

Brian Patrick Regan
Latest Spy Case – Feb 2002

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Briefing Notes

- **Information presented in this presentation was extracted primarily from Mr. Regan's Criminal Complaint and Affidavit**
- **Slide background is from the following site <http://www.boogiejack.com>**

Brian P. Regan



- **Retired AF MSgt, 38 years old**
- **Worked for TRW, but had been under surveillance for quite a while**
- **Worked at NRO previously before retiring from military**

Brian P. Regan

- **Was arrested in Aug 2001 as he was about to board a flight for Switzerland**
- **Had been under intense FBI surveillance since 2000**
- **May have begun stealing and setting aside secrets for some time, probably planning on his retirement**
- **4 years he was a AF cryptanalyst**
- **Retired from the AF in Aug 2000**
- **Had access up to Top Secret and SCI**

Brian P. Regan

- **Has been married for 17 years and has 4 children (2 daughters and 2 sons) and a home in Bowie, MD**
- **Financial checks indicated in Feb 2001 Regan had consumer debts amounting to \$53,000**
- **In July 2001, with approval of the FBI, Regan's TS clearance was restored and he was moved to a TRW office at NRO headquarters**
- **Office was wired and had hidden video camera**

Search Warrant Affidavit

- **Violated 18 U.S.C & 794 (c) by conspiring to commit espionage by transmitting classified U.S. national defense information to a person he believed was an agent of a foreign government**

The Investigation

- **In Fall 2000 a reliable source indicated that a number of U.S. government documents were provided to the government of country A.**
 - **Documents were portions of classified documents**
 - **Electronic images, classified Secret, taken from overhead platforms**

The Investigation

- Classified CIA Intelligence Report**
- Document classified Secret, relating to a foreign country's satellite capability**

The Investigation

- Classified CIA Intelligence Report**
- Document classified Secret, relating to a foreign country's satellite capability**
- One page of Top Secret Information**
- Other classified documents and photos were provided to Country A.**

The Investigation

- **Search of Regan's office found a copy of one of the document's referred to above**
- **Search of Regan's computer at the NRO revealed URL's linked to the documents mentioned in the affidavit**

The Investigation

- **Intelink audit records indicated the URL for the CIA Intelligence report was accessed from the computer in Regan's former office**
- **NRO records indicate Regan's electronic badge was used to enter his office at 1:55 on that day.**
- **Next day Regan flew to Iceland and other countries in Europe**
- **FBI had Regan under surveillance since Jun 2001**

The Investigation

- **Reliable source revealed that an agent had provided an encrypted message giving instructions to respond to a specified email address on a free email provided**
 - **Name provided was “Steven Jacobs”**
- **Email address was accessed from public libraries in Maryland**
 - **Regan’s residence is located ½ mile from one of the libraries and 5 miles from the other**

FBI Surveillance

- **Regan conducted surveillance detection runs to see if he was being followed**
 - **Multiple U-turns**
 - **Pulling over to the side of the road**
- **On Jun 2001 Regan traveled to Munich, but before he left he logged onto the internet at a public library**

FBI Surveillance

- He failed to sign off and FBI were able to observe which internet sites he had visited**
- One of the sites visited provided the address for a diplomatic office of Country C in Switzerland**
- Looked up a hotel in Zurich**
- Aug 2001, the FBI conducted surveillance of Regan's office in the NRO by closed circuit television, pursuant to a court order**

FBI Surveillance

- Regan was observed taking notes in a small notebook from a Secret document on his computer terminal**
- In Aug 2001, Regan told his colleagues he was going to Orlando, FA but in actuality had reservations to Zurich, Switzerland**
 - He did not report to his employer that he would be traveling out of the country as required**

FBI Surveillance

- **Aug 2001, FBI conducted a search of his minivan while Regan was in a NRO meeting**
 - **Found a carry-on bag which contained 4 pages of a typewritten encrypted message**
 - **Found handwritten addresses & phone numbers of diplomatic offices of Country D, Country C in Europe**
 - **Also a bottle of Elmer's glue and tape**

The Arrest

- **On Aug 23, 2002, Regan was arrested at Dulles Airport and in his carry-on bag was found:**
 - **An NRO document marked “For Official Use Only” that listed classes available to members of the U.S. Intelligence community**
 - **3 Rubber gloves and 4 finger sleeves**

The Arrest

- **Hand-held global positioning system (GPS)**
 - **FBI notes that GPS unit can be used to located a specific site for drop or signal sites**
- **Hidden in his shoe was a piece of paper with names and addresses in a country in Europe**
- **He was shown photographs of alphanumeric tables which had been in his carry-on baggage earlier**
 - **Regan stated “This is my stuff”**

Prosecutors Report

- **Regan was bitter over “the small pension I will receive for all of the years of service” and allegedly wrote to Saddam Hussein that the payment demand was a “small price to pay”**
- **Prosecutors said Regan wrote personally to Saddam sometime between 1999 and 2001 and ask for \$13 million to provide information about U.S. satellites and other military secrets**
 - **Offered to send sample of secrets for \$1 million and additional information for \$3 and \$5 million**

Prosecutors Report

- **“There are many people from movie stars to (athletes) in the U.S. who are receiving tens of millions of dollars a year for their trivial contributions”** **Regan allegedly wrote, falsely describing himself as a CIA officer near retirement. “If I am going to risk my life and the future of my family, I am going to get paid a fair price.”**

Prosecutor's Report

- **The indictment also accused Regan of writing a nearly identical letter to Libyan leader Moammar Gadhafi between Aug 2000 and Aug 2001**

U.S.C Code 18, 794 c

- (a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by death or by imprisonment for any term of years or for life, except that the sentence of death shall not be imposed unless the jury or, if there is no jury, the court, further finds that the offense resulted in the identification by a foreign power (as defined in section 101(a) of the Foreign Intelligence Surveillance Act of 1978) of an individual acting as an agent of the United States and consequently in the death of that individual, or directly concerned nuclear weaponry, military spacecraft or satellites, early warning systems, or other means of defense or retaliation against large-scale attack; war plans; communications intelligence or cryptographic information; or any other major weapons system or major element of defense strategy.**

U.S.C Code 18, 794 c

- b. Whoever, in time of war, with intent that the same shall be communicated to the enemy, collects, records, publishes, or communicates, or attempts to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the Armed Forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for any term of years or for life.**

- c. If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy.***

Summary

- **Mr. Regan has pleaded innocent to the charges**
- **If prosecuted he will face a life sentence, and possible loss of “the small pension I will receive for all of the years of service”**
- **His family will have a hard time coping financial and mentally in the days to come**

ESPIONAGE IS NOT A VICTIMLESS CRIME!