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 any intelligence activities of the National Security Agency during the quarter ending 30 June 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7(d) of Executive Order 12333.

(U/FOUO) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of 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.

JOEL F. BRENNER
Inspector General

ROBERT L. DEITZ
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
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

End:
Quarterly Report

This Memorandum is Unclassified
Upon Removal of Enclosure

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)
1. (U) INSPECTOR GENERAL ACTIVITIES

a. (C/SCI) During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

b. (TS/SCI/FOUO) In the first quarter fiscal year 2006 (report dated 25 February 2006) we reported misuse of the U.S. SIGINT System. An investigation substantiated the allegation that an NSA employee used the SIGINT System to target his foreign girlfriend in [redacted]. The matter has been referred to the NSA Office of Security, Office of Employee Relations and the Office of General Counsel (OGC) for appropriate action.

2. (U) GENERAL COUNSEL ACTIVITIES

(C/SCI) The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, EOs, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of, or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

3. (U) SIGINT ACTIVITIES

a. (TS/SCI) Collection Against U.S. Persons

(1) (U) Intentional

a. (TS/SCI) During this quarter, the Director, NSA/Chief Central Security Service (DIRNSA/CHCSS) granted approval for consensual collection against U.S. persons. DIRNSA/CHCSS also approved non-consensual collection of U.S. companies believed to support terrorist activity, U.S. citizens believed to have been held against their will, U.S. organization, agents of foreign powers. [Redacted]
(3) The AG granted authority to collect the communications of U.S. persons overseas during this quarter.

(2) Intentional

(S/N) In accordance with section 7 of United States Signals Intelligence Directive (USSID) SP0018, U.S. identities were disseminated times during this quarter. The following table shows the justification and the number of instances of dissemination. In the “Unmasked by Analyst” column, the U.S. identity was revealed in a serialized end product; in the “Unmasked at User Request” column, a U.S. identity was released to a user at the user’s request.

<table>
<thead>
<tr>
<th>JUSTIFICATION</th>
<th>Unmasked by Analyst</th>
<th>Unmasked at User Request</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>7.2.c Necessary</td>
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<tr>
<td>7.2.c.1 Foreign Official</td>
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<tr>
<td>7.2.c.3 International Narcotics</td>
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<tr>
<td>7.2.c.4 Criminal Activity</td>
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<tr>
<td>7.2.c.7 U.S. Government Official</td>
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<tr>
<td>TOTAL</td>
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</tbody>
</table>
(2) (U) Unintentional

a. (S//SI) During this quarter, SIGINT products were cancelled because they contained the identities of U.S. persons, organizations, or entities. In all instances, the reports were either not reissued or were reissued with the proper minimization.

b. In one instance, an electronic mail (e-mail) containing the name of a U.S. person was shared with the The e-mail was successfully recalled

(3) (U) Raw Traffic Dissemination — SIGINT Production Chain

(S//SI) The SID ensures that the personnel are trained by the OGC on NSA/CSS's legal restrictions and on proper handling and dissemination of SIGINT data. Such persons working in or with SID during this quarter included representatives of

4. (U) Other Activities

a. (U//FOUO) Unauthorized Access

(1)(TS//SI//REL) analysts outside of the SIGINT production chain had access to unminimized metadata.

(2)(TS//SI//OC//NF) reported a computer security violation to the NSA/CSS. In the conduct of their mission, analysts accessed NSA sensitive databases without training or proper authorization. At least one of the databases that may have
been accessed contains U.S. person information. An investigation by the NSA Information System Incident Report Team (NISIRT) is ongoing. The NSA/CSS OIG will report further when the NISIRT investigation is completed.

b. (U/FOUO) Foreign Intelligence Surveillance Act (FISA) Incidents

(1) [TS/SL/NF] On [redacted] occasions, we learned of the unintentional collection of persons in the United States [redacted]. In all cases the collection was destroyed in accordance with USSID SP0018.

(2) [TS/SL/NF] An analyst targeted [redacted] to longer covered by a FISA order.

instances of unauthorized collection. There were no reports published on the collection. [redacted] and the OIG will track the action until destruction is confirmed. As of [redacted] were added into the

FISA order.

(3) [TS/SL/NF] Unaware that [redacted] the NSA Office kept e-mail addresses on coverage after the discovered [redacted]. The e-mail addresses were de-tasked as they were discovered [redacted].

(4) [TS/SL/NF] [redacted] discovered that metadata associated with previously processed voice had not been purged in accordance with FISA retention requirements. This was discovered when the [redacted] and
over reports were to the database.
Software changes were made

**d. (U) Assistance to Law Enforcement**

(U/SCI) During this quarter, the SID responded to request for linguistic support and for technical assistance from. Technical support was also provided once to the

**e. (U) Working Aids**

(U/FOSO) The SID Office of Oversight and Compliance maintains "U.S. Identities in SIGINT" and a matrix of dissemination authorities on its web page for use by the NSA/CSS Enterprise. The E.O., NSA/CSS Policy Number 1-23, DoD Regulation 5240.1-R, and USSID SP0018 are also available on-line.