

# TOP SECRET//COMINT//NOFORN NATIONAL SECURITY AGENCY CENTRAL SECURITY SERVICE

FORT GEORGE G. MEADE MARYLAND 20755-6000

23 February 2010

### MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

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

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

(U//<del>FOUO)</del> 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 December 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//<del>FOUO)</del> 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 ÉLLARD Inspector General

MATTHEW G. OLSE

General Counsel

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

> 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)

#### TOP SECRET//COMINT/TALENT KEYHOLE//NOFORN

(U) Intelligence, Counterintelligence, and Intelligence-Rela	ted Activities that
Violated Law, Regulation, or Policy and Were Substantiated	during the Quarter,
as well as Actions Taken as a Result of the Violations	

- A. (U) Intelligence Activities Conducted under Executive Order (E.O.) 12333 Authority
- (U) Unintentional Collection against United States Persons (USPs) or Foreign Persons in the United States

(SIGINT) analysts in instances or about USPs while pursuing foreign	er of calendar year 2010 (CY2010), Signals Intelligence inadvertently targeted or collected communications to, from, an intelligence tasking. All intercepts and reports have been United States SIGINT Directive (USSID) SP0018.	
1. (U) Targeting	(b) (3)-P.L. 86-36	
foreign intelligence target remained	NSA analyst discovered thate-mail selectors for a valid tasked while the target was in the United States. The tasking munication between analysts, each believing that the other ry results were deleted and no reports	3.6
(S//REL TO USA, FVEY) valid foreign intelligence target rem	NSA analysts learned that the selector for a ained tasked while the target was in the United States.	30
	Collection against the target's selector was suspended	
(S//SI//TK//REL TO USA, FVEY)	NSA/CSS erroneously targeted	
	All collection was purged and no	
reports were issued.		
	NSA analyst learned that the selectors for a valid foreign while the target was in the United States.	
All collection was deleted	The selectors were detasked	
All collection was deleted	and no reports were issued.	

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

DOCID	TOP SECRET//COMINT/TALENT KEYHOLE//NOFORN (b) (3) -P.L. 86-36
	(b) (3) -50 USC 3024(i)
: · · · · · · · · · · · · · · · · · · ·	(S//SI//REL TO USA, FVEY) an NSA analyst discovered that an intercept
	believed to be from valid foreign intelligence targets was, in fact, from USPs. This error
(b)(1)	occurred because The
(b)(3)-P.L. 86	All
	collection was deleted and no reports were issued.
	an NSA analyst erroneously tasked an e-mail selector for a valid foreign intelligence target while the target was in the United States. The analyst discovered the error and detasked the e-mail selector. No reports were issued.
	(U//FOUO) a SIGINT analyst learned that a USP was inadvertently targeted. The e-mail selectors, were detasked on The collection has aged off the collection system, and no reports were issued.
	(U//FOUO) NSA analysts learned that a USP was inadvertently targeted.  telephone selectors associated with the target were detasked, and the collection was marked
	All collection
(b) (1) (b) (3) -P.L.	had been deleted as of and no reports were issued. (b) (3) -P.L. 86-36
	an NSA analyst discovered that collection on a valid foreign intelligence target had occurred while the target was in the United States from Traffic collected during the target's stay in the United States has been and will be purged. No reports were issued on the basis of the collection.  (S//REL TO USA, FVEY) an NSA analyst discovered that telephone selectors for a valid foreign intelligence target remained tasked while the target was in the United
: \	States. The analyst had suspended collection against the target's selectors
	A second
_	NSA analyst erroneously put the target's selectors back
	This was discovered immediately by the first analyst who again attempted to suspend the selectors it was discovered that one of the target's
	selectors it was discovered that one of the target's selectors had remained on tasking, and the selector was again suspended. No collection was
	found for either selector during the time the target was in the United States, and no reports were issued.
	2. <b>(U) Database Queries</b> (b) (1) (b) (3) -P.L. 86-36
т (	(S//REL TO USA, FVEY) On occasions, analysts performed overly broad or poorly constructed database queries that potentially targeted USPs. For example, these queries used
· t	which produced imprecise results. Onbf those occasions, the queries returned results from the database. The query results were deleted, and no reports were issued. Procedural errors contributed to the following incidents.
	(b) (1) (b) (3)-P.L. 86-36 (b) (3)-50 USC 3024(i)

were issued.

## -TOP SECRET//COMINT/TALENT KEYHOLE//NOFORN-

	• (U// <del>FOUO</del> ) On occasions between	NSA
		valid foreign intelligence
	targets while the targets were in the United States. All queries	and query results were
	deleted upon recognition of the travel. No reports were issued of	on the basis of the results
		ently omitted from the
	2010 third quarter report.	
	pakantan di <u>Erika Barapan kabupat berbagai berbagai berbagai berbagai berbagai berbagai berbagai berbagai berba</u>	
•	(U// <del>FOUO</del> )	NSA <sup>(b)</sup> (3)-P.L. 86-36
	analysts queried raw traffic databases using selectors associated	with USPs or U.S.
	entities. On each occasion, the analysts neglected to perform the	e required research on the
	selectors before performing the queries. All query results were	deleted, and no reports
- <del>(G//GI//RE</del>	were issued. EL TO USA, FVEY)	(b) (3) -P.L. 86-36
	(U// <del>FOUO)</del> , an NSA analyst inadvertently	included a $\frac{(b)(3)-50}{(b)(3)-50}$ USC 3024(i)
	in a query against a raw traffic database.	
14-23-4-24-24-24-24-24-24-24-24-24-24-24-24-2		and notified the analyst.
(b) (1)	The query produced no results.	
(b)(3)-P.L. 86		(b) (3) -P.L. 86-36
•	an NSA analyst performed again	ainst the e-mail selector
	of a valid foreign intelligence target a database query that include	led dates when the target
	was in the United States. Upon realization of the error, the analysis	yst immediately deleted
	the query results. No reports were issued.	
	(U// <del>FOUO)</del> a SIGINT analyst inadvertently	y performed a database (b) (3)-P.L. 86
	query using the e-mail selector of a USP. All query results were	e deleted
	and no reports were issued.	defeted
(b) (1) (b) (3) P.L. 86-36		
(D) (S) -1. 00-36	36 (S//REL TO USA, FVEY) an NSA analy	st queried a raw traffic
	database for information about a valid foreign intelligence target	
		urget's selector was
	detasked All non-compliant FAA §702 co	ollection between
(= / / = = = = = = = = = = = = = = = = =	was marked for purging.	그 살이 되는 사람들이 모든
(S//REL TO	it was discovered that an NS	SA analyst
	The state of the s	The target was initially
	thought to be a valid foreign intelligence target but was determine	
	Although the target's selectors were detasked	a
44-4-111111111111111111111111111111111	part of the part o	query results were
(b) (1) (b) (3)-P.L. 86-3	and no reports were issued.	(b) (1) (b) (3)-P.L. 86-36
(b) (3) -50 USC 30	024(1)	
	a SIGINT analyst queried a	law traffic database
	using a selector associated with a valid foreign intelligence targe	
	analyst remembered that the target had been in the United States	omitting the query, the
	submitted in the query. All results were deleted	and no reports

	-TOP SECRET//COM	(b) (3) -P.L. 86-36 (D) (3) -P.L. 86-36 (D) (3) -18 USC 798
		(b) (3) -50 USC 3024(i
	(S//REL TO USA, FVEY)	an NSA analyst erroneously queried a
	raw traffic database	all NSA aliasyst effolicously queried a
	11111	of the error, the analyst deleted the query results on
(I)	without reviewing	ng the content, and the target's telephone and e-mail
(3)-P.L. 86-3	6 selectors were detasked	the analyst
	determined that the target had en	
	marked all collection between	
	reports were issued.	for deletion. No. (3) -P.L. 8
•	(U// <del>FOUO)</del>	an NSA analyst erroneously queried
		Upon discovery by the auditor
		ete the query results and deletion was confirmed
(1)	No reports were	
(3)-P.L. 86-3		
-	<del>(TS//SI//NF</del> )	an NSA analyst queried a raw traffic database using
	selectors associated with val	id foreign intelligence targets
	\	The analyst
	misunderstood the procedures for	r querying raw traffic databases using selectors
		heir arrival in the United States. The queries and query
	results were deleted, and no repo	
3. (L	J) Detasking Delays	
(U/ <del>/F</del>	OUO) the tele	ephone selector for a valid foreign intelligence target
(U/ <del>/F</del> was n	OUO) the tele	T analyst discovered that the selector was being used by
(U/ <del>/F</del> was n	OUO) the tele	ephone selector for a valid foreign intelligence target  T analyst discovered that the selector was being used by the selector had not been detasked from
(U//F was n	OUO) the tele	T analyst discovered that the selector was being used by the selector had not been detasked from
(U/ <del>/F</del> was n a USI	the telepharked for detasking when a SIGIN P. However, as of	T analyst discovered that the selector was being used by the selector had not been detasked from
(U/ <del>/F</del> was n a USI	OUO) the tele	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-30
(U//F) was n a USI 4. (U	the telegraph of telegraph	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3)-P.L. 86-36
(U// <del>F</del> was n a USI 4. (U	the telegrarked for detasking when a SIGIN P. However, as of Tasking Errors  EL TO USA, FVEY)	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3)-P.L. 86-36  (b) (3)-P.L. 86-36  it was discovered that a U.S. telephone
(U//F was n a USI 4. (U 	the telemarked for detasking when a SIGIN P. However, as of  J) Tasking Errors  EL TO USA, FVEY)	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3)-P.L. 86-36
(U// <del>F</del> was n a USI 4. (U	the telemarked for detasking when a SIGIN P. However, as of  J) Tasking Errors  EL TO USA, FVEY)	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was
(U//F) was not a USI  4. (U  (S//R) numb termin	the telemarked for detasking when a SIGIN P. However, as of Tasking Errors  EL TO USA, FVEY)  er mated	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was
(U//F) was not a USI  4. (U  (S//R) numb termin	the telemarked for detasking when a SIGIN P. However, as of  J) Tasking Errors  EL TO USA, FVEY)	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36
(U//F) was n a USI  4. (U -(S//R) numb termin  B. (U	the telemarked for detasking when a SIGIN P. However, as of  J) Tasking Errors  EL TO USA, FVEY)  er  nated  J) Dissemination of U.S. Identi	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i
(U//F) was not a USI  4. (U  (S//R) numb termina  B. (U  (S//SI	the telegrarked for detasking when a SIGIN P. However, as of D. Tasking Errors  EL TO USA, FVEY)  er Contact of U.S. Identification of U.	T analyst discovered that the selector was being used by the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i
(U//F) was n a USI  4. (U  -(S//R) numb termin  B. (U  -(S//SI) during	the telegrands of the telegran	the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (c) (3) -P.L. 86-36 (d) (3) -P.L. 86-36 (d) (3) -50 USC 3024 (iii)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated
(U//F) was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI) during comm	the telemarked for detasking when a SIGIN P. However, as of  J) Tasking Errors  EL TO USA, FVEY)  er  mated  J) Dissemination of U.S. Identi  //REL TO USA, FVEY)  g the fourth quarter of CY2010. In nunications to, from, or about USPs	the selector had not been detasked from  (b) (3)-P.L. 86-36  (b) (1) (b) (3)-P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (3)-P.L. 86-36 (b) (3)-P.L. 86-36 (b) (3)-50 USC 3024 (i  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated or entities on occasions while pursuing foreign
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI during committelli	the telepharked for detasking when a SIGIN P. However, as of D. Tasking Errors  EL TO USA, FVEY)  er Inated  J) Dissemination of U.S. Identify (FREL TO USA, FVEY)  g the fourth quarter of CY2010. In nunications to, from, or about USPs gence tasking. In SIGINT productions to the standard of the standar	the selector had not been detasked from  (b) (3)-P.L. 86-36  (b) (1) (b) (3)-P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3)-P.L. 86-36 (b) (3)-P.L. 86-36 (b) (3)-F.L. 86-36 (c) (3)-F.L. 86-36 (d) (3)-F.L. 86-36 (e) (3)-F.L. 86-36 (f) (5) (1) (f) (
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI) during commintelline and the	the telepharked for detasking when a SIGIN P. However, as of P. Ho	the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (c) (3) -P.L. 86-36 (d) (3) -P.L. 86-36 (d) (3) -F.L. 86-36 (e) (3) -F.L. 86-36 (f) (4) (3) -F.L. 86-36 (f) (5) (3) -F.L. 86-36 (f) (6) (6) (6) (7) -F.L. 86-36 (f) (6) (7) -F.L. 86-36 (f) (7
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI) during commintelli and the U.S. of	the telepharked for detasking when a SIGIN P. However, as of P. Ho	the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated or entities on occasions while pursuing foreign ucts, such disseminations were found to be improper, SS analysts learned of USPs, d without authorization. All data in the canceled reports
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI during comm intelli and th U.S. c was d	the telepharked for detasking when a SIGIN P. However, as of D. Tasking Errors  EL TO USA, FVEY)  The pharked D. Dissemination of U.S. Identify (FREL TO USA, FVEY)  The NSA of the fourth quarter of CY2010. In punications to, from, or about USPs gence tasking. In SIGINT productions are reports were canceled as NSA/CS organizations, or U.S. entities name eleted as required, and the reports were eleted as required.	the selector had not been detasked from  (b) (3) -P.L. 86-36  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (c) (3) -P.L. 86-36 (d) (3) -P.L. 86-36 (d) (3) -50 USC 3024 (i)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated for entities on occasions while pursuing foreign sucts, such disseminations were found to be improper, analysts learned of USPs,
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI during comm intelli and th U.S. c was d	the telepharked for detasking when a SIGIN P. However, as of P. Ho	the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated or entities on occasions while pursuing foreign ucts, such disseminations were found to be improper, SS analysts learned of USPs, d without authorization. All data in the canceled reports
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI during comm intelli and th U.S. c was d	the telepharked for detasking when a SIGIN P. However, as of D. Tasking Errors  EL TO USA, FVEY)  The pharked D. Dissemination of U.S. Identify (FREL TO USA, FVEY)  The NSA of the fourth quarter of CY2010. In punications to, from, or about USPs gence tasking. In SIGINT productions are reports were canceled as NSA/CS organizations, or U.S. entities name eleted as required, and the reports were eleted as required.	the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated or entities on occasions while pursuing foreign ucts, such disseminations were found to be improper, SS analysts learned of USPs, d without authorization. All data in the canceled reports
(U//F was n a USI  4. (U  (S//R) numb termin  B. (U  (S//SI during comm intelli and th U.S. c was d	the telepharked for detasking when a SIGIN P. However, as of D. Tasking Errors  EL TO USA, FVEY)  The pharked D. Dissemination of U.S. Identify (FREL TO USA, FVEY)  The NSA of the fourth quarter of CY2010. In punications to, from, or about USPs gence tasking. In SIGINT productions are reports were canceled as NSA/CS organizations, or U.S. entities name eleted as required, and the reports were eleted as required.	the selector had not been detasked from  (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36  it was discovered that a U.S. telephone  Collection was  (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024 (i)  Enterprise issued SIGINT product reports those reports, SIGINT analysts disseminated or entities on occasions while pursuing foreign ucts, such disseminations were found to be improper, SS analysts learned of USPs, d without authorization. All data in the canceled reports

#### TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN

C. (U) The Foreign Intelligence Surveillance Act (FISA)

1. (U) NSA/CSS Title I FISA
a. (U) Tasking Error
(U// <del>FOUO)</del> an NSA analyst discovered that a USP was inadvertently targeted. The error occurred because the telephone selector,
contained a typographical error.
the selector was detasked from all collection sites
All collection was confirmed as deleted (b) (1) (b) (3) -P.L. 86-36
(D)(3)(18 USC 798
(15//51/14) 150 usc 3024 (i
<del>(TS//SI/NF)</del>
(TS//SI//REL TO USA, FVEY) an NSA analyst learned that a selector
tasked under a FISC Order
detasked. All collection was deleted on and no reports were issued.
detasked. All collection was deleted onand no reports were issued.
b. (U) <b>Detasking Delays</b> (b) (1) (b) (3) -P.L. 86-3
(S//REL TO USA, FVEY) an NSA analyst discovered that telephone
selectors that had previously been authorized for collection under an NSA/CSS FISC Order that
had not been detasked before the start of the new FISC Order  The selectors were submitted for detasking and were
confirmed as having been detasked All collection was deleted
2. (U) (b) (3)-P.L. 86-36 (b) (3)-50 USC 3024(i)
a. (U) Database Queries
(S//REL TO USA, FVEY) an NSA analyst queried the e-mail selector of a
valid foreign intelligence target in a raw traffic database without following prescribed NSA
procedures. The analyst was made aware of the procedural error, and the query results were
deleted No reports were issued.
TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN (b) (1) (b) (1) (b) (3) -P.L. 86-36

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(S//REL TO USA, FVEY)	an NSA analyst erroneously queried the e-mail
selectors of all query results were deleted	and no reports were issued.
3. (U) The FISA Amendments Act (FAA)	(b) (1) (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024(i)
a. (U) Section 702	(1) (3) (30 030 3024(1)
i. (U) Unauthorized Targeting (b) (3)-	P.L. 86-36
(U// <del>FOUO)</del> Note: As previously reported in the 2 implemented a new process to ensure that FAA colled databases is purged. A	ction that is required to be purged from NSA/CSS
All collection th	at has been marked for purging will be purged.
(U//FOUO) NSA an intelligence targets had been tasked under the incorrect tasked to the correct FAA §702 certification under the incorrect certifications has been market	n Data collected
information to determine the target's location ou detasked All non-compliant been marked for purging.	
(U//FOUO) NSA/CSS dis The error occurred because NSA analysts did no The e-mail selector associated with All associated FAA §702 collection	
(U//FOUO) NSA/CSS recurder FAA §702 and believed to be associated we fact, belong to that target. After research to confine All non-compliant collection we	irm this, the e-mail selector was detasked on
(S//REL TO USA, FVEY) selector had been tasked under FAA §702 without United States. The selector was detasked has been marked for purging.	and collection between
ii. (U) Database Queries	
(U// <del>FOUO)</del> a SIGINT ar performing a database query against FAA §702 depends on results, and the query was deleted	halyst entered an incorrect while data. The analyst had intended to enter a valid as a selector. The query produced

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

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(U/ <del>FOUO)</del> an NSA analyst mistakenly queried FAA §702 data using a selector associated with a USP. No results were returned from the query.
(U//FOUO) an NSA analyst mistakenly performed a database query against FAA §702 data using the selector of a USP. The analyst had intended to use the selector of a valid foreign intelligence target but copied the incorrect selector into the database query field. The query returned no results.  (b) (3)-P.L. 86-36
(U// <del>FOUO)</del> a SIGINT analyst conducted a database query against FAA §702 data using the e-mail selector of a valid foreign intelligence target and a date range that included dates when the target was in the United States. All query results were confirmed as deleted and no reports were issued.
iii. (U) Detasking Delays
(S//REL TO USA, FVEY) Intelligence target had  The associated selector was not detasked because the analyst who normally reviewed the collection was on assignment to another organization.  the target had departed the United States,  all non-compliant FAA §702 data collected between has been marked for purging. No reports were issued.
(S//REL TO USA, FVEY) an NSA analyst learned that a valid foreign intelligence target tasked under FAA §702 had Upon researching the incident, the analyst discovered that an analyst in another division
Consequently, the e- mail selector was not detasked until collected between has been marked for purging.  Consequently, the e- mail selector was not detasked until has been marked for purging.  (b) (1) (b) (3) -P.L. 86-3
(U//FOUO) NSA/CSS learned that a target tasked under FAA §702 was a USP. Research of this matter revealed that an NSA analyst had determined during a routine review of collection that the target was a USP but had not detasked the selector. The selector was detasked and data was marked for purging.
(S//REL TO USA, FVEY) An NSA analyst noticed that a valid foreign intelligence target After researching the matter, the analyst discovered that the target's
selector was not detasked which resulted in the local length which resulted in the lelector was detasked lelector was detasked lelector was found during the time when the target length in the United States.
(S//REL TO USA, FVEY) an NSA analyst learned that a valid foreign intelligence target had traveled to the United States Although the analyst

<sup>(</sup>b) (1)

<sup>(</sup>b)(3)-P.L. 86-36

#### TOP SECRET//COMINT/TALENT KEYHOLE//NOFORN

detasked the associated e-mail selectors	
	ection or reporting occurred.
iv. (U) Data Handling Errors	(b) (1) (b) (3)-P.L. 86-36
-(S//REL TO USA, FVEY)	NSA analysts unintentionally
forwarded unminimized U.S. in FAA §702	traffic to The
	properly minimized traffic was re-
forwarded the same day.	
b. (U) Section 704	(b) (1) (b) (3)-P.L. 86-36 (b) (3)-50 USC 3024(i)
i. (U) <b>Detasking Delay</b>	
(S//REL TO USA, FVEY) an NSA	A analyst learned that the telephone
selector associated with a valid FAA §704 target	the United States
beginning The analyst	
had detasked	telephone selectors
Non-compliant collection from the pe	riod between
was deleted on and no reports were i	3 3 177 are
c. (U) Section 705b	(b) (1) (b) (3) -P.L. 86-36
i. (U) Database Queries	(D)(3)-F.H. 60-30
(S//REL TO USA, FVEY	NSA analysts
performed database queries on valid FAA §705b selecto	
FAA §702 data. Upon realizing the errors, the analysts	
was no reporting from these incidents.	// / 11 V
ii. (U) Data Handling Errors	(b) (1) (b) (3) -P.L. 86-36 (b) (3) -50 USC 3024(i)
(S//SI//REL TO USA, FVEY)	SIGINT analyst mistakenly posted FAA
	rized for FISA data. The SIGINT
analyst notified his overseers of his mistake.	(b)(3)-P.L. 86-36
(S//SI//REL TO USA, FVEY) Also	a SIGINT analyst discovered that an
· · · · · · · · · · · · · · · · · · ·	A §705b data because
	The
analyst deleted the data	
iii. (U) Detasking Delay	(b) (1) (b) (3) -P.L. 86-30
(S//REL TO USA, FVEY) NSA	analysts discovered that the selectors for
an FAA §705b-authorized target remained tasked after the	
An NSA analyst had deleted the tele	

were deleted	d the inadvertent collection between and no reports were issued.
D. (U) Other	(b) (1)
	(b) (3) -P.L. 86-36
1. (U) Unauthorized Access	
(U// <del>FOUO)</del> it was authorized access to FISA data was expo	discovered that a database developer who was not
dumonized decess to 11571 data was expe	All files
the development server	The developer has to ensure
that files used do not contain FISA data.	(b) (3) -P.L. 86-36
Access to the database tools was not rest	abase tools were found to contain FISA-derived data. ricted, and analysts who were not authorized to access ata. All user accounts have since been validated, and
containing FISA-derived information to a authorized for FISA access. The printed	SA staff officer inadvertently sent a print job request a printer in the officer's former office, a location not document was destroyed by the staff security officer at and the three persons who had viewed the misrouted ents.
Information Facility (SCIF) that is not au error, the staff security officer at the cont	an NSA analyst e-mailed computer screen ta to a contract facility's Sensitive Compartmented athorized for data. Upon discovery of the ractor facility was instructed to delete the files and ters or storage devices at the contractor facility.
The state of the s	SA staff officer e-mailed FISA-derived information to f NSA/CSS personnel not cleared for FISA access.
Upon discovery of the error, the e-mail w	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
were instructed to delete the e-mail.	(b) (1)
2. (U) Data Handling Errors	(b) (3)-P.L. 86-36 (b) (3)-50 USC 3024(i) (b) (3)-P.L. 86-36
file directory that could be accessed by po moved from an authorized database to a r files were accessible to approximately	yst discovered that FAA §702 data was contained in a ersonnel not authorized for FAA data. The data was
(S//REL TO USA, FVEY)	NSA/CSS discovered that
· · · · · · · · · · · · · · · · · · ·	
(b) (1) (b) (3)-P.L. 86-36	(b)(1) (b)(3)-P.L. 86-36
TOP SECRET//COME	NT/TALENT KEYHOLE//NOFORN (b) (3) -18 USC 798 (b) (3) -50 USC 3024(i)

- Allender	The error was discovered during an update to the
The computer c	code has been updated to avoid future errors.
(U/ <del>/FOUO</del> )	NSA analysts discovered that FAA §702 data collected was held in branch computer files that were accessible to analysts no
authorized for FAA data.	In addition, the data files were not properly marked to show that they
contain FAA §702 data. U	Upon discovery, the file permissions were changed to allow access on
to analysts who are author	rized for access to FAA data.
3. (U) Unauthorized D	<b>ata Retention</b> (b) (1) (b) (3) -P.L. 86-36 (b) (3) -P.L. (b) (3) -50 Us
(S//REL TO USA, FVEY)	
retained NSA/CSS Title I	FISA data beyond the one-year retention period without authorization
4 (II) Company (Col	
4. (U) Consensual Col	liection
(U/ <del>/FOUO)</del>	an NSA analyst discovered that a consensual agreement
authorizing the targeting o	1
	ector had remained on tasking. Upon discovery the
analyst detacked the select	tor. Collection was marked for purging from the collection systems,
and no reports were issued	
and no reports were issued (U// <del>FOUO)</del>	NSA analysts discovered that consensual agreements
and no reports were issued  (U// <del>FOUO)</del> authorizing the targeting of	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors
and no reports were issued  (U// <del>FOUO)</del> authorizing the targeting of the had remained on tasking.	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or
and no reports were issued  (U// <del>FOUO)</del> authorizing the targeting of	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to the second se	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data
and no reports were issued  (U//FOUO)  authorizing the targeting of the had remained on tasking. The reporting occurred during to the second s	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of
and no reports were issued  (U//FOUO)  authorizing the targeting or had remained on tasking. reporting occurred during to the second se	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized
and no reports were issued  (U//FOUO)  authorizing the targeting or had remained on tasking. reporting occurred during to the second se	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to the second of the se	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from  No reports were issued.
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to the second of the se	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  Ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when No reports were issued.  NSA analysts discovered that collection on was
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to the second occurred during to the conducted beyond the authorized of the conducted beyond the authorized occurred.	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when No reports were issued.  NSA analysts discovered that collection on was norized technical data provided by the customer. The collection has
and no reports were issued  (U//FOUO)  authorizing the targeting of had remained on tasking. reporting occurred during to the second occurred during to the conducted beyond the authorized of the conducted beyond the authorized occurred.	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  Ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when No reports were issued.  NSA analysts discovered that collection on was
and no reports were issued  (U//FOUO)  authorizing the targeting of the had remained on tasking. The reporting occurred during to the second occurred during to the conducted beyond the authorized of the conducted beyond the authorized occurred.	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection or the violation period.  Ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when No reports were issued.  NSA analysts discovered that collection on was norized technical data provided by the customer. The collection has tem, and no reports were issued.
and no reports were issued  (U//FOUO)  authorizing the targeting of the had remained on tasking. The reporting occurred during to the second occurred during to the targeting occurred during to the collection system of the	NSA analysts discovered that consensual agreements of USPs had expired the previous day and that the associated selectors Upon discovery, the analysts detasked the selectors. No collection of the violation period.  Ollection of Communications Security Monitoring Data  NSA analysts discovered that a change to a customer's list of as not implemented on a back-up collection platform. Unauthorized rieved from the back-up platform from when No reports were issued.  NSA analysts discovered that collection on was norized technical data provided by the customer. The collection has tem, and no reports were issued.

<sup>(</sup>b) (3) -18 USC 798

<sup>(</sup>b) (3) - 50 USC 3024(i)

	COMINT/TALENT KEYHOLE//NOFORN (b) (3) -18 t (b) (3) -50 t
<del>(TS//SI/NF)</del>	
(TS//SI//NF)	H H
(TS//SI//NF)	
` 1	
(TS//SI//NF)	
E. (U) Counterintelligence Act	tivities
(U) Nothing to report.	
	(b) (1) (b) (3) -P.L. 86-
F. (U) Intelligence-Related Act	
	nauthorized telephony collection and prevent violations, gives analysts greater and faster insight into a target's
location.	

When collect	ction occurred, data was purged from NSA/CSS's principal raw
traffic repositories when required	(b) (1)
(S//SI//NF)	P.L. 86
NSA analysts found	e-mail selectors
145A analysis found	this quarter. When collection occurred, it was
purged from NSA/CSS's principa	l raw traffic repositories when required. (b) (3)-P.
database access was not terminate	ons of E.O. 12333 and related directives, in instances, and when access was no longer required. Once identified, the ition, there were instances of unauthorized access to raw and sharing during the quarter.
(TS//SI//REL TO USA, FVEY)	(b) (1)
I. (U) NSA/CSS Office of the	Inspector General (OIG) Intelligence Oversight (IO)
(U/ <del>FOUO)</del> During the fourth quaractivities of NSA/CSS to determine statutes, Executive Orders, Attornational directives. With few exce	rter of CY2010, the OIG reviewed various intelligence he whether they had been conducted in accordance with ey General procedures, and Department of Defense (DoD) and options, the problems uncovered were routine and showed that
(U/ <del>FOUO)</del> During the fourth quarteristics of NSA/CSS to determine statutes, Executive Orders, Attornesinternal directives. With few except operating elements understand the	rter of CY2010, the OIG reviewed various intelligence he whether they had been conducted in accordance with ey General procedures, and Department of Defense (DoD) and options, the problems uncovered were routine and showed that restrictions on NSA/CSS activities.
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(U// <del>FOUO)</del> During the fourth quaractivities of NSA/CSS to determine statutes, Executive Orders, Attornational directives. With few exces operating elements understand the A. (U) NSA/CSS Representation	rter of CY2010, the OIG reviewed various intelligence he whether they had been conducted in accordance with ey General procedures, and Department of Defense (DoD) and options, the problems uncovered were routine and showed that restrictions on NSA/CSS activities.
Inspections, Investigations, a (U// <del>FOUO)</del> During the fourth quaractivities of NSA/CSS to determine statutes, Executive Orders, Attornational directives. With few exce	rter of CY2010, the OIG reviewed various intelligence he whether they had been conducted in accordance with ey General procedures, and Department of Defense (DoD) and options, the problems uncovered were routine and showed that restrictions on NSA/CSS activities.
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#### TOP SECRET//COMINT/TALENT KEYHOLE//NOFORN

C. (U) Congressional and Intelligence Oversight Board Notifications				
(U// <del>FOUO</del> )	NSA/CSS notified the Congressional in	intelligence committees		
that NSA/CSS and				
	have entered into an arrangemen	nt to integrate		
personnel in NSA/CSS space	S			
	The state of the s			
	A copy of the notification is e	enclosed.		
D. (U) Other Notifications	<b>s</b>	(b) (3)-P.L. 86-36		
	ed the Attorney General of consensual a activities for USP hostage cases.	and nonconsensual		
III. (U) Substantive Chan	ges to the NSA/CSS IO Program	(b) (1) (b) (3) -P.L. 86-36		
(U) Nothing to report.				
IV. (U) Changes to NSA/O Intelligence, Counterintel Reason for the Changes	CSS Published Directives or Policies ( lligence, or Intelligence-Related Activi	Concerning ities and the		
(U) Nothing to report.				
V. (U) Procedures Govern Affect USP (DoD Directive IO Programs	ning the Activities of DoD Intelligence e 5240.1-R, Procedure 15) Inquiries or	Components that Matters Related to		
(U) Nothing to report.				

# (U) Intelligence Oversight Quarterly Report Fourth Quarter, Calendar Year 2010

# (U) ACRONYMS AND ORGANIZATIONS

(U) AOR	Area of Responsibility	
(U) CNE	Computer Network Exploitation	
(U) CY	Calendar Year	
(U) DoD	Department of Defense	
(U) E.O.	Executive Order	
(U) FAA	Foreign Intelligence Surveillance Act Amendments Act	
(U) FBI	Federal Bureau of Investigation	
(U) FISA	Foreign Intelligence Surveillance Act	
(U) FISC	Foreign Intelligence Surveillance Court	
(U) GCHQ	Government Communications Headquarters	
(U) IC	Intelligence Community	
(U) IO	Intelligence Oversight	
(U) IP	Internet Protocol	
(U) NSA/CSS	National Security Agency/Central Security Service	
(U)		
(U) OIG	Office of the Inspector General	
(U) SCIF	Sensitive Compartmented Information Facility	
(U) SIGINT	Signals Intelligence	
(U) //		
(U) USP	U.S. person	
(b) (3)-P.L. 86	-36	
(D) (S) E.H. 00	, 30	