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Making secrets safer

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When lawmakers passed the Espionage Act in 1917, they likely did not anticipate the transmission of state secrets via online gaming platforms. But the alleged actions of a 21-year-old Air National Guardsman shed light on a new avenue for an ongoing threat.

Airman 1st Class Jack Douglas Teixeira, 21, worked as an IT specialist for the Massachusetts Air National Guard up until last week when armed FBI agents arrested him at his home in North Dighton, Mass. Teixeira has been held without bail in prison since, facing two criminal charges involving mishandling classified documents. One charge could land him in prison for 10 years for violating two sections of the Espionage Act. The second carries a maximum five-year prison sentence for unauthorized removal and retention of classified documents.

The leak of hundreds of Pentagon documents on social media platforms calls into question the Pentagon's classification practices and whether too many people have access to sensitive information.

Teixeira joined the Air National Guard in 2019 shortly before he graduated high school. After some brief training, he joined the 102nd Intelligence Wing as a cyber transport systems journeyman. His team was responsible for keeping the military's secure communications systems running and the computers connected to the vast intelligence network. To earn the job, Teixeira underwent a Single Scope Background Investigation, which vetted his social media history, financial status, personal relationships, any connections to foreign countries, and more. What it likely didn't do was delve into private chats on online platforms such as Discord, a popular site for gamers that hosts chat rooms for groups with shared interests. Passing the background check gave Teixeira top secret clearance plus access to sensitive compartmented information (SCI). Many of the documents that showed up on social media were marked top secret/SCI.

Federal prosecutors allege that Teixeira began sending classified briefings for the Pentagon's top leaders to a virtual chat on Discord. Teixeira was the leader of Thug Shaker Central, a 20-30 member group of mostly teenagers, who played war-based video games and chatted about weapons, strategy, and geopolitics. According to anonymous

members of the group who have spoken to *The New York Times* and *The Washington Post*, Teixeira liked to flaunt his clearance by sharing top-secret details about what was going on around the world via text from briefings and then pictures of the printed slides. Most of the leaked information included highly sensitive details about the war in Ukraine, the nation's defense capabilities, and private intelligence on Russia and other countries, including allies. The group members knew the information Teixeira shared was meant to stay private, but photos of the classified briefing pages began to show up on other websites like 4chan, Telegram, and Twitter in February.

In the past, infamous leakers like Edward Snowden and Bradley "Chelsea" Manning accessed hundreds of thousands of files through something called the Joint Worldwide Intelligence Communication System (JWICS). This network secures defense information across the entire military and compartmentalizes it for different people to access. But technicians like Teixeira have broad access to materials not related to their jobs by virtue of being in charge of keeping the network running. Commanders are also supposed to keep track of which members access which information and where it goes. If anything is printed, there are protocols to follow to destroy it. Former Lt. Gen. Thomas Spoehr said analyzing the network should be at the top of the Pentagon's to-do list.

"How did he get access to these levels of documents?" he asked. "Because within JWICS, there are supposed to be internal firewalls that say, 'Hey, your job is this, and you are therefore granted access to this group of files or this group of materials.' But nobody in JWICS should have the license to just range freely throughout the entire system and grab things they find interesting."

Top-secret access is not as rare as it sounds. As of October 2019, more than 1.2 million people had this clearance, which applies to roughly 50 million new documents per year, according to the National Counterintelligence and Security Center. And those numbers are increasing.

"From the 9/11 Commission we learned that we needed to more widely disseminate classified information so that people had actionable intelligence that they could piece together puzzles," Rep. Mike Turner, R-Ohio, told CBS's *Face The Nation*. "Clearly, we've gone too far where we have an instance where someone in Massachusetts who's looking at documents with respect to war plans in Ukraine."

Cato Institute senior fellow Patrick Eddington agrees: "This tidal wave of classified information is just simply swamping the system. Fifty million documents are classified every year. On the basis of what we've seen so far, the Air Force really needs to clean up its house. I hope we have a fundamental reevaluation of our classification system in terms of what should actually be legitimately classified versus what might be considered confidential."

Even with top-secret access, federal law prohibits those with clearances from printing sensitive information and sharing with anyone who does not have the same access. It is unclear how Teixeira got away with doing so for months. The two counts he faces charge him with unauthorized removal, retention, and transmission of those documents.

Spoehr says it is not necessarily a red flag that Teixeira gained access so quickly, but the problem could be with access controls.

“We need younger people to help run the communications network and troubleshoot. And so we can’t just say you have to be an old codger in order to have this level of clearance,” Spoehr, who now leads the Center for National Defense at the Heritage Foundation, told WORLD. “[The Pentagon] needs to look at the access controls and the internal firewalls on these classified handling systems to make sure that people only have access to those things they need, and nobody should have this worldwide global access that this individual happened to have.”

Even if someone has top-secret clearance, some information is still blocked off unless it pertains to their work, at which point they have “need-to-know” access. But as a computer specialist, Teixeira’s could have had broad need-to-know access. When he was a recruiting battalion commander, former Defense Department veteran and current director of the Spy Museum Col. Christopher Costa said recruits knew they were signing up to intense vetting for the purpose of intelligence access.

“But access to intelligence does not necessarily mean all intelligence,” Costa told me. “The National Guard unit had a worldwide mission. They have cyber responsibilities, they have to keep their aviation elements apprised with current intelligence in the event that they deploy on contingencies. But there needs to be a balance.”

Costa said that even though it does not yet appear that Teixeira bore ill will against the Defense Department and even though the leak was on a much smaller scale, the incident severely damages international interests.

“This is somebody that wanted ego gratification,” Costa said. “And he built his own virtual network to do so at the expense of Ukrainians and other actors on the ground risking their lives trying to defend Ukraine. The good news is, it seems from the leaks that the United States has done a masterful job collecting intelligence against the Russians. The bad news is now the Russians can adjust their counterintelligence posture, and they’re going to look for our spies.”

Teixeira has not yet entered a plea. He is being held at a Boston jail and was originally scheduled for a detention hearing on Wednesday. Instead, defense and prosecution lawyers asked the judge for at least two more weeks to prepare. The next hearing has not

yet been scheduled. At his first court appearance last week, a man in the room called out, "I love you, Jack." Teixeira did not look up, but replied, "You too, dad."