

DEPARTMENT OF THE NAVY BUREAU OF MEDICINE AND SURGERY 7700 ARLINGTON BOULEVARD FALLS CHURCH, VA 22042

IN REPLY REFER TO BUMEDINST 5510.9 BUMED-M45 19 Jun 2015

BUMED INSTRUCTION 5510.9

From: Chief, Bureau of Medicine and Surgery

Subj: BUREAU OF MEDICINE AND SURGERY INSIDER THREAT PROGRAM

Ref: (a) Executive Order 13587

(b) DoD Directive 5205.16 of 30 Sep 2014

(c) SECNAVINST 5510.37

(d) SECNAVINST 5510.30B

(e) DoD Instruction 2000.16 of 2 Oct 2006

(f) OPNAVINST 3300.53C

(g) Naval Facilities Engineering Service Center User's Guide (UG-2040-SHR) July 2000

(h) BUMEDINST 3300.1A

(i) SECNAV M-5510.30 of June 2006

Encl: (1) Definitions and Acronyms

- (2) U.S. Department of Justice, Insider Threat
- (3) Asymmetric Warfare Group: Insider Threats in Partnering Environments
- 1. <u>Purpose</u>. To establish the Bureau of Medicine and Surgery (BUMED) Insider Threat Program (ITP) per references (a) through (i), publish policy, assign responsibilities, and institute the Navy Insider Threat Working Groups. Reference (g) is available at: http://www.navfac.navy.mil/content/dam/navfac/Specialty%20Centers/Engineering%20and%20Expeditionary%20Warfare%20Center/DoD_Lock_Program/PDFs/UG-2040-SHR.pdf
- 2. Scope and Applicability. This is a new instruction and shall be read in its entirety. This instruction applies to all BUMED commanded activities and is applicable to all appropriate BUMED departments, antiterrorism/force protection (AT/FP), counterintelligence (CI), information assurance (IA), law enforcement personnel security, and other authorities and processes that impact or influence insider threat deterrence, detection, and mitigation capabilities.
- 3. <u>Background</u>. Per references (a) through (d), all agencies are to establish, implement, monitor, and report on the effectiveness of insider threats to protect classified national security information; and require the development of a program to deter, detect, and mitigate insider threats. Unauthorized disclosures of classified information have caused significant damage to national security, and violent acts have resulted in loss of life and damage to operational resources. Reference (c) defines the Deputy Undersecretary of the Navy for Policy as the Department of the Navy ITP lead. Enclosure (1) defines acronyms found throughout this instruction.

- 4. <u>Insider Threat Definition</u>. Per reference (b), an insider threat is a person with authorized access, who uses that access wittingly or unwittingly to harm national security interests of national security through unauthorized disclosure, data modification, espionage terrorism, or kinetic actions resulting in loss of degradation off resources or capabilities. The term kinetic can include, but is not limited to, the threat of harm from sabotage or workplace violence.
- 5. <u>Policy</u>. BUMED shall establish an integrated set of policies, programs, and procedures to detect, deter, and mitigate insider threats before damage is done to national security or Navy personnel, resources, and/or capabilities. These policies shall leverage existing Federal laws, statutes, authorities, policies, programs, systems, architecture, and resources to counter the threat of those insiders who may use their authorized access to compromise classified information. These policies shall employ risk management principles, tailored to meet the distinct needs, mission, and systems of individual agencies, and shall include appropriate protection for privacy, civil rights, and civil liberties.

6. Responsibilities

- a. BUMED shall provide oversight and guidance to all BUMED commanded activities through the BUMED Antiterrorism Executive Committee (ATEC). The ATEC will provide senior leadership recommendations, prioritization, planning, programming, information sharing, and policy. The ATEC shall:
 - (1) Incorporate the Navy ITP to the ATEC charter.
- (2) Exercise oversight, management, and review of all BUMED subordinate commands Navy ITP plans and programs.
- (3) Disseminate any pertinent insider threat information and/or training to the regional antiterrorism officers. Implement required training on the U.S. Department of Defense Center for Development of Security Excellence for Insider Threat Awareness training, http://cdsetrain.dtic.mil/itawareness/.
- (4) Per references (a) through (d), ensure corresponding programs are current and executable. At a minimum, the following programs will be included in Budget Submitting Office 18's Insider Threat Program:
 - (a) Antiterrorism/Force Protection Program.
 - (b) Personnel Security Program.
 - (c) Personnel Security Program/Industrial Security Programs.
 - (d) Navy Key and Lock Program.
 - (e) Counterterrorism Program/Annual Training.
 - (f) Access Control Program.

- b. BUMED Deputy Chief, Total Force (BUMED-M1) shall ensure that insider threat information is included in all of the enterprises personnel accession screenings, personnel records, and appropriate education and training venues.
- c. BUMED Deputy Chief, Information Management/Information Technology/Chief Information Officer (BUMED-M6) shall ensure all cyber and information systems requirements are in compliance with higher headquarters requirements and that annual user training is in place and being completed. Ensure all information systems have the proper protocols in place to mitigate an insider threat from occurring. In addition comply with references (a) through (d).
- d. Per references (b) through (d), BUMED Deputy Chief, Installations and Logistics (BUMED-M4) shall coordinate with Staff Judge Advocate (BUMED-M00J) to ensure input to and oversight of the Navy ITP is protecting and safeguarding all legal, civil, and privacy rights of Budget Submitting Office 18 personnel.
- e. BUMED Medical Inspector General incorporates Insider Threat Program inspection line items to the existing AT/FP inspection tool for inspection of this program.
- f. Navy Medicine regional commanders, commanding officers of medical centers and naval hospitals, officers in charge of all other medical treatment facilities (MTFs), labs, and facilities to include, BUMED Detachment Jacksonville (BUMED-M47) shall meet the requirements of this instruction and ensure the tasking of:
- (1) Regularly reviewing regional AT/FP, physical security and cyber security instructions, training, and policy to ensure consistency with preventing insider threats.
- (2) Developing an insider threat instruction which delineates specific responsibilities to subordinate commands.
- (3) Ensuring procedure and controls are in place for reporting identified insider threats and indicators through the chain of command.
- (4) Ensuring regional and command security managers comply with applicable instructions.
- (5) Ensuring all insider threat information and/or training is provided to subordinate commands. Leverage all government insider threat information and conduct counterterrorism training annually in conjunction with regional security managers and command information security officers. Enclosures (2) and (3) are examples of sources of training for the command staff.
- (6) Implementing insider threat training using the U.S. Department of Defense Center for Development of Security Excellence for Insider Threat Awareness training, http://cdsetrain.dtic.mil/itawareness/.

- (7) Establishing a Navy insider threat working group. Incorporation of the Navy ITP into an existing Force Protection Board or Antiterrorism Working Group that meets at a minimum semi-annually is acceptable.
- (8) Ensure all Regional Information Systems Officer and command level information security officers comply with this instruction and references (a) through (d).
- (9) Regional manpower offices and command manpower offices will ensure insider threat information is included in all of the enterprises personnel accession screenings, personnel records, and appropriate education and training venues. In addition, comply with references (a) through (d).
- (10) Develop guidance for all subordinate commands within their specific area of responsibility.
 - (11) Ensure compliance with paragraph 6d of this instruction.
- (12) Ensure all BUMED commanded activities have established a policy to review all program specific software/programs that non-U.S. citizens have access to. This review shall occur, at a minimum, annually. Frequent spot checks to ensure the integrity of non-critical sensitive information are highly recommended.
- (13) Enclosures (2) and (3) should be used in the development of ITP as well as developing training programs.
- 7. <u>Records</u>. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV M-5210.1 of January 2012.
- 8. <u>Reports</u>. The reports required in paragraph 6f(3) are exempt from reports control per SECNAV M-5214.1 of December 2005, part IV, paragraph 7c.

P. B. COE

Acting

Distribution is electronic only via the Navy Medicine Web site at: http://www.med.navy.mil/directives/Pages/default.aspx

DEFINITIONS/ACRONYMS

ATEC - Antiterrorism Executive Committee

AT/FP - Antiterrorism/Force Protection. Defensive measures used to reduce the vulnerability of individuals and property to terrorist acts, to include rapid containment by local military and civilian forces. Preventive measures taken to mitigate hostile actions against Department of Defense personnel (to include family members), resources, facilities, and critical information.

Antiterrorism Officers. A position whose responsibility is to enact and manage the AT/FP program.

BUMED - Bureau of Medicine and Surgery

CI - Counterintelligence. Information gathered and activities conducted to identify, deceive, exploit, disrupt, or protect against espionage, other intelligence activities, sabotage, or assassinations conducted for or on behalf of foreign powers, organizations or persons or their agents, or international terrorist organizations or activities.

IA - Information Assurance. Actions that protect and defend information systems by ensuring availability, integrity, authentication, confidentiality, and nonrepudiation.

ITP - Insider Threat Program

LE - Law Enforcement

MEDIG - Medical Inspector General

RISO - Regional Information Systems Officer

U.S. DEPARTMENT OF JUSTICE, INSIDER THREAT

RECENT INSIDER THEFT CASES

ichael Mitchell, a sales clerk and engineer, became disgruntled and was fired from his job based on poor performance. Mitchell signed statements affirming he had returned all proprietary information to his employer and was reminded of nondisclosure policies. However, Mitchell kept numerous computer files, entered into a consulting agreement with a rival Korean company, and provided trade secrets from his former employer to that company. In March 2010, he was sentenced to 18 months in prison and ordered to pay his previous employer over \$187,000.

halin Jhaveri, a technical operations associate, gave trade secrets to a person he believed was an investor willing to finance a business venture in India, and confirmed to the investor

that the information he had taken from his employer was everything he needed to start the business. He confessed that he disguised his actions to evade detection. In January 2011, he was sentenced to time served (one year and fifteen days), three years probation, a \$5,000 fine, and a \$100 Special Assessment.

avid Yen Lee accepted a job on 27 February 2009 from a business competitor in China, but did not resign from his current employer until 16 March 2009. Lee admitted to downloading trade secrets from his employer's secured computer system for several months prior to his resignation. The stolen trade secrets were worth between \$7 million and \$20 million. In December 2010, Lee was sentenced to 15 months in prison and three years supervised release.

ergey Aleynikov, a computer programmer, worked for a company on Wall Street from May 2007 until June 2009. During his last few days at that company, he downloaded, and transferred 32 megabytes of proprietary

computer codes— a theft that could have cost his

employer millions of dollars. He hoped to use the computer codes at his new Chicago-based employer. He attempted to hide his activities, but the company discovered irregularities through its routine network monitoring systems. In December 2010, Aleynikov was found guilty of theft of trade secrets and transportation of stolen property in foreign commerce.



government. Chung's motive was to "contribute to the Motherland." He was an engineer that stole hundreds of thousands of documents. He traveled to China under the guise of giving lectures while secretly meeting with Chinese government officials and agents. He was also encouraged to use Chi Mak (see below) to transfer information back to China. Chung was arrested in February 2008 and in February 2010 he was sentenced to over 15 years in prison.

hi Mak admitted that he was sent to the United States in 1978 in order to obtain employment in the defense industry with the goal of stealing US defense secrets, which he did for 20 plus years. He most recently passed information on quiet electric propulsion systems for the next generation of US submarines, details on the Aegis radar system, and information on stealth ships being developed by the US Navy. The Chinese government tasked Mak to acquire information on other specific technologies. Mak recruited family members to encrypt and covertly courier information back to China. In May 2007, Chi Mak was convicted of conspiracy, attempting to violate export control laws, failing to register as an agent of a foreign government, and making false statements to investigators. He was sentenced to over 24 years in prison, and four members of his family received varying sentences of up to 10 years in prison.

For additional information, training, or assistance, contact the FBI. www.fbi.gov



BUMEDINST 5510.9 19 Jun 2015

PROTECT YOUR INTELLECTUAL PROPERTY



Theft of intellectual property is an increasing threat to organizations, and can go unnoticed for months or even years.

There are increased incidents of employees taking proprietary information when they believe they will be, or are, searching for a new job.

Congress has continually expanded and strengthened criminal laws for violations of intellectual property rights to protect innovation and ensure that egregious or persistent intellectual property violations do not merely become a standard cost of doing business.

A domestic or foreign business competitor or foreign government intent on illegally acquiring a company's proprietary information and trade secrets may wish to place a spy into a company in order to gain access to non-public information. Alternatively, they may try to recruit an existing employee to do the same thing.

PERSONAL FACTORS



There are a variety of motives or personal situations that may increase the likelihood someone will spy against their employer:

Greed or Financial Need: A belief that money can fix anything. Excessive debt or overwhelming expenses.

Anger/Revenge: Disgruntlement to the point of wanting to retaliate against the organization.

Problems at work: A lack of recognition, disagreements with co-workers or managers, dissatisfaction with the job, a pending layoff.

Ideology/Identification: A desire to help the "underdog" or a particular cause

Divided Loyalty: Allegiance to another person or company, or to a country besides the United States.

Adventure/Thrill: Want to add excitement to their life, intrigued by the clandestine activity, "James Bond Wannabe."

Vulnerability to blackmail: Extra-marital affairs, gambling, fraud.

Ego/Self-image: An "above the rules" attitude, or desire to repair wounds to their self-esteem. Vulnerability to flattery or the promise of a better job. Often coupled with Anger/Revenge or Adventure/ Thrill

Ingratiation: A desire to please or win the approval of someone who could benefit from insider information with the expectation of returned favors.

Compulsive and destructive behavior: Drug or alcohol abuse, or other addictive behaviors.

Family problems: Marital conflicts or separation from loved ones

ORGANIZATIONAL FACTORS



Organizational situations may increase the ease for thievery:

The availability and ease of acquiring proprietary, classified, or other protected materials. Providing access privileges to those who do not need it.

Proprietary or classified information is not labeled as such, or is incorrectly labeled.

The ease that someone may exit the facility (or network system) with proprietary, classified or other protected materials.

Undefined policies regarding working from home on projects of a sensitive or proprietary nature.

The perception that security is lax and the consequences for theft are minimal or non-existent.

Time pressure: Employees who are rushed may inadequately secure proprietary or protected materials, or not fully consider the consequences of their actions.

Employees are not trained on how to properly protect proprietary information.



BEHAVIORAL INDICATORS



Some behaviors may be a clue that an employee is spying and/ or methodically stealing from the organization:

Without need or authorization, takes proprietary or other material home via documents, thumb drives, computer disks, or e-mail.

Inappropriately seeks or obtains proprietary or classified information on subjects not related to their work duties

Interest in matters outside the scope of their duties, particularly those of interest to foreign entities or business competitors.

Unnecessarily copies material, especially if it is proprietary or classified.

Remotely accesses the computer network while on vacation, sick leave, or at other odd times.

Disregards company computer policies on installing personal software or hardware, accessing restricted websites, conducting unauthorized searches, or downloading confidential information.

Works odd hours without authorization; notable enthusiasm for overtime work, weekend work, or unusual schedules when clandestine activities could be more easily conducted.

Unreported foreign contacts (particularly with foreign government officials or intelligence officials) or unreported overseas travel.

Short trips to foreign countries for unexplained or strange reasons.

Unexplained affluence; buys things that they cannot afford on their household income.

Engages in suspicious personal contacts, such as with competitors, business partners or other unauthorized individuals.

Overwhelmed by life crises or career disappointments. Shows unusual interest in the personal lives of coworkers; asks inappropriate questions regarding finances or relationships.

Concern that they are being investigated; leaves traps to detect searches of their work area or home; searches for listening devices or cameras

Many people experience or exhibit some or all of the above to varying degrees; however, most people will not cross the line and commit a crime.

YOU CAN MAKE A DIFFERENCE

Organizations need to do their part to deter intellectual property theft:

- Educate and regularly train employees on security or other protocols.
- Ensure that proprietary information is adequately, if not robustly, protected.
- Use appropriate screening processes to select new employees.
- Provide non-threatening, convenient ways for employees to report suspicions.
- Routinely monitor computer networks for suspicious activity.
- Ensure security (to include computer network security) personnel have the tools they need.

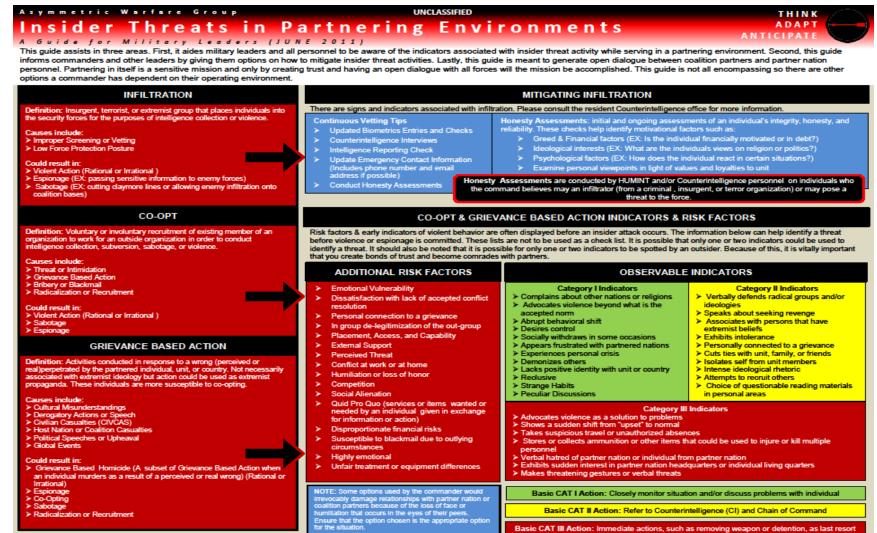
Remind employees that reporting security concerns is vital to protecting your company's intellectual property, its reputation, its financial well-being, and its future. They are protecting their own jobs. Remind them that if they see something, to say something.

GET ASSISTANCE

Being aware of potential issues, exercising good judgment, and conducting discrete inquiries will help you ascertain if there is a spy in your midst. However, if you believe one of your employees is a spy or is stealing company trade secrets, do not alert the person to the fact that he/she is under suspicion, but seek assistance from trained counterintelligence experts-such as the FBI. The FBI has the tools and experience to identify and mitigate such threats. If asked to investigate, the FBI will minimize the disruption to your business, and safeguard your privacy and your data. Where necessary, the FBI will seek protective orders to preserve trade secrets and business confidentiality. The FBI is committed to maintaining the confidentiality and competitive position of US companies. The FBI will also provide security and counterintelligence training or awareness seminars for you and your employees upon request.

Enclosure (2)

ASYMMETRIC WARFARE GROUP: INSIDER THREATS IN PARTNERING ENVIRONMENTS



nsider Threats in Partnering Environments A Guide for Military Leaders (JUNE 2011) UNCLASSIFIED **CULTURAL AWARENESS** HINTS FOR SUCCESS PREVENTIVE ACTIONS > Conduct random sweeps of installation to identify unauthorized personnel (Insider Threat Surge / Clean Sweep > Rapport > DO NOT use derogatory terms in any Operations) language (even in friendly conversation) Establish a baseline attitude and demeanor for Develop workforce standards that mitigate risk, including additional security requirements, disciplinary DO NOT slander host nation or coalition individuals procedures, and grievance resolution partners (even if only jokingly) Show that you are a fellow soldier by your actions Develop training for reporting suspicious behavior DO NOT physically harm host nation or and speech Educate partners on how to identify observable indicators and assist in developing mechanisms to allow coalition partners (except in self defense) Treat individuals with respect reporting internally and to other coalition partners DO NOT put down or slander any religion Access control procedures and compartmentalization of critical information, activities, and physical areas ALWAYS be courteous and thankful for host Enroll all personnel into biometrics entering nation and coalition partner hospitality Educate soldiers regarding the cultural differences by allowing the host nation to give cultural courses Establish confidential reporting procedures for threat indicators ALWAYS attempt to understand cultural Secure mobile phones at entry control points or at sensitivities of partnered nation personnel Use organic assets to collect information where there is a lack of Counterintelligence (CI) support (Every designated areas (where possible and as mission ALWAYS ensure our partners know that we Soldier is a Sensor) requires) are providing security to their nation together > REPORT ALL SUSPICIOUS ACTIVITY Identify key personnel within the command structure that will carry weapons that are loaded at all times as one team Develop roving guards that randomly check for loaded weapon's of all installation personnel (US and Partner) ACCESS CONTROL MATRIX INDICATOR DECISION CHART The indicator decision chart is a guide for leaders to use if faced with an insider threat situation. This chart might not Criteria Recommended Actions be applicable in all situations; consult counterintelligence if there are any questions. NOTE: Use this chart in conjunction with terms listed below. > Successfully completes a force protection (FP) screening POTENTIAL Restricted Access / Can be No connections to any insurgent, terrorist, or extremist group and/or personalities unescorted YES: No Further Action No reporting showing derogatory information No large debts identified (more than \$100 USD) **Baseline for Access Control** Has a requirement for such access NO: Refer case to first line nterintelligence officia > Previous violations of installation policies / rules MODERATE Restricted Access / Must be > Has not been screened by FP personnel escorted Suspected of corruption or illegal activity Uncorroborated or one-time reporting > Family members identified as supporting illegal groups Failed vetting criteria used for maintaining or requesting > Recommend firing & HIGH > Theft or smuggling items on/off installation ➤ Efforts to access sensitive operational information Biometrics Watchlist Must have an active shooter > Voices support or approval of insurgent, terrorist, or addition plan in place prior to event to extremist groups Pass RFI dossier to host. mitigate casualties > Family members actively participating in illegal groups nation and coalition forces > Selling / distributing drugs to installation personnel authority ADDITIONAL INSIDER THREAT TERMS Temporary Removal EXTREME Foreign intelligence agent or acknowledgement of foreign Immediate removal, > Threat Indicator: any observable action that displays violent behavior, abnormal disgruntlement, gence agent connections **Biometrics Watchlist** radicalization, or an extreme world view on religion or another type of ideology. Latent fingerprints found on an object related to illegal addition Passive: someone who is aware of insider activity or threat but whose inactivity allows the action to continue Possible Detention groups Active: willing to provide information or perform actions; may be violent or non-violent Communicating information to third parties Pass REL dossier to host Reporting corroborated through intelligence Violent: active insiders who use force; they may act rationally or irrationally nation and coalition forces authority Rational: well thought out, violent course of action; possibly resulting in avoidance of capture Irrational: Unplanned, emotional, and could involve collateral damage Non-Violent: active insiders who are willing to provide information (espionage) or conduct subversion, ADDITIONAL REFERENCES sabotage, and will conceal their actions Army Counterintelligence Center: http://acic.north-inscom.army.smil.mil/ho01.aso Radicalization: the process by which an individual, group, or mass of people undergoes a transformation from participating in the political process via a legal means to the use, or support of, violence for political 902d MI Group Insider Threat: http://acicportal.north-inscom.army.smil.mil/cira/default.aspx Afghanistan Insider Threat: http://www.afghan.centcom.smil.mil/intel/cj2x/ciit/default.aspx Violent Extremist: individuals who openly express their religious, political, or ideological views through Iraq Insider Threat: http://cj2.s-iraq.centcom.smil.mil/CJ2X/Pages/default.aspx violence or a call for violence USAREUR Threat Awareness and Reporting System (TARP): Mimicking: a tactic used by the threat to gain access to personnel or facilities, normally off limits, by http://intel.eur.aep.army.smil.mil/Ops/G2X/CI/saeda/default.aspx impersonating official personnel or soldiers (not addressed on this TRG)

2 Enclosure (3)