

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE CLOSING REPORT

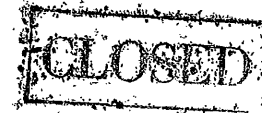
TITLE: Unauthorized Disclosure of Information

CASE NUMBER: 06-117

DATE OF REPORT: July 30, 2009

SUMMARY REPORT: 1

REPORT PREPARED BY: [REDACTED]



BACKGROUND:

An initial complaint was received from Systems Operations, CNOC, regarding sensitive Amtrak information on train movement being posted on railfan websites. The investigation revealed that an individual by the name of [REDACTED] operates a Yahoo group web site All_Aboard (AA). [REDACTED] has posted information that appears to have come directly out of Amtrak's Administrative Report (A-Report), Western Status Report, Eastern Status Report, Amtrak Flash Reports, Employee Advisories, Operations Service Advisories, Equipment Maintenance Alerts, Rules Alerts, and information contained in Arrow. Additionally, a recording of the Mid-Atlantic evening conference call was posted on a web site.

SUMMARY OF INVESTIGATION:

The investigation revealed that in late 2004 and 2005, one employee, [REDACTED] Chicago, regularly sent [REDACTED] the Western Status Report (part of the A-Report). [REDACTED] also gave his user ID and password to [REDACTED] allowing [REDACTED] access to Amtrak's Outlook system. In addition, [REDACTED] stated that he gave [REDACTED] a report called "Administration's Amtrak Plan" that had come from [REDACTED], Amtrak's Government Affairs Officer in [REDACTED]. [REDACTED] claimed to have cut [REDACTED] off from inside information in April of 2005, when [REDACTED] got upset about [REDACTED] posting from the report and learned that [REDACTED] had supplied the document. [REDACTED] admitted that he knew of the Computer Security Policy that says that "passwords must not be shared or disclosed" and stated that he violated that policy. A management referral was sent to [REDACTED]'s supervisor, [REDACTED]. [REDACTED] advised that a letter of counseling was placed in [REDACTED]'s personnel file.

[REDACTED] continued to post inside information on web sites. A subpoena was issued to Access Port, [REDACTED]'s Internet service provider and information was provided. Additional subpoenas were sent out to obtain subscriber information for people in contact with [REDACTED]. Interviews were conducted of Amtrak employees that maintained contact with [REDACTED]. Additionally, interviews were conducted of Amtrak employees that were sharing Amtrak information with other railfans.

█████ was contacted by Special Agent ██████ of OIG. ██████ declined to say who his sources of information were inside Amtrak. ██████ did admit to having an e-mail relationship with ██████. ██████ stated that ██████ sent him copies of reports and in the past had given him his (█████'s) password so ██████ could access ██████'s Amtrak Outlook account to obtain Amtrak reports. ██████ advised that he had access to ██████'s e-mail but did not have access to Amtrak's Intranet or computer systems.

Amtrak's outside intellectual property counsel sent ██████ a cease and desist letter advising him that his unauthorized posting and display of Amtrak trade secrets and confidential information and documentation on the Internet constitutes a legal action for misappropriation of trade secrets. Additionally, steps were taken to restrict access to sensitive Amtrak information. ██████ has not made any unauthorized disclosures of Amtrak information in at least a year.

RECOMMENDATIONS:

In view of the fact that ██████ has ceased posting sensitive Amtrak information, it is recommended this case be closed.

Director, Special Investigations/
Deputy Counsel's Signature: _____

Deputy Inspector General/
Counsel's Signature: _____

CLOSED