

US reaches plea deal with NSA spy whistleblower

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An ex-senior official in the top secret US National Security Agency will plead guilty to exceeding authorized use of a computer in a classified information leak case, court papers showed Thursday.

Thomas Drake, 54, had been accused of leaking classified information to a newspaper reporter and was charged with illegally retaining classified information, obstructing justice and making false statements.

He could have faced up to 35 years behind bars, but under the plea deal, Drake will instead plead guilty to a misdemeanor charge of misusing a government computer to share data with someone without authorization.

The bargain came just days before he had been due to go on trial Monday in the US District Court in Baltimore, Maryland on 10 felony counts, all of which will now be dropped.

In addition, Drake will no longer stand accused of mishandling classified information, will pay no fine and will avoid jail time, according to The Washington Post.

The Post said he would formally appear before US District Court Judge Richard Bennett early Friday to formally enter the plea.

The plea documents said Drake "intentionally accessed" the NSA's internal intranet NSANet from about February 2006 to March 2007.

He then "obtained official NSA information, and provided said information orally and in writing to another person not permitted or authorized to receive the same."

In doing so, Drake "knew that he exceeded his authorized use of NSANet each time he accessed" it, the papers added.

The plea deal came after prosecutors told a US district judge they would withhold some documents they had planned to introduce as evidence out of concern that releasing them would disclose sensitive technology information.

A high-ranking employee at the NSA between 2001 and 2008, Drake is alleged to have provided information to a reporter for a series of articles published between February 2006 and November 2007 about the NSA and its activities.

The information concerned the Signals Intelligence programs (SIGINT), which are used in the capturing and processing of foreign communications.

While the indictment did not identify the reporter, she is believed to be Siobhan Gorman, who now works for The Wall Street Journal.

According to the indictment, Drake left the agency's Fort Meade, Maryland headquarters in 2006 to work at the National Defense University in Washington but remained an NSA employee.

His security clearance was suspended in November 2007 and he resigned from the NSA in April 2008.

Using Hushmail, a secure email service, Drake allegedly exchanged hundreds of emails with "Reporter A," and they met on six occasions in

the Washington area, according to the indictment.

He used the email service to transmit both classified and unclassified documents never intended to be made public and then allegedly shredded them and lied to federal agents about his conduct, according to prosecutors.

The government had charged Drake using the 1917 Espionage Act, which makes it a crime to hold classified material without authorization, but President Barack Obama's administration abandoned those efforts last year.

Drake said he had maintained several files with unclassified information to back a complaint he had pursued with others that the NSA was wasting public funds on inefficient surveillance technology that had little effect, even though cheaper options were available.

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