this database. Efforts to modify the database's [ ] are being investigated.

(U) Detasking Delays

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

~~(S//SI//REL TO USA, FVEY)~~ [ ] an NSA analyst determined that [ ] selectors for a U.S. person under an FAA 705b order had not been detasked the last time he returned to the United States. He had been targeted since [ ] but returned to the United States in [ ] On [ ] due to a documentation error, [ ] [ ] The analyst discovered that [ ] [ ] that the FAA 705b authorization was about to expire. All selectors were verified as detasked or inactive on [ ] Between [ ] and [ ] there were [ ] intercepts that were deleted on [ ] There was no reporting on the selectors during this time frame.

(U) Other

(U) Unauthorized Access

(U//~~FOUO~~) [ ] NSA analysts disseminated raw SIGINT data to an IC customer who was not authorized to receive it. No reporting was produced based on this data. The customer was instructed to destroy copies of the raw SIGINT traffic. (b)(3)-P.L. 86-36

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

~~(S//REL TO USA, FVEY)~~ [redacted] a review of the public drive shared by all SIGINT analysts revealed [redacted] documents containing unpublished data derived from FAA [redacted] All documents were moved to access-controlled directories or deleted, as appropriate. It is not known if any documents were viewed by personnel not cleared for [redacted] FAA access.

(U//~~FOUO~~) [redacted] an FAA-cleared SIGINT analyst located at a field site (b)(3)-P.L. 86-36 forwarded a translated document to three site personnel who had not completed required training. The analyst recalled the message, and recall was confirmed on [redacted] A review of the traffic following the incident revealed no references to U.S. persons in the translation.

(U//~~FOUO~~) [redacted] an analyst who was not approved to access FAA 702 data viewed traffic derived from FAA 702 collection contained in a shared directory. After reviewing the list of analysts who had access to the shared directory, NSA discovered that two other analysts had access, but had not been properly trained and cleared. To prevent additional incidents, access to folders containing only FAA 702 data will be manually limited to those properly cleared for access.

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

~~(S//REL TO USA, FVEY)~~ [redacted] a SIGINT analyst at an NSA field site obtained unauthorized access to [redacted] material [redacted] a raw SIGINT database. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i) Access to [redacted] data was not authorized at the site. The unauthorized access occurred because those approving the analyst's request for access were not aware of the restrictions and processed the request based on the supervisor's approval. The analyst's access was terminated [redacted]

~~(S//REL TO USA, FVEY)~~ [redacted] NSA discovered that raw SIGINT data had been released to an IC customer's server. The data was retrieved [redacted] from an (b)(1) NSA database containing [redacted] (b)(3)-P.L. 86-36 [redacted] Access to the data has been disabled, [redacted]

(U//~~FOUO~~) During a review of database accounts on [redacted] NSA discovered that two (b)(3)-P.L. 86-36 contractors had received unauthorized access to a raw SIGINT database while deployed. The database accounts were terminated.

~~(S//REL TO USA, FVEY)~~ NSA discovered [redacted] that an analyst assigned to the location of an IC customer had unauthorized access to raw SIGINT databases from [redacted] The error occurred because of inadequate control and database administration procedures at the customer location. The analyst's access to the databases was terminated.

(U//~~FOUO~~) [redacted] NSA discovered that three personnel retained their accesses to (b)(3)-P.L. 86-36 FISA information after changing assignments and duty stations. The unauthorized access was discovered when one of the individuals advised another to request access to an NSA database containing FISA data. When the request for access was denied, the personnel learned that the site was not approved for access to FISA data. The accounts were terminated for the three individuals, and the site leadership is pursuing approval to access FISA data.

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

(U) Unauthorized COMSEC Monitoring Data

~~(C//REL TO USA, FVEY)~~ NSA discovered that a system upgrade erroneously allowed COMSEC vulnerability analysts access to data collected under the COMSEC monitoring authority. The analysts performed a total of queries, of which retrieved unauthorized data. No reports were issued using the data from these queries. Upon discovery of the error, the system was changed to prevent unauthorized access.

(U//~~FOUO~~) NSA analysts collected information in violation of National Telecommunications and Information Systems Security Directive 600. The unauthorized collection occurred because analysts did not verify technical data before starting the collection. Access to the unauthorized collection by analysts has been restricted until the collection has been purged.

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

(U//~~FOUO~~) NSA discovered that a collection system continued to collect beyond the authorized monitoring period The data collected has been separated from the data collected during the authorized time period and restricted from access until it has been purged. No reports were generated based on the data.

(U) Computer Network Exploitation (CNE)

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

~~(TS//SI//NF)~~

~~(TS//SI//REL TO USA, FVEY)~~

- ~~(TS//SI//REL TO USA, FVEY)~~
- ~~(TS//SI//REL TO USA, FVEY)~~

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

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- ~~(TS//SI//REL TO USA, FVEY)~~

~~(TS//SI//NF)~~

~~(TS//SI//NF)~~

(U) Counterintelligence Activities

(U) Nothing to report.

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

(U) Intelligence-related Activities

~~(S//SI//NF)~~ To reduce the risk of unauthorized telephony collection and prevent violations, NSA instituted a process that gives analysts greater and faster insight into a target's location. In the instances when collection occurred, it was purged from NSA's principal raw traffic repositories when required.

~~(S//SI//NF)~~ NSA analysts found e-mail selectors this quarter. When collection did occur, it was purged from NSA's principal raw traffic repositories when required.

(U//~~FOUO~~) Although not violations of E.O. 12333 and related directives, NSA/CSS reports two instances in which database access was not terminated when access was no longer required. Once identified, the accesses were terminated.

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

2. (U) NSA Office of the Inspector General (OIG) Intelligence Oversight (IO) Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During this quarter, the OIG reviewed various intelligence activities of the NSA/CSS to determine whether they had been conducted in accordance with statutes, executive orders, Attorney General procedures, and DoD and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

(U) **NSA/CSS Georgia Inspection**

(U//~~FOUO~~) The NSA/CSS Georgia IO program, though not fully mature, has significantly improved since the last inspection. The program lacks a review element to assess the adequacy of oversight controls within NSA/CSS Georgia and tenant organizations. Processes put in place are not evaluated for efficiency, effectiveness, or compliance. Mission elements do not receive risk management reviews through the IO program to evaluate oversight controls commensurate with high-risk mission areas. Reviews to assess effectiveness of processes used to add and remove employees from IO training tracking systems, assess training compliance, and conduct analysis of incorrectly answered IO test questions are not conducted. The NSA/CSS Inspector General will update actions taken by NSA/CSS Georgia to address the inspection findings in a future report.

(U) Misuse of the U.S. SIGINT System (USSS)

(U) Nothing to report.

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

(U) Congressional, IOB, and DNI Notifications

~~(S//NF)~~ [redacted] NSA notified the Congressional intelligence committees about database queries performed by NSA analysts [redacted] that were in violation of NSA's minimization procedures or procedures governing information collected pursuant to FAA Section 702. This incident was reported in the 2009 Fourth Quarter Report. A copy of the notification is enclosed.

~~(S//NF)~~ [redacted] NSA notified the Congressional intelligence committees that certain data purges required by NSA's targeting and minimization procedures have been incomplete. (See the referenced item under "Retention," as it relates to FAA 702-related data, on page 8.) A copy of the notification is enclosed. Note: The fact that NSA has discovered incomplete data purging—when the data should have been minimized—means that past quarterly reports may have stated that all data related to an incident had been purged when complete assurance was not possible. NSA continues to work on its initiative to purge such data from all relevant databases.

(U) Other Notifications

~~(SI//SI//NF)~~ NSA has notified the Attorney General of all consensual and non-consensual intelligence-related activities associated with U.S.-person hostage cases.

3. (U) Substantive changes to the NSA/CSS Intelligence Oversight Program

(U) Nothing to report.

4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes

(U) Nothing to report.

5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or matters related to Intelligence Oversight Programs

(U) Nothing to report.