



DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

April 7, 2023

Ms. Catherine McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W. Suite 300
Washington, D.C. 20310-0101

Dear Ms. McMullen:

This letter responds to your office's request for additional information for Whistleblower Investigation Concerning Office of Special Counsel Referral DI-17-2168, Department of the Army, 1st Personnel Command, Washington-Moscow Direct Communications Link, Detrick Earth Station, Fort Detrick, Maryland. In an email dated December 1, 2022, the Office of Special Counsel (OSC) requested that the Army provide additional information regarding allegations of wrongdoing in the above OSC case. Specifically, OSC requested the Army provide responses to three additional issues. OSC's specific request for information (RFIs), are listed immediately below and the information provided by the command is addressed in subsequent paragraphs:

- a. The supplemental report of February 28, 2022 notes that the Strategic Vulnerability Assessment (SVA) was completed. However, Mr. [REDACTED] advised that he was informed by agency officials onsite that the SVA was scheduled for the end of April 2022. Please confirm the status of the SVA.
- b. The supplemental report of February 28, 2022 states that the computers connected to the Russian Federation in the Gateway Telecommunications Center (GTC) were installed in accordance with the guidance of the Committee on National Security Systems Advisory Memorandum (CNSSAM) TEMPEST/01-13, RED/Black Installation Guidance. Please confirm that CNSSAM addresses the Russian connected computers in GTC.
- c. Please provide an update on RFI paragraph e, specifically the status of the Army Information Systems Engineer Command documentation of the Risk Management Framework and whether DISA has accepted responsibility for the modernized DCL system.

In an email dated, March 17, 2023, I provided an attachment from the unit responsible for the investigation responsive to your office's request for additional information.

Michael Black
Attorney Advisor



DEPARTMENT OF THE ARMY
NETWORK ENTERPRISE TECHNOLOGY COMMAND
2133 CUSHING STREET
FORT HUACHUCA, ARIZONA 85613-7000

NETC-CS

27 February 2023

MEMORANDUM FOR Office of the Army General Counsel, 104 Army Pentagon,
Washington, DC 20310-0104

SUBJECT: Supplemental Response to Office of Special Counsel (OSC) Request for
Information (RFI) dated 1 December 2022

1. This memo contains NETCOM's response to your request that NETCOM address three RFIs from OSC related to a previous supplemental response, dated 28 February 2022. To answer these RFIs, NETCOM sought information from the Defense Information Systems Agency (DISA). DISA is the system owner with responsibility over the subject matter for the RFIs, the Detrick Earth Station (DES) Direct Communication Link (DCL).

2. Because DISA is the system owner, DISA is the entity best able to answer questions both about technical specifications and Risk-Management Framework (RMF) for the DES DCL. Inquiries about the DES DCL can be addressed to the office that provided the responses below to NETCOM using the following points of contact:

a. Derek Rose, Acting Chief, Senior National Leaders Communications Office,
Defense Information Systems Agency (DISA), Desk: [REDACTED], Mobile: [REDACTED]
[REDACTED], NIPR: [REDACTED]

b. Richard E. Grove, General Attorney, DISA, Phone: [REDACTED], NIPR:
[REDACTED]

3. DISA provided the information below to NETCOM in response to the RFIs:

RFI #1: The supplemental report of 28 February 2022 notes that the Strategic Vulnerability Assessment (SVA) was completed. However, Mr. Thrasher advised that he was informed by agency officials onsite that the SVA was scheduled for the end of April 2022. Please confirm the status of the SVA (RFI paragraph e in the 28 February Supplemental Report).

Response to RFI #1: An NSA assessment for Detrick Earth Station (DES) Direct Communication Link (DCL) occurred in July 2021 with no significant findings.¹ There

¹ This assessment was referred to as an "Security Vulnerability Assessment (SVA)" in a previous response to OSC, but DISA calls this an NSA assessment because NSA conducted the assessment. This assessment is associated with NSA ticket # CSRP-200117-381, dated 10 Jan 2020.

NETC-CS

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was no SVA conducted in April 2022. In addition to the NSA's assessment, the 2020 whistleblower investigation highlighted the need for a comprehensive Risk Management Framework (RMF) assessment by DISA which is scheduled for CY 2023. Along those lines, DCL is progressing through the RMF assessment. DISA completed a tech refresh of DCL CONUS sites in Dec 2022, including the DES DCL. An Interim Authorization to Test (IATT) with no connection was approved by RME in Dec 2022. DISA is submitting a request for IATT with requested approval date by 3 Mar 2023. DISA plans to continue working with RME to receive an Authorization to Operate and Connect (ATO-C) by Aug 2023. The Authorizing Official (AO) will determine if there are any additional assessments that will need to be completed before issuing an ATO.

RFI #2: The supplemental report of 28 February 2022 states that the computers connected to the Russian Federation in the Gateway Telecommunications Center (GTC) were installed in accordance with the guidance of the Committee on National Security Systems Advisory Memorandum (CNSSAM) TEMPEST/01-13, RED/Black Installation Guidance. Please confirm that CNSSAM addresses the Russian connected computers in GTC.

Response to RFI #2: DISA follows RMF NIST-800-53 Version 4 for hardening of the system. CNSSAM is one of the derived requirements for the RMF. Army ISEC designed and installed DCL equipment in accordance with RMF requirements. The DISA Authorizing Official (AO) office is reviewing design documents and will conduct site inspections to document compliance.

RFI #3: Please provide an update on RFI paragraph e, specifically the status of the Army Information Systems Engineer Command (ISEC) documentation of the RMF and whether DISA has accepted responsibility for the modernized DCL system.

Response to RFI #3: DISA has received RMF documentation from Army ISEC. DISA is in the process of assessing all applicable RMF controls compliance in order to issue an Authorization to Operate (ATO).

4. Point of contact for this opinion is [REDACTED] at 520-533-5584 or by email at [REDACTED].

Encl
28 February 2022 Supplemental Report


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JENNIFER J. COLVIN
COL, GS
Chief of Staff