



DEPARTMENT OF VETERANS AFFAIRS  
**OFFICE OF INSPECTOR GENERAL**

*Office of Special Reviews*

BOARD OF VETERANS' APPEALS

Alleged Unauthorized  
Access of a VA Senior  
Executive's Email Not  
Substantiated

ADMINISTRATIVE  
INVESTIGATION

REPORT #20-01460-202

AUGUST 2, 2022



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## Investigative Results

The VA Office of Inspector General (OIG) investigated an allegation that an attorney (attorney) at the Board of Veterans' Appeals (BVA) may have accessed a BVA senior executive's (executive) government email account without permission, including email concerning a personnel matter involving the attorney. The complaint further alleged that the attorney should have known that access to the materials in the executive's email account was not authorized.

The allegations were not substantiated and the attorney has since left VA employment.

VA employees are individually assigned government-owned Microsoft Exchange electronic mailboxes, which are accessed primarily via the Microsoft Outlook (Outlook) application. The mailboxes also have calendar, contacts, notes, and task functions. VA employees are able to grant other VA personnel access to all or parts of their individual mailbox in two ways: They can seek assistance from the VA Office of Information and Technology (OIT) to assign access rights, or they can use the delegate access features of Outlook to grant that access directly, without assistance from OIT.

Investigators confirmed that the executive's Microsoft Exchange mailbox settings were configured such that the attorney had access to the executive's inbox and some of its subfolders, including the ability to view and create email messages. The attorney also had access to the executive's calendar, including the ability to view and create appointments.

The executive informed OIG investigators that they gave the attorney access privileges only to their Outlook calendar. The executive stated that they did this without requesting assistance from OIT. The executive told OIG investigators that they did not grant anyone, including the attorney, access to their VA email. A log generated by OIT showed that two other individuals also had been granted access privileges to the executive's inbox. These individuals included a former assistant at VA and an OIT support technician. The executive told OIG investigators that they had not authorized this and that OIT could not explain to them at that time how (or from whom) these individuals were granted access privileges.<sup>1</sup>

The attorney told OIG investigators that they did not know they had the ability to access the executive's inbox folders and that they had never accessed them. Records available from OIT were insufficient to determine how or when the executive's mailbox settings were modified to provide the attorney access privileges. A system audit log generated on January 30, 2020, by OIT confirmed that no changes had been made to the executive's mailbox in the preceding 90 days, which means that the attorney's access privileges (and those of the other two individuals) had been established at some time prior to November 30, 2019.<sup>2</sup> An OIG analysis of OIT service

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<sup>1</sup> After consultation with the executive, on or about January 16, 2020, OIT removed the unauthorized access privileges of all three individuals.

<sup>2</sup> Audit logs capture changes made to mailbox settings, among other events, and are maintained for 90 days.

tickets from the start of the attorney's VA employment through the date of OIT's removal of the access privileges revealed no records of any requests to modify permissions to the executive's email inbox or folders submitted to OIT during that period.<sup>3</sup>

After considering the extensive evidence collected, including analyses of audit logs, mailbox content, testimonial evidence, OIT service tickets, and a forensic analysis of the attorney's government-furnished laptop, the OIG did not substantiate the allegation that the attorney ever accessed the executive's email or that the attorney was aware that such access rights had been assigned to them. Moreover, the OIG team could not dismiss the possibility that the attorney's unauthorized access privileges were the result of an error made by either OIT staff or the executive.<sup>4</sup> Based on these findings, the OIG makes no recommendations.



R. JAMES MITCHELL  
Acting Assistant Inspector General  
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<sup>3</sup> Requests made to the enterprise service desk are documented in OIT's service management tool. VA employees may also request OIT assistance through less formal means, such as email, instant messaging, or other direct contact with local OIT personnel. Requests made through these channels, however, are not always documented. In certain instances, VA OIT can change the settings of an Outlook account without the owner's knowledge or authorization. For example, VA OIT may change an account's settings to allow business unit functions to continue if the account owner is not available due to an illness, injury, or emergency.

<sup>4</sup> If an individual leaves their computer logged in and unattended, an unauthorized individual could modify the delegate access privileges on the individual's mailbox or directly view the individual's emails undetected while accessing their workstation. In this investigation, however, the team did not identify any evidence suggesting that this had occurred with respect to the executive's computer, and the allegations did not include suspicions of such sabotage.

## **Appendix A: Scope and Methodology**

### **Scope**

The period under review by the OIG's investigation extended from May 31, 2015, the date the attorney began working at VA, through January 30, 2020.

### **Methodology**

To accomplish its objectives, OIG investigators reviewed applicable laws, regulations, policies, procedures, and guidelines. OIG investigators interviewed three VA employees, including the attorney on two occasions. The OIG also informally interviewed two employees who reported to the attorney in addition to two VA OIT staff with relevant knowledge.

Additionally, OIG investigators used software applications to analyze over 150,000 documents, including associated individuals' emails and computer files, as well as over 3,000 VA OIT records.

In this report, the OIG removed identifiers for individuals as appropriate to protect their privacy interests.

### **Scope Limitation**

The OIG based its conclusions on available evidence. The 90-day retention period for the relevant audit log events precluded investigators from determining the date on which the executive's mailbox settings granted additional access privileges, which may have enabled investigators to better understand the circumstances.

### **Government Standards**

The OIG conducted this review in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Investigations*.

## OIG Contact and Staff Acknowledgments

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