

UNCLASSIFIED

ACTION MEMO

FOR: PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE (POLICY)

FROM: Robert Newberry, Acting Principal Deputy Assistant Secretary of Defense (SO/LIC&IC) *RS*

SUBJECT: Interim Policy Concerning Intelligence Authorities in DoD 5240.1-R "Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons."

- SO/LIC was tasked to review a proposal from the Assistant to the Secretary of Defense for Intelligence Oversight (ATSD-IO) (TAB A)
  - They are seeking DcpSecDef approval for an interim change to DoD regulation 5240.1-R (TAB B). This change would remove the USD(P) from the review and oversight process for the conduct of DoD Intelligence Activities (red tabs).
- Although we agree that the regulation and the associated DoD Directive (5240.1, at TAB C) are in need of revision, we do not concur as written.
  - Instead, we recommend implementing an interim policy followed by a complete revision of both the regulation and directive to more deliberately reflect the roles and responsibilities of the USD(I) and USD(P) as they relate to policy oversight of DoD Intelligence Activities.

RECOMMENDATION: Sign the memorandum at TAB D, recommending to ATSD-IO they pursue an interim change to the regulation followed by a complete revision of DoD Regulation 5240.1-R and DoD Directive 5240.1. JUN 18 2007

Approve: \_\_\_\_\_ Disapprove: *Q* Other: \_\_\_\_\_

COORDINATION: N/A

Attachments: as stated

Prepared By: Garry Reid, SO/LIC&IC SOC (b)(2)

*I CONCUR WITH DDD  
THESE ACTIVITIES SHOULD BE  
TRANSFERRED TO USDA.*

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**Goodroe, Michael E Mr OSD ATSD-IO**

**From:** Reid, Garry, CIV, OSD-POLICY  
**Sent:** Tuesday, July 10, 2007 12:30 PM  
**To:** Goodroe, Michael E Mr OSD ATSD-IO; (b)(6) CIV OSD POLICY  
**Cc:** (b)(6) CTR OSD POLICY  
**Subject:** RE: DoD 5240.1-R (U)

**UNCLASSIFIED**

Mike - Sorry for making you wait on Policy. I've been out for several weeks and saw this action yesterday - but was told that you had been supplied with our input. Evidently that was not correct.

Short answer - Ryan Henry, the Principal Deputy Under Secretary for Policy, concurs with your proposed revision. The attachment you have (included in (b)(6) email below) indicates Mr. Henry's approval.

Longer answer: Our office recommended that Policy non-concur, and request that your revised regulation retain an aspect of Policy oversight and involvement in this actions related to the 5240-1R. Mr. Henry non-concurred with our recommendation, and wrote "*I concur with DSD, these activities should be transferred to USD(I).*" Mr. Henry's point is clearly that the USD(I) now has the primary responsibility for implementation of the regulation. However, we ask that when you revise the regulation you do not completely remove the Under Secretary for Policy from the information loop. One solution could be to include language that provides an outlet for the USD(P)'s situational awareness, such as "the USD(I) will notify the USD(P)", or "the USD(I)...in coordination with the USD(P)"...etc. We think such language would be useful and necessary to retain integration and unity of effort between USD(I) and USD(P) on matters pertaining to the subject regulation.

Please let me know if there's anything else you need from us on this action.

Thanks,  
Garry Reid

Garry Reid  
Director, Special Operations Policy  
OASD SO/LIC

(b)(2)

**From:** Goodroe, Michael E Mr OSD ATSD-IO  
**Sent:** Tuesday, July 10, 2007 9:30 AM  
**To:** (b)(6) CIV OSD POLICY  
**Cc:** (b)(6) CTR OSD POLICY; Reid, Garry, CIV, OSD-POLICY  
**Subject:** RE: DoD 5240.1-R (U)

**UNCLASSIFIED**

(b)(6)

Any update on this action?

Mike Goodroe

**From:** (b)(6) CIV OSD POLICY  
**Sent:** Monday, July 02, 2007 10:26 AM  
**To:** Reid, Garry, CIV, OSD-POLICY  
**Cc:** Goodroe, Michael E Mr OSD ATSD-IO; (b)(6) CTR OSD POLICY  
**Subject:** DoD 5240.1-R (U)

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Mr. Reid, did you (or someone else in SOC) ever return this non-concur to anyone in ATSD-IO? They re-sent the request for coordination to us, saying they never received our reply. Last I have, SOLIC forwarded the completed package to SOC. Just trying to avoid double-tasking this.

Thanks a lot,

(b)(2),(b)(6)



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ASSISTANT TO THE SECRETARY OF DEFENSE

7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200



INTELLIGENCE  
OVERSIGHT



MAY 20 2002

Chairman, Intelligence Oversight Board  
Old Executive Office Building, Room 494  
Washington, DC 20500

Dear Mr. Chairman:

(U) The Department of Defense Intelligence Oversight Report for the period July through September 2001 is attached.

*Daniel J. Dell'Orto*  
Daniel J. Dell'Orto  
Principal Deputy General Counsel.

*George B. Lotz II*  
George B. Lotz II  
ATSD(IO)

Attachment:  
As stated

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DATED: 24 FEB 98  
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Report No.	010-81-035
Document No.	

Department of Defense Intelligence Oversight Report  
 July - September 2001

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) monitored 21 cases; none require SECDEF/IOB attention at this time.

• (b)(1)(b)(3) - P.L. 86-36

(b)(3) - P.L. 86-36

~~(FOUO)~~ ATSD(IO) Policy Guidance on the Impact of the USA PATRIOT Act of 2001 on DoD Intelligence Activities and Intelligence Oversight in November, 2001: The ATSD(IO), in coordination with the DoD Deputy General Counsel for Intelligence, issued a message on November 15, 2001, which provided policy guidance to commanders, supporting DoD intelligence organizations, and intelligence professionals on how the USA PATRIOT Act of 2001 impacted the conduct of DoD intelligence activities and Intelligence Oversight. A copy of the message is at TAB A.

- ~~(FOUO)~~ Intelligence Oversight Inspections: The Office of the ATSD(IO) conducts Intelligence Oversight inspections of and staff assistance visits to DoD units

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worldwide. These inspections complement and are in addition to those performed by Defense Intelligence Agencies, Combatant Commands, and the Services. In addition, they provide insight into the effectiveness of Intelligence Oversight training programs throughout the DoD.

(b)(1),(b)(3):10 USC §424

~~(FOUO)~~ Joint Task Force (JTF)-6, El Paso, Texas: Very thorough, four pronged program designed to ensure appropriate familiarity with Intelligence Oversight regulations and to prevent unintentional violations. The inspectors met with local FBI and DEA senior officials and the military Reservists who had been assigned to their respective organizations. Military personnel are detailed for 6 months to provide analysis and analytical training--they are prohibited from participating in law enforcement activities. The inspection team also visited the El Paso Intelligence Center, Operation Alliance, and the Border Patrol Special Coordination Center, and toured U.S. Mexico border and observed U.S. Customs operations at Paso Del Norte

port of entry. Texas Army and Air National Guard, under Title 32 authority and direction of the Governor, were observed assisting in customs inspections.

~~(FOUO)~~ Georgia National Guard (GANG), Atlanta, Georgia; South East Army Reserve Intelligence Support Center (SEARISAC) and Joint Reserve Intelligence Support Element (JRISE), Fort Gillem, Georgia. GANG Intelligence Oversight program had improved dramatically due to two events: a 1999 violation, which pointed up the need for oversight and was turned into a teaching tool, and appointment of an Intelligence Oversight officer in May 2000. SEARISAC and JRISE Intelligence Oversight programs were adequate. (b)(2)

(b)(2)

- ~~(FOUO)~~ Intelligence Oversight Training at the Western Hemisphere Institute for Security Cooperation (WHINSEC), Fort Benning, Georgia. ATSD(IO) and staff members presented the Intelligence Oversight training course to 60 Latin American and U.S. students attending the Command and General Officers Course at the WHINSEC. This program provides future Latin American leaders keen insights into how military and civilian leaders in the U.S. balance national security needs with constitutionally guaranteed rights of U.S. persons. Feedback from the students was positive; they were most impressed that our instruction admitted past mistakes on the part of the U.S. Intelligence Community and that the Intelligence Oversight program proactively sought to avoid such incidents in the future.

(b)(1)(b)(3) - P.L. 86-36

(b)(1)

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ASSISTANT TO THE SECRETARY OF DEFENSE

7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200



JUL 19 2002

Chairman, Intelligence Oversight Board  
Old Executive Office Building, Room 494  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
October through December 2001 is attached.

*DJ Dell'Orto*  
Daniel J. Dell'Orto  
Principal Deputy General Counsel

*George B. Lotz II*  
George B. Lotz II  
ATSD(IO)

Attachment:  
As stated

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Department of Defense Intelligence Oversight Report  
October - December 2001

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) monitored 20 cases; none require SECDEF/IOB attention at this time.

(b)(1)

- ~~(FOUO)~~ Intelligence Oversight Inspections: The Office of the ATSD(IO) conducts Intelligence Oversight inspections of and staff assistance visits to DoD units worldwide. The inspections complement and are in addition to those performed by the Defense Intelligence Agencies, Combatant Commands, and the Services. In addition, they provide insight into the effectiveness of Intelligence Oversight training programs throughout the DoD.

- ~~(FOUO)~~ DoD Intelligence Organizations in Bonn, Germany: The ATSD(IO) and several staff members conducted an Intelligence Oversight inspection at the (b)(1),(b)(2),(b)(3):10 USC §424 AFOSI, and the USAREUR Liaison Office, Bonn, Germany, on November 2, 2001. All organizations inspected displayed acceptable familiarity with Intelligence Oversight concepts and had acceptable programs. The (b)(1) is divided between (b)(1),(b)(2),(b)(3):10 USC §424 presenting significant but manageable administrative and practical problems. (We reported on the (b)(1) office in the previous quarter.) (b)(1),(b)(2),(b)(3):10 USC §424

(b)(1),(b)(2),(b)(3):10 USC §424

This problem has existed at the last four (b)(1), we have inspected; we have identified it to the (b)(1), and will continue to check (b)(1),(b)(2),(b)(3):10 USC §424

future inspections.

- ~~(FOUO)~~ DoD Intelligence Organizations in Korea: U.S. Forces Korea Headquarters; Special Operations Command, Korea; 501st Military Intelligence Brigade units; 7 Air Force units; Air Force Office of Special Investigations Detachments; Naval Criminal Investigative Service units; and the Special U.S. Liaison Advisor, Korea all had satisfactory Intelligence Oversight programs. We found several units whose Intelligence Oversight programs had declined because the

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monitor had departed; we find this occurs regularly in short tour (one-year assignment) areas. We inspect short tour areas like Korea frequently because of this problem. We also encourage commanders to use transition books and other management initiatives so that their Intelligence Oversight programs don't decline due to high rotation rates.

~~(FOUO)~~ Robins AFB, Georgia and Fort McPherson, Georgia: Warner-Robins Air Logistics Center, 93rd Air Control Wing (JOINT STARS), and other Air Force units at Robins AFB had satisfactory Intelligence Oversight programs. Minor suggestions for program clarity were made and accepted. U.S. Forces Command Headquarters and U.S. Army Reserve Command, Fort McPherson, Georgia, had satisfactory Intelligence Oversight programs.

- ~~(FOUO)~~ Outreach Program in Intelligence Oversight in a Democratic Society at George C. Marshall European Center for Security Studies, Garmisch, Germany: The purpose of the Outreach Program is to ensure future leaders of emerging democracies understand the concepts, importance, and applicability of Intelligence Oversight as they develop their own democratic institutions. During this quarter, the ATSD(IO) and staff members taught this elective at the Marshall Center to students from Armenia, Azerbaijan, Georgia, Kazakhstan, Lithuania, Russia, Slovenia, and Uzbekistan.
- ~~(FOUO)~~ Seminars on Intelligence Oversight at National Defense University, Fort McNair, DC: In October and again in November 2001, the ATSD(IO) presented seminars on Intelligence Oversight to two groups of U.S. and foreign students attending the National Defense University at Fort McNair. The seminars presented the principles of Intelligence Oversight and emphasized the importance and need for such a system to these future senior leaders.
- ~~(FOUO)~~ Internet Based Intelligence Oversight Training Program Under Development: We have proposed and are working appropriate contractual documents to develop an Internet, web-based, learning module that will provide an overview of Intelligence Oversight, its history, goals, requirements, and procedures. The initial module will be interactive; available both on the Internet and on CD-ROM; and contain videos, vignettes, and questions to reinforce Intelligence Oversight knowledge. Upon completion of this initial training module, tailored modules on Signals Intelligence and Human Intelligence will be developed in collaboration with NSA and DIA.

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INTELLIGENCE  
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ASSISTANT TO THE SECRETARY OF DEFENSE

7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200



APR 15 2003

Chairman, Intelligence Oversight Board  
Old Executive Office Building, Room 494  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period April - June 2002 is attached. There were no significant Intelligence Oversight issues warranting IOB attention for this period and no significant Intelligence Oversight violations.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

George B. Lotz II  
ATSD(IO)

Attachment:  
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Department of Defense Intelligence Oversight Report  
April - June 2002

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) monitored 27 cases; none require SECDEF/IOB attention at this time.

• (b)(1) [Redacted]

- ~~(FOUO)~~ Third International Intelligence Review Agencies Conference: The ATSD(IO) attended the Third International Intelligence Review Agencies Conference in London, England, on May 13 and 14, 2002. Previous meetings were in Canberra, Australia (1997) and Ottawa, Canada (1999). This conference was to have been in Washington in 2001, shortly after September 11; however, following the terrorist attacks, the United Kingdom Intelligence and Security Committee of Parliament offered to host it. The other U.S. attendees were from CIA, NRO, DIA, NSA, NIMA, and the DoD IG. Other countries represented were Canada, Belgium, New Zealand, Australia, and South Africa. Poland and Slovakia attended for the first time. The conference agenda reviewed the oversight functions, how they are accomplished in the several countries, and common challenges. Two themes surfaced throughout the discussions. One was the difference between the major challenges facing the new democracies who are in the process of developing effective oversight mechanisms, and the relatively minor problems in that regard of the others with well-established oversight structures. The second theme was the impact of the terrorist attacks of September 11 which kick-started legal developments in several countries. This brought focus and extensive discussion of the increased powers of intelligence agencies under new anti-terrorism legislation and the balance between national security requirements and individual rights. Members

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and staff of the United States Congressional intelligence committees were invited to the conference but did not attend. The next conference will be in the U.S. in 2004 and co-sponsored by the CIA Inspector General and the ATSD(IO).

(S) Intelligence Oversight Inspections and Staff Visits: The Office of the ATSD(IO) conducts Intelligence Oversight inspections of and staff assistance visits to DoD units worldwide. The inspections complement and are in addition to those performed by the intelligence agencies of DoD, Combatant Commands, and the Services. In addition, they provide insight into the effectiveness of Intelligence Oversight training programs throughout the DoD.

(S) During this quarter, this office conducted 42 inspections and staff visits of intelligence and counter-intelligence units located both stateside and in Europe, to include the Balkans. All organizations demonstrated compliance with DoD and Service Intelligence Oversight regulations with the following three exceptions:

(S) The U.S. intelligence portion of a combined unit under a NATO Command lacked an Intelligence Oversight program. The unit was under the erroneous perception that NATO regulations superseded national laws and regulations; whereas in reality, NATO regulations state national laws and regulations take precedence in all cases. The unit now has an active Intelligence Oversight program in place.

(S) A Defense Attaché Office was under the impression that only U.S. person information that is derogatory in nature should be reported in [redacted] (b)(2) [redacted] (b)(2) The DIA IG was notified of this confusion in the field for corrective action.

[redacted] (b)(1) [redacted] (b)(1)

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(b)(1)

(b)(1)(b)(3)-P.L. 86-36

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(U) **Intelligence Oversight Training and Awareness:** DoD organizations continue to exhibit active Intelligence Oversight programs, e.g., IDIA trained over (b)(2), (b)(3):1 employees, contractors, and students during this period. The results of these programs are reflected in inspection reports. the low number of active Intelligence Oversight cases, (b)(3)-P.L. 86-36

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INTELLIGENCE  
OVERSIGHT


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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

JUN 3 2003

Chairman, Intelligence Oversight Board  
Old Executive Office Building, Room 494  
Washington, DC 20500

Dear Mr. Chairman:

(U) The Department of Defense Intelligence Oversight Report for the period July – September 2002 is attached. There were no significant Intelligence Oversight issues warranting IOB attention for this period and no significant Intelligence Oversight violations.

  
Daniel J. Dell'Orto  
Principal Deputy General Counsel

  
George B. Lotz II  
ATSD(IO)

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Department of Defense Intelligence Oversight Report  
July - September 2002

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) monitored 27 cases; none require SECDEF/IOB attention at this time.

• (b)(1)

- ~~(FOUO)~~ Intelligence Oversight Inspections and Staff Visits: A total of 158 DoD Intelligence units received Intelligence Oversight inspections or staff assistance visits (SAVs) during this quarter. These worldwide inspections/SAVs were conducted by the ATSD(IO) and the inspection arms of the intelligence agencies of DoD, the Combatant Commands, and the Military Departments. Although minor administrative issues were identified and corrected during these inspections/SAVs, no violations of Intelligence Oversight guidance were identified. These results provide insight into the effectiveness of Intelligence Oversight training programs throughout the DoD.

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- (U) **Intelligence Oversight Conference:** United States Forces Korea hosted a Peninsula-wide Intelligence Oversight Conference with the office of the ATSD(IO) in early September. The conference was followed by staff assistance visits to almost every U.S. intelligence and counterintelligence unit in theater. The central theme of the conference and the assistance visits was the application of Intelligence Oversight guidance regarding both force protection and the global war on terrorism. Conference participants, over 70, included commanders, Intelligence Oversight officers, legal advisors, and Inspectors General.

(U) The ATSD(IO) and staff continue to make Intelligence Oversight presentations to intelligence related conferences, e.g., Combatant Command attaché conferences.

- ~~(FOUO)~~ **Discussions on Intelligence Oversight with Romanian and Croatian Defense Officials:**

~~(FOUO)~~ **Background.** The ATSD(IO) sponsors an Intelligence Oversight elective at the George C. Marshall European Center for Security Studies in Garmisch, Germany. The focus of the elective is to assist future military and civilian leaders of emerging democracies to understand the importance of Intelligence Oversight. Feedback from the program has led to requests for additional information on developing a program similar to DoD's in a number of countries.

~~(FOUO)~~ **Romania.** Under the aegis of the Marshall Center, the ATSD(IO) met in Bucharest, Romania, on July 15 and 16, 2002, with the Defense Minister, Presidential National Security Advisor, and Chief of the Military Intelligence and Foreign Representation Directorate. The ~~(b)(3):10 USC §424~~ [REDACTED] and the Embassy's Political-Military Officer were also present. The Defense Minister was interested in exploring the applicability of the DoD Intelligence Oversight program to Romania as part of their democratization/rule-of-law process and establishing their democratic bona fides for NATO membership. The ATSD(IO) discussed the DoD Intelligence Oversight program in detail and offered to assist Romania in developing rules, regulations and training on Intelligence Oversight. The Director General of Defense Intelligence was unavailable and subsequently visited with the ATSD(IO) in Washington in September 2002. Note: A number of Romanian military and civilians have

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taken the elective course in Intelligence Oversight taught by the OATSD(IO) at the Marshall Center.

(~~FOUO~~) Croatia. The ATSD(IO) met with and briefed the Croatian Ministry of Defense Inspector General and members of his staff in Washington on July 24, 2002, on Intelligence Oversight and the inspection activities of our office. The Croatian Inspector General had recently been assigned the mission of exercising oversight of Croatian defense intelligence organizations and wanted to understand the operations of the ATSD(IO) to serve as a foundation for the evolution of his own program. The ATSD(IO) volunteered to assist the Croats in the development of their own Intelligence Oversight program for the Ministry of Defense.

- (~~FOUO~~) Intelligence Oversight Training Initiative: The Office of Naval Intelligence (ONI) is producing an Intelligence Oversight training video focusing on Intelligence Oversight issues likely to arise in maritime settings. This tailored training will complement earlier Intelligence Oversight training aids produced by ONI.



INTELLIGENCE  
OVERSIGHT

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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

JUN 25 2003

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
October - December 2002 is attached. There were no significant  
Intelligence Oversight issues warranting IOB attention for this period and  
no significant Intelligence Oversight violations.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

George B. Lotz II  
ATSD(IO)

Attachment:  
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Department of Defense Intelligence Oversight Report  
October-December 2002

- ~~(FCIO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FCIO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) is monitoring 27 cases; none require SECDEF/IOB attention at this time.

• (b)(1)

[Redacted]

- ~~(CAF)~~ Allegations of Threat of Torture by U.S. Intelligence Personnel: In October 2002, individuals assigned to (b)(1), (b)(3):10 USC §424 were alleged to have threatened a Bosnian Muslim detainee with torture if he did not cooperate during questioning. The allegation stated no torture took place. The interrogation team included a (b)(3):10 USC §424 assigned to the (b)(3):10 USC §424 and a (b)(1). The case is currently open and with the U.S. Army Criminal Investigation Command. In addition, the Defense Intelligence Agency IG is monitoring the investigation since the (b)(3):10 USC §424 is also a career (b)(3):10 civilian employee.

- ~~(FCIO)~~ (b)(3)-P.L. 86-36
- (b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36
- (b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36
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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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- ~~(FCIO)~~ **Intelligence Oversight Inspections and Staff Visits:** The limited number of Intelligence Oversight related cases we are monitoring and the five incidents highlighted above reflect the effectiveness of Intelligence Oversight training programs throughout DoD. When inappropriate activities take place, whether intentional or unintentional, our intelligence professionals know what to do. This point was reiterated during Intelligence Oversight inspections or Staff Assistance Visits (SAVs) to approximately 100 organizations during this quarter. These worldwide inspections/SAVs were conducted by the OATSD(IO) and the inspection arms of the intelligence agencies of DoD, the Combatant Commands, and the Military Departments. Although minor administrative issues were identified and corrected during these inspections/SAVs, no violations of Intelligence Oversight guidance were identified. Most importantly, these intelligence professionals know where to go when they have questions and/or to report questionable activities.
- ~~(FCIO)~~ **DARPA's Total Information Awareness (TIA) Program:** The ATSD(IO) and staff are involved in an on-going review of DARPA's TIA program. To date, this review, which was initiated prior to the Congressionally directed DoD IG investigation and the DoD internal and external TIA Review

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Boards, has revealed nothing that raises concerns in relation to Executive Order 12333. Visits to organizations working with TIA, such as the Army's Intelligence and Security Command and the DoD Counter Intelligence Field Activity, are being accomplished on a reoccurring basis. In addition, this office and a representative of the DoD GC are working with DARPA personnel to facilitate their understanding of the Executive Order and applicable DoD regulations and guidance. This is a key point, since the TIA program is primarily in the conceptual phase at this time.

- ~~(FOUO)~~ **Tailored Training for USMC:** The Marine Corps is facing increased off-base training in civilian environments. In response to questions from the field, the Marine Corps' Inspector General has developed a planning aid for commanders titled, "Considerations for Conducting Training and Exercises in an Off-Base Civilian Environment" to enhance their preparation. A key component of the aid is Intelligence Oversight. This is just one of a number of recent examples of how the Marine Corps is proactively integrating Intelligence Oversight into operational planning.
- **(U) ATSD(IO) Outreach Program:**

**(U) Intelligence Oversight Conference:** The Geneva Centre for the Democratic Control of Armed Forces conducted a two day workshop on "Democratic and Parliamentary Oversight of Intelligence Services" in October 2002. The objectives of the program were to identify the structures and processes of democratic and parliamentary oversight of intelligence services in emerging, as well as, mature democracies; to assess their effectiveness; to examine the role of parliaments within the oversight process; and to identify concrete recommendations for strengthening intelligence oversight. A paper on the DoD Intelligence Oversight system was presented by an ATSD(IO) representative, the sole U.S. presenter. Workshop participants, who included several parliamentarians, were from Eastern Europe, as well as the UK, Belgium, Switzerland, Canada and the U.S.

~~(FOUO)~~ **Intelligence Oversight Courses at the George C. Marshall European Center for Security Studies in Garmisch, Germany:** In October and November 2002, the office of the ATSD(IO) conducted two Intelligence Oversight courses. The first course was for the "Leaders for the 21st Century" program, which consisted of middle grade military officers and civilians from Bulgaria, Estonia, Serbia, Georgia, Poland, Romania, Hungary, along with three U.S. officers. The second course was for the "Executive Program in

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International and Security Affairs" program, which consisted of senior level military officers and civilians from Albania, Bulgaria, Kazakhstan, Mongolia, Romania, and Russia.

- (U) **Center for Hemispheric Defense Studies (CHDS), National Defense University:** The Center's mission is to develop academic programs for educating primarily civilians in defense and security planning management; to familiarize civilians with the military profession and military affairs; and for studying the defense policy making process in general. This Washington based course consists of students from North, Central, and South America as well as the Caribbean. It consists of students from national and city governments, industry, the press, and the military.

(U) In November, the office of the ATSD(IO) presented a program on DoD's Intelligence Oversight program to students from 19 countries. In many of these countries "intelligence" organizations/activities have only derogatory connotations. The students, especially the press and judicial representatives, were interested in the Intelligence Oversight program, including the role of the President's Intelligence Oversight Board.

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INTELLIGENCE  
OVERSIGHT

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P.L.

ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

August 12, 2003

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
January-March 2003 is attached. There were no significant Intelligence  
Oversight issues warranting IOB attention for this period and no significant  
Intelligence Oversight violations.

Daniel J. Deil'Orto  
Principal Deputy General Counsel

George B. Lotz II  
ATSD(IO)

Attachment a/s

Derived From NSA/CSSM  
Dated: 24 Feb 98  
Declassify On: X1

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Department of Defense Intelligence Oversight Report  
January-March 2003

• (FOUO) Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.

• (FOUO) No significant Intelligence Oversight violations during this period. ATSD(IO) is monitoring 11 cases; none require SECDEF/IOB attention at this time.

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• (FOUO) Intelligence Oversight Inspections and Staff Assistance Visits (SAVs): The Office of the ATSD(IO) and the Inspectors General of DoD components conducted 64 Intelligence Oversight inspections or SAVs of intelligence units located worldwide. Although minor administrative issues were identified and corrected during these inspections/SAVs, no violations of Intelligence Oversight guidance were identified. These results provide insight into the effectiveness of both Intelligence Oversight training and senior-level focus on these programs. Two exemplary programs are highlighted below:

• (FOUO) OATSD(IO) Inspection of the Naval Criminal Investigative Service: The NCIS Intelligence Oversight program is fully integrated into daily operations of both the Counter Terrorism and Counter Intelligence Directorates. A key aspect of the program is the role played by the NCIS' Office of General Counsel's National Security Law Office. This office and its recent expansion, reflect the high level of attention given this program by both the NCIS Director and the Department of the Navy's General Counsel. This dedicated legal team works seamlessly with the operational staff and field agents to ensure training, awareness and understanding of Intelligence Oversight requirements; a fact reflected by NCIS personnel at all levels during inspection interviews and discussions. In addition, the legal team is on call around the clock to resolve operational issues during planning and execution of NCIS missions, to work FISA related issues, and when required, to deploy to provide on scene support of on-

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going operations. NCIS' Intelligence Oversight program is an exemplary benchmark for others to emulate.

- ~~(FOUO)~~ **OATSD(IO) SAV to US Northern Command (USNORTHCOM):** The unique and evolving mission of USNORTHCOM involves Intelligence Oversight challenges few organizations have faced. As a result, the ATSD(IO) with the strong support of the Commander of USNORTHCOM, General Eberhart, initiated a series of SAVs of the headquarters and its three subordinate commands.

~~(FOUO)~~ Prior to the arrival of the OATSD(IO) SAV team in February 2003, the deputy commander formed an Intelligence Oversight "Tiger Team" to devise procedures and policies to address these challenges. As a result of the Tiger Team, the Command enjoys close staff cooperation between the Director of Intelligence (J2), the Inspector General (IG) and the Staff Judge Advocate (SJA) on Intelligence Oversight issues. The proactive nature of this program and its profile as a Command interest item are key characteristics of a strong Intelligence Oversight program. Historically, weak Intelligence Oversight programs are reactive, i.e., the J2, IG, and SJA work in isolation until a problem occurs.

~~(FOUO)~~ The SAV team paid particular attention to USNORTHCOM's Combined Intelligence and Fusion Center, which is responsible for fusing intelligence and relevant law enforcement data. The team found excellent procedures in place to ensure the proper handling of US person-related law enforcement data, and where warranted, it's incorporation into fused threat warning products. The OATSD(IO) and USNORTHCOM continue to work closely to address new and emerging Intelligence Oversight challenges.

- ~~(FOUO)~~ **NSA SIGINT ACTIVITIES**

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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

~~Assistance to Law Enforcement~~ (b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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- (U) **Training Initiatives:** United States Southern Command has incorporated Intelligence Oversight training objectives into Exercise FUERTES DEFENSAS/ UNIFIED ENDEAVOR 2003. The exercise injects will evaluate the ability of intelligence personnel to recognize and appropriately respond to US person related events in a training environment.

- (FO) **Meeting of the Steering Committee of the Intelligence Review Agencies, London, England, March 2003:** The intelligence review agencies of the US, UK, Canada, Australia, New Zealand and other selected countries, have held a conference, approximately every two years since 1997, to discuss issues of mutual interest. The Steering Committee is planning for the first US-hosted conference in 2004. Representing the US were the ATSD(IO) and a representative of the CIA/IG. Proposed panel discussions for the US-hosted conference include Intelligence Oversight and the global war on terrorism, and the impact of information technology systems on Intelligence Oversight. The October 2001 conference had been planned for Washington DC, but was changed to the UK following the September 11, 2001 terrorist attacks.

- (S) **Intelligence Oversight Outreach to (b)(1),(b)(3)-10 USC §424 March 2003:** Following a Staff Assistance Visit to the Defense Attache (b)(1),(b)(3)-10 USC §424 and a meeting with (b)(1),(b)(3)-10 USC §424 the ATSD(IO) met with senior officials of the (b)(1),(b)(3)-10 USC Government. During preparatory discussions with the Ambassador, he stressed the importance of our Intelligence Oversight meeting with the (b)(1),(b)(3)-10 USC especially as they progress with democratic reforms required by NATO accession. He highlighted that CIA would be addressing oversight with the (b)(1),(b)(3)-10 USC in a follow up meeting at a later date.

(FO) The meeting with the (b)(2),(b)(3)-10 USC was very productive. Key participants included the Minister of Defense, (b)(2),(b)(3)-10 USC the State Secretary of the Ministry of Defense, the Commander of the Armed Forces, the Chief of Military Counterintelligence and the Acting Director of the Armed Forces Intelligence Department. Minister (b)(2),(b)(3)-10 USC noted that Parliament was reviewing legislation that would restructure the intelligence services. Additionally, his staff was preparing an Intelligence Oversight structure for incorporation into the legislative language. The ATSD(IO) offered his assistance on the (b)(2),(b)(3)-10 USC Intelligence Oversight program. The Minister was appreciative and noted that he has reviewed the ATSD(IO) website and intends to try and adapt certain provisions of EO 12333 and DoD Regulation 5240.1-R to the (b)(2),(b)(3)-10 USC military.

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(S) Four days after the meeting, the (b)(1),(b)(3):10 USC §424 learned that (b)(1),(b)(3):10 USC §424 was formally establishing an office with Intelligence Oversight authority over Ministry of Defense intelligence organizations. In addition, the Minister requested that representatives from the US Department of Defense or Intelligence Community review the (b)(1),(b)(3):10 USC Intelligence Oversight language to be added to the legislation under review in Parliament. The ATSD(IO) is assisting in this process.

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INTELLIGENCE  
OVERSIGHT

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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

JAN 6 2004

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period April-June 2003 is attached. There were no significant Intelligence Oversight issues warranting IOB attention for this period and no significant Intelligence Oversight violations.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

George B. Lotz II  
ATSD(IO)

Attachment:  
As stated

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PHYSICAL REMOVAL OF CODEWORDS AND CAVEATS

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Department of Defense Intelligence Oversight Report  
April - June 2003

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) is monitoring 16 cases; none require SECDEF/IOB attention at this time. The following are three representative cases:

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36	
(b)(1)(b)(5)	



(S//NF) Investigation of Civilian Assigned to the [ (b)(1),(b)(2),(b)(3):10 USC §424 ]  
[ (b)(1),(b)(2),(b)(3):10 USC §424 ]

[ (b)(1),(b)(2),(b)(3):10 USC §424 ] Based on allegations that [ (b)(1),(b)(2) ] had violated two procedures of DoD Regulation 5240.1-R, *Procedures Governing the Activities of Defense Intelligence Components that Affect United States Persons*, the DIA IG conducted an IO investigation, an audit, and a criminal investigation. During this process a third violation was discovered; the three are as follows: (1) misuse of intelligence funds; (2) improper collection on U.S. persons; and, (3) intelligence support to a federal law enforcement agency without DIA General Counsel (GC) approval. The misuse of funds is still an ongoing criminal case. The DIA IG and DIA GC directed corrective measures to bring the database project into compliance with Intelligence Oversight procedures and recommended DIA take appropriate management action. At the request of [ (b)(1),(b)(2) ] operations have been suspended and [ (b)(1),(b)(2),(b)(3):10 USC §424 ] are reevaluating the program.

[ (b)(1) ]

- (EC//FO) Intelligence Oversight Inspections and Staff Assistance Visits (SAVs): The Office of the ATSD(IO) and the Inspectors General of DoD components conducted 73 Intelligence Oversight inspections or SAVs of intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified during the inspections and SAVs; although numerous administrative issues were identified and corrected. There is one problem area that continues to exist, i.e., units that place undue emphasis on the restrictive vice permissive nature of DoD Intelligence Oversight guidance. The ATSD(IO) hopes to correct this recurring problem with the introduction of its computer based Intelligence Oversight training program, which finished beta testing in September 2003, and will be distributed later this Fall.

- (EC) (S) Intelligence Oversight Outreach Program--U.S. Northern Command (USNORTHCOM): The challenges of Homeland Defense vice the traditional roles of the military services have introduced unique challenges for USNORTHCOM from an Intelligence Oversight perspective. The ATSD(IO) and the Commander of USNORTHCOM, General Eberhardt, have established a

close working relationship between their two organizations to address these challenges. This quarter saw the completion of staff assistance visits to all USNORTHCOM components. USNORTHCOM understands the importance for all of its personnel--not just intelligence--to understand the purpose of DoD's Intelligence Oversight program. As a result, USNORTHCOM has incorporated Intelligence Oversight training into "USNORTHCOM 101", an introductory training course on the command's organization and mission for all incoming personnel. The training familiarizes command personnel with Intelligence Oversight and its application to the USNORTHCOM mission and area of responsibility. In addition, USNORTHCOM is planning to incorporate Intelligence Oversight training objectives into future Homeland Defense exercises.

(b)(3)- P.L. 86-36	
(b)(3)- P.L. 86-36	
(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36	
(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36	

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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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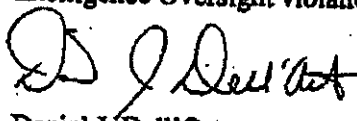
ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200


APR 12 2004

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period July-September 2003 is attached. There were no significant Intelligence Oversight issues warranting IOB attention for this period and no significant Intelligence Oversight violations.

  
Daniel J. Dell'Orto  
Principal Deputy General Counsel

  
George B. Lotz II  
ATSD(IO)

Attachment a/s

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Dated: OADR  
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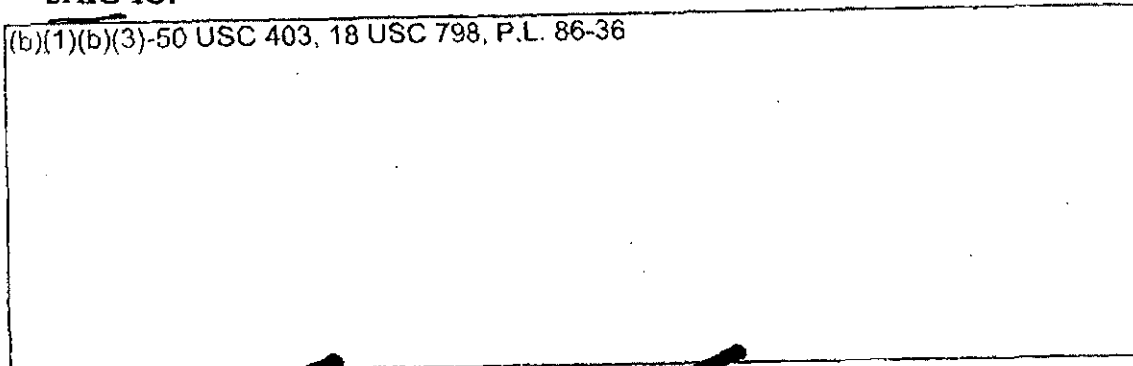
Department of Defense Intelligence Oversight Report  
July - September 2003

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ No significant Intelligence Oversight violations during this period. ATSD(IO) is monitoring 15 cases; none require SECDEF/IOB attention at this time. The following are two representative cases:

~~(CAF)~~ Allegations of Misconduct and Violations of Intelligence

Oversight (IO) Regulations in Iraq: U.S. Army Intelligence Command forwarded two emails messages from Counter Intelligence (CI) soldiers attached to the 205th MI Brigade, V Corps, deployed to Iraq, in which the soldiers, both activated reservists from the 323d Military Intelligence (MI) Battalion, allege numerous incidents of misconduct and violations of IO regulations by members of the 223d MI Battalion, California National Guard. The allegations include the conduct of unauthorized/unapproved collection operations, the employment of questionable means in the course of intelligence activities, the conduct of a stop and search operation during which personal property and money was seized from Iraqi citizens and kept by members of the unit, and the treatment of walk-ins as recruited sources to include undocumented tasking and compensations. One Special Agent in the unit is specifically accused of representing himself as a commissioned officer to local officials and creating the impression with local officials that the U.S. was "executing" Iraqi citizens. The matter has been forwarded to the V Corps Inspector General (IG) for investigation. The investigation has been completed and the results are being forwarded through CJTF 7 to the SAIG-IO.

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36



(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(1)

- ~~(FOUO)~~ **Intelligence Oversight Inspections and Staff Assistance Visits (SAVs):** The Office of the ATSD(IO) and the Inspectors General of DoD components conducted Intelligence Oversight inspections or SAVs of over 80 intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified during the inspections and SAVs, although numerous administrative issues were identified and corrected.
- ~~(FOUO)~~ **OATSD(IO) Outreach Program:** In conjunction with overseas inspections, the OATSD(IO) continued to be actively engaged in an initiative to encourage recognition of the importance of Intelligence Oversight in emerging democracies. In this effort, the ATSD(IO), and members of his staff, conducted seminars, in Intelligence Oversight, for students at the George C. Marshall European Center for Security Studies, and the Western Hemisphere Institute for Security and Cooperation. In addition, the ATSD(IO) delivered a keynote address, on Intelligence Oversight to the NATO Senior Officers Policy Course at the NATO School, Oberammergau, Germany. During this quarter, the ATSD(IO) also participated at an international conference in Oslo, Norway, in the examination of the merits of creating a generic Intelligence Oversight law for emerging democracies. At each venue, discussions on Intelligence Oversight were well received and often stimulated questions and ideas on new approaches on IO for the international community to consider.

• [redacted] **Director, National Security Agency Approves New SIGINT**

**Guidance:** (b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

- ~~(FCIO)~~ **Expanded USNORTHCOM IO Training:** Continuing their proactive approach to IO training and awareness, NORAD/USNORTHCOM IG has instituted IO training at the NORTHCOM Command introductory training course for all incoming USNORTHCOM personnel. This training familiarizes command personnel with IO and its application to the USNORTHCOM mission area. The OATSD(IO) has worked closely with USNORTHCOM in the development of an effective IO program. IO training, in the introductory course, reflects the continued importance that the Command Staff attributes to IO training and awareness.

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INTELLIGENCE  
OVERSIGHT

ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

AUG 27 2004

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period October-December 2003 is attached. Significant intelligence issues warranting SECDEF attention were provided out-of-cycle on May 19, 2004 and are an attachment to this report. A summary of these issues, which involved allegations of participation of U.S. military intelligence personnel in alleged mistreatment and abuse of Iraqi, and in one case, Afghani, detainees while in the custody of U.S. Armed Forces, were briefed to the IOB by the ATSD(IO) on May 25, 2004. In addition, other items requested during the ATSD(IO) briefing, to the IOB, have been incorporated into this report as well.

- S -  
Daniel J. Dell'Orto  
Principal Deputy General Counsel

- S -  
George B. Lotz II  
ATSD(IO)

Attachment a/s

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Dated: 24 Feb 98  
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Department of Defense Intelligence Oversight Report  
October-December 2003

- ~~(FOUO)~~ Significant Intelligence Oversight (IO) issues warranting SECDEF attention were provided out-of-cycle on May 19, 2004 (attachment 1—still current as written). In response to IOB questioning, the ATSD(IO) provided a summary of these events to the IOB on May 25, 2004. The issues addressed involved allegations of participation by U.S. military intelligence personnel in alleged mistreatment and abuse of Iraqi, and in one case, Afghan, detainees while in the custody of U.S. Armed Forces.
- ~~(FOUO)~~ January 1, 2003 to December 31, 2003: USSOUTHCOM (Guantanamo) and USCENTCOM (Iraq and Afghanistan) provided no IO reporting on detainee abuse issues to this office. Likewise, none of our other reporting elements (Navy, Air Force, DIA, NSA, DoD/IG, NRO, NGA, DTRA, and the Joint Staff on behalf of the Combatant Commands) provided any detainee abuse reports to this office during this period. The Department of the Army reported four alleged detainee abuse incidents: three occurred during the October-December 2003 reporting period (attachment 1), and the fourth was closure of an investigation of an interrogation related incident which occurred in the Balkans in October 2002. This latter investigation by the U.S. Army's Criminal Investigation Command determined that no criminal activity occurred. However, the initial inquiry led to the following conclusions by the DAIG which are summarized below:

(b)(1)

- ~~(FOUO)~~ New Reporting: On June 2, 2004, the ATSD(IO) requested (attachment 2) that all DoD Inspectors General provide immediate reporting, vice normal quarterly reporting, on any Questionable Intelligence Activity (Procedure 15s) and other reports concerning misconduct or abuse of detainees

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by Defense intelligence personnel or assigned contractor personnel. As of June 18, 2004, the only substantive responses received were from the Department of the Army Inspector General (DAIG) and the Inspector General of the U.S. Marine Corps. These and two earlier reports from both DIA and DAIG are summarized below:

-- (U) DIA: The Department of the Army Inspector General reported that Commander, Combined Joint Task Force 7 (CTJF-7) is conducting an investigation into all the relevant facts and circumstances surrounding the alleged misconduct on the part of personnel assigned and/or attached to the 205<sup>th</sup> MI Brigade, to include civilian interrogators and/or interpreters, from 15 August 2003 to 1 February 2004 at Abu Gharib Detention Facility. The investigation will attempt to determine whether personnel of the 205<sup>th</sup> requested, encouraged, condoned, or solicited Military Police personnel to abuse detainees as preparation for interrogation operations and/or complied with established interrogation procedures and applicable laws and regulations when questioning Iraqi security internees at the Joint Interrogation and Debriefing Center.

-- (U) USMC: A counterintelligence specialist was alleged to have kicked and struck a detainee during screening. An official inquiry found evidence limited and sketchy. A serious incident report indicated an immediate medical examination of the detainee found no associated injury. The case was closed.

-- (U) DAIG: A 313th Military Intelligence Battalion interrogator is under investigation concerning a digital photo showing the interrogator gesturing with a broomstick toward one of three Iraqi detainees all of whom were in stress positions with empty sand bags over their heads and their hands flexed-cuffed over their heads. The photo taken at the 82d Airborne Division Central Collection Point, Forward Operating Base Saint Mere, Iraq, in December 2003, came to the attention of the chain of command on/about March 27, 2004. Both the 82d and the Army Criminal Investigation Command are investigating the incident. Those present during the incident have all provided sworn statements that the detainee was never struck or touched by the broomstick.

-- (S//NF) DIA: The DIA IG provided the following information on May 28, 2004. A (b)(1),(b)(6) assigned to (b)(1) (b)(1) may have been involved in the abuse of detainees while assigned in support of tactical operations in (b)(1),(b)(3):10 USC §424 (b)(1),(b)(3):10 USC §424 conducted an investigation in

accordance with Army Regulation 15-6, and determined that there is probable cause to believe that the subject <sup>(b)(6)</sup> did assault several detainees. The DIA IG is awaiting further information and will determine the need for further investigative action after receipt and review of that information.

– (U) DAIG: The 650th Military Intelligence Group forwarded a Procedure 15 on May 6, 2004 concerning the interrogation of a Kosovo Serbian male on April 22, 2004 by a military intelligence officer assigned to the U.S. Army Task Force Falcon, Kosovo. The event took place during the conduct of a cordon and search operation. Unbeknownst to those who took part in the operation, the alleged victim was an established <sup>(b)(2)</sup> [ ] . Reportedly, the intelligence officer threatened the detainee with physical harm and death. Since the initial report, the Deputy ASTD(IO); as part of a previously scheduled inspection, has discussed the incident with the reporting officer and Staff Judge Advocate at Camp Bondsteel. The USACIDC is investigating this case; however, the case has not progressed because U.S. military personnel involved in the incident have, on the advice of counsel, invoked their right against self-incrimination.

- (U) Major General Fay Investigation for Commander CJTF-7: Based on a request from the Commander of U.S. Central Command, the Secretary of Defense has directed the Secretary of the Army to appoint a new authority and new investigating officer for MG Fay's investigation into alleged misconduct by personnel assigned and/or attached to the 205th Military Intelligence Brigade at Abu Ghraib Detention Facility. Attachment 3 is copy of the June 14, 2004 memorandum.

• (b)(1) [ ]

- (FOUO) Intelligence Oversight Inspections and Staff Assistance Visits: The Office of the ATSD(IO) and the Inspectors General of DoD components conducted Intelligence Oversight inspections or staff assistance visits (SAVs) of 126 intelligence units located worldwide, during this reporting period. No violations of IO regulations were identified during the inspections and SAVs, although administrative issues were identified and corrected. A representative example of one inspection is provided below:

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[redacted] National Security Agency Inspector General Activities—Joint  
Inspection of Ft Gordon Regional Security Operations Center

(GRSOC): Inspectors from (b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86- National Security Agency Inspector General, completed a joint inspection of the GRSOC. The inspectors concluded that all newcomers to the site receive IO training from the Security Services Directorate, GRSOC, during initial security indoctrination. The inspectors tested 22 percent of the personnel at the site to gauge general IO knowledge and the ability to apply it to site operations. The test results indicated a good understanding of the regulations governing IO, but a weakness in practical application.

(b)(3)-P.L. 86-36

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(3)-P.L. 86-36

- (U) Sarajevo, Bosnia and Herzegovina: Seminar to Draft a Proposed Law Establishing the Intelligence and Security Agency of Bosnia and Herzegovina (ISABH), November 2003: The ATSD(IO) and a member of his staff participated in the subject seminar which was sponsored by the Geneva Center for the Democratic Control of Armed Forces, Geneva, Switzerland, and the Center for Security Studies, Bosnia-Herzegovina. The object of the seminar was to examine, in a public forum for the first time, the draft law, propose revisions, and to stimulate the Federal Parliament into approving the law. The OATSD(IO) participants presented briefings on Executive Oversight of Intelligence and Intelligence Oversight Training. Members of the Federal Parliament, and the Ministry of Defense and Police attended, as well as, representatives from several European nations. In February 2004, the High Representative for Bosnia Herzegovina approved the draft and submitted it to the Parliament. Action on the draft is still pending in Parliament.

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INTELLIGENCE  
OVERSIGHT

ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

OCT 25 2004

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
January - March 2004 is attached. There were no significant Intelligence  
Oversight issues warranting IOB attention for this period and no significant  
Intelligence Oversight violations.

*D J Dell'Orto*

Daniel J. Dell'Orto  
Principal Deputy General Counsel

*George B. Lotz II*  
George B. Lotz II  
ATSD(IO)

Attachment a/s

Derived From NSA/CSSM  
Dated: 24 Feb 98  
Declassify On: X1

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Case No.	DEF-328
Serial No.	06-51-035
Document No.	81

Department of Defense Intelligence Oversight Report  
January-March 2004

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ Detainee Abuse Out-of-Cycle Reporting (per IOB request): There is nothing new to report since the Kern Report of Investigation Briefing to the IOB September 8, 2004.
- ~~(FOUO)~~ Intelligence Oversight violations during this period. The ATSD(IO) is monitoring six investigations in addition to evolving investigations related to the Kern Report of Investigation. None of these cases require SECDEF/IOB attention at this time. The following are representative cases in which the investigations have been completed:

-- ~~(FOUO)~~ (b)(2)

(b)(2)

-- ~~(FOUO)~~ (b)(2)

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(b)(2)

-- (FOUO) National Geospatial-Intelligence Agency (NGA) Employee Conducting Unauthorized Collection: The NGA Office of the Inspector General has concluded that an NGA employee, using his private aircraft, conducted unauthorized photographic collection against public and private facilities. The purpose of the unauthorized collection was solely for a government purpose and use. (b)(6)

(b)(6)

(b)(6)

According to the investigation, the employee had been doing this since 2001 with the knowledge of his supervisor and other NGC instructors. His activity came to light after he notified personnel at a Pennsylvania airport that he planned to do a low-level fly over of a local refinery. The airport personnel notified the police who contacted the refinery. The refinery personnel had no record of any fly over request and contacted NGA. NGA stated it had no missions planned and as a result, the refinery officially complained to the Pennsylvania Emergency

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Management Agency, which in turn, contacted the Federal Emergency Management Agency. As a result of the investigation NGA OIG concluded:

- The employee had violated Intelligence Oversight authorities, as an employee of an intelligence component, by intentionally targeting and collecting U.S. person information, without proper authorization.
- The NGC staff and management, together, as an element within an intelligence component, were negligent in failing to implement DoD and Agency Intelligence Oversight policies and procedures.

As a result of the investigation, the following actions have been taken:

- The employee received an immediate, verbal reprimand, and was instructed to take his required Intelligence Oversight training.
- The employee's immediate supervisor received a verbal reprimand.
- All personnel in the employee's direct line of supervision at NGA received in-person Intelligence Oversight Training from the NGC Intelligence Oversight Officer.
- NGC has reviewed and removed--with some exceptions--all inappropriately acquired imagery by the employee from NGC instructional material. NGC is contacting the private property owners for permission to use imagery NGC wishes to retain.

(b)(1)

- ~~(EO)~~ Intelligence Oversight Inspections and Staff Assistance Visits (SAVs): The Office of the ATSD(IO) and the IGs of DoD components conducted approximately 96 Intelligence Oversight inspections or staff assistance visits (SAVs) of intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified during the inspections and SAVs; although administrative issues were identified and corrected.

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(b)(1)(b)(3)-P.L. 86-36

- ~~(FOUO)~~ **International Intelligence Review Agencies' Conference (IIRAC), Chantilly, Virginia, October 3-4, 2004:** The IIRAC was initiated in 1997 by Intelligence Oversight officials from the United States, United Kingdom, Canada, Australia, New Zealand, and South Africa. The primary purpose of the IIRAC is to provide a forum for delegates to share their experiences in establishing oversight systems, discussing more efficient ways of conducting oversight and accountability, and meeting new challenges. Previous conferences (Australia 1997, Canada 1999, England 2002) have addressed operating policies and procedures, resource and recruitment challenges, and relationships with the executive, judicial, and legislative oversight bodies as well as the media.

The theme of this year's IIRAC is *Balancing National Security and Constitutional Principles in a Democracy*. In addition to the core countries, officials from the Intelligence Oversight bodies of Poland, Slovakia and Nigeria have accepted invitations to attend. It is being sponsored by the ATSD(IO) and the Inspectors General of the Central Intelligence Agency, Department of Defense, National Security Agency, Defense Intelligence Agency, National Reconnaissance Office, and the National Geospatial-Intelligence Agency.

Supreme Court Justice Antonin Scalia and Ms. Joan Dempsey, Executive Director of the Intelligence Oversight Board, among others, have accepted an invitation to address this year's conference.

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INTELLIGENCE  
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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

MAY 31 2005

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report is attached. The first part of the report highlights a significant on-going investigation we believe your office should be aware of. We are tracking this case very closely and will advise your office upon completion of the investigation. In addition, this section includes three previously unreported intelligence-related detainee allegations. Although two of the cases involve actions from 2003, the allegations only recently came to light, and as a result, were not included in a previous Intelligence Oversight Report.

The second part of this report addresses the period April -- June 2004. There were no significant Intelligence Oversight issues warranting IOB attention for this period that have not already been addressed in earlier reports.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

George B. Lotz II  
ATSD(IO)

Attachment a/s

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MAY 31 2005

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06-01-025

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Department of Defense Intelligence Oversight Report

PART 1--Current Issues

- ~~(FOUO)~~ Significant Intelligence Oversight issue warranting SecDef/IOB attention:

(b)(1)

- ~~(FOUO)~~ Detainee Abuse Reporting (per IOB request): The first case listed below is the only know, new activity reported since the release of the Kerr Report and briefings to the IOB. The other cases are based on incidents that occurred prior to the release of the report, but were unknown at the time. The Church report has been released.

-- ~~(FOUO)~~ Illegal Incarceration: USASOC Inspector General has initiated an investigation into alleged questionable intelligence activities by the intelligence officer (S2)<sup>(b)</sup><sub>(31-10)</sub> Civil Affairs Battalion (CAB) while deployed in Baghdad, Iraq. The S2 allegedly conducted unapproved Human Intelligence collection operations resulting in the incarceration of a "source" in an Iraqi jail. The S2 also allegedly committed a number of possible security violations with an Iraqi linguist. The Multi-National Corps-Iraq (MNC-I) IG conducted an initial inquiry into the allegations; however, since the unit has rotated back to the U.S., USASOC now has the investigative lead.

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- ~~(FCIO)~~ **Allegations of Beating Abuse, Afghanistan:** The U.S. Army Criminal Investigation Command is investigating allegations that a contractor working for the U.S. Army and a Military Intelligence Captain assigned to the 10th Mountain Division, were observed beating a prisoner at Shkin, Afghanistan. This is an initial report. Although only recently reported, the incident is alleged to have taken place on March 13, 2004.
- ~~(FCIO)~~ **Unreported Incident of Alleged Detainee Abuse:** In November 2003, a Titan Corporation civilian contract linguist is alleged to have struck a detainee during an interrogation by members of the Tactical HUMINT Team (THT) in Karbala, Iraq. On June 10, 2004, Titan reported the incident to the INSCOM Contract office. The linguist, who allegedly struck the detainee, left Titan in February 2004. Office of the Army General Counsel advised Criminal Investigation Command of the allegations, while INSCOM advised MNC-I/CENTCOM. MNC-I had no record of the alleged incident and opened an investigation to determine why the THT had not reported the incident. The investigation report, which was coordinated with CENTCOM, is complete and undergoing legal review at MCN-I.
- ~~(FCIO)~~ **Update: ATSD(IO) Investigation of Questionable Intelligence Activities of Personnel Possibly Associated with the Office of the Secretary of Defense:** The ATSD(IO) informed the IOB of this investigation on August 11, 2004. The investigation, which is being conducted by the ATSD(IO) with assistance from the Defense Criminal Investigative Service, Air Force Office of Special Investigation, and the U.S. Army Criminal Investigation Command is on-going. Investigative activities to date have failed to substantiate any wrongdoing or misconduct by senior civilians in the Department of Defense. We have however, uncovered questionable professional and personal conduct on the part of one Air Force field grade officer and one Army field grade officer. Upon completion of the ATSD(IO) investigation, the results will be provided to the IOB, and at the same time, will be referred to the parent service for appropriate action.

**Part II: April - June 2004**

- ~~(FCIO)~~ **Intelligence Oversight violations during this period:** The ATSD(IO) is monitoring investigations reported in Service and Agency Quarterly Intelligence Oversight reports for this period. None of these cases warrant SecDef/IOB attention at this time. Provided below are a sampling of those cases.

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~~NSA Inspector General Activity~~ (b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(2)

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Secretary or Deputy Secretary of Defense.

- ~~(FOUO)~~ **Intelligence Oversight Inspections and Staff Assistance Visits (SAVs):** The Office of the ATSD(IO) and the IGs of DoD components conducted approximately 85 Intelligence Oversight inspections/SAVs of intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified; although numerous administrative issues were identified and corrected. An ATSD(IO) team, while conducting an Intelligence Oversight inspection at Camp Bondsteel in Kosovo, reviewed the detainee facility—see summary below:

— ~~(FOUO)~~ **Interrogation Facility, Camp Bondsteel, Kosovo:** There were no individuals being held in the facility at the time of the ATSD(IO) inspection. In fact, the previous facility had been torn down due to the lack of use and need for space; however, with the riots and associated violence in March 2004, a new facility was built.

~~(FOUO)~~ A team member with detainee experience was provided a tour of the unit interrogation and detention spaces and given a step-by-step explanation of detainee processing and handling. A detainee file was viewed at random, as were randomly selected portions of videotapes. No problems were noted. A few weeks prior to the team's visit, representatives of the International Committee of the Red Cross (ICRC) toured the facility, which held one detainee at the time.

~~(FOUO)~~ The 12 soldiers authorized to conduct interrogations were all fully qualified intelligence interrogators. During discussions with the ATSD(IO) team, the soldiers highlighted all detainees were to be treated as Enemy Prisoners of War. The unit had copies of pertinent Field Manuals and recent EUCOM guidance. In addition, the soldiers all carried Multi-National Force (MNF) Rules of Interrogation Cards on their persons. Everyone was very cognizant of what had happened at Abu Ghraib prison, and stressed that they could not see how it could occur at their facility, based on the procedures they had in place.

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INTELLIGENCE  
OVERSIGHT

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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

15 SEP 05

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period July - September 2004 is attached. There were no significant Intelligence Oversight issues warranting IOB attention for this period and no significant Intelligence Oversight violations:

Daniel J. Dell'Orto  
Principal Deputy General Counsel

  
George B. Lotz II  
ATSD(IO)

Attachment a/s

Derived From NSA/CSSM  
Dated: 24 Feb 98  
Declassify On: X1

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Department of Defense Intelligence Oversight Report  
July-September 2004

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(FOUO)~~ Intelligence Oversight violations during this period. This office continues to monitor the resolution of several investigations into allegations of detainee abuse against members of DoD intelligence components. In addition, we monitor the progress of other investigations concerning the conduct of questionable intelligence activities by DoD intelligence personnel. For example:

(b)(1)

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(b)(1)

- ~~(FOUO)~~ **Intelligence Oversight Inspections and Staff Assistance Visits (SAVs):** The Office of the ATSD(IO) and the IGs of DoD Intelligence components conducted approximately 87 Intelligence Oversight (IO) inspections or staff assistance visits (SAVs) of intelligence units located worldwide. No violations of IO guidance were identified during the inspections and SAVs; although administrative issues were identified and corrected.

**(U) NSA Inspector General Activity:**

~~(S)~~ The NSA Office of Inspector General (NSA/OIG) conducted a review of NSA's management of electronic surveillance activities carried out under the Foreign Intelligence Surveillance Act (FISA) of 1978. (b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

NSA/IG recommended improvements in the written guidance that defines authorities and assigns roles and responsibilities, step-by-step instructions to guide FISA process participants, the need for tailored training on FISA operational aspects, and meaningful metrics to gauge the efficiency of the process. NSA management has agreed to implement the recommendations.

~~(S)~~ NSA/OIG (b)(1)(b)(3)-50 USC 403, P.L. 86-36

(b)(1)(b)(3)-50 USC 403, P.L. 86-36

(b)(1)(b)(3)-50 USC 403, P.L. 86-36 While noting that the site's intelligence oversight program manager was "visible and actively involved in training and operations," (b)(1)(b)(3)-50 USC 403, P.L. 86-36

(b)(1)(b)(3)-50 USC 403, P.L. 86-36

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-- (U//FOUO) The NSA/OIG, with (b)(3)-P.L.86-36

(b)(3)-P.L.86-36

(b)(3)-P.L. The inspection found that a program strength of the activity was the establishment of an embedded requirements manager who assessed IO implications of all EO 12333 related taskings. The inspection also concluded that employee knowledge levels were satisfactory and there were no violations of applicable laws, executive order, regulations or policies. However, the inspectors did identify weaknesses in program management documentation and training and reporting compliance methods. The NSA/OIG has tasked (b)(3)-P.L. 86-36 to develop and document standard operating procedures for IO support IO activities quarterly to the NSA/OIG.

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INTELLIGENCE  
OVERSIGHT

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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

22 SEP 05

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
January-March 2005 is attached. While there were no significant  
Intelligence Oversight violations, there was one US Army investigation this  
period warranting IOB attention.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

William R. Dugan, Jr.  
Acting ATSD(IO)

Attachment a/s

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Department of Defense Intelligence Oversight Report  
 January-March 2005

- ~~(FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period:

(b)(1)

- ~~(FOUO)~~ Intelligence Oversight violations during this period. In addition to the incident reported above, this office continues to monitor an Army investigation into a report, by the Special Operations Command, concerning the inability to account for assigned funds (see July-September 2004 Intelligence Oversight Report). The office is also monitoring several other on-going investigations including:

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-- (U) Alleged Abuse of Detainees in Afghanistan (DAIG 05-013): In its January-March 2005 Quarterly Report, the Department of the Army Inspector General (DAIG) reported on an on-going U.S. Criminal Investigation Division Command investigation into allegations that an individual who is identified as possibly being a contractor working for the U.S. Army and a military intelligence captain assigned to the 10<sup>th</sup> Mountain Division, were observed beating a prisoner at Shkin, Afghanistan. The incident is alleged to have taken place on 13 March 2004.

-- (U) Unauthorized Destruction of Nondisclosure Agreements (DAIG 05-015): The DAIG reported allegations that the Commander, 902<sup>nd</sup> Military Intelligence Group, exceed his authority by openly destroying nondisclosure agreements (NDA) and then declaring that individuals covered by the NDAs could brief a video teleconference on a FBI investigation (the subject of the NDAs). The allegations stated that then Commander of the 902<sup>nd</sup> did not coordinate his actions with either the FBI or the Army Central Control Office prior to his destruction of the NDAs. It was also alleged that the briefing resulted in the disclosure of the FBI investigation to "a large number of personnel" who did not have a need to know. The allegations have been referred to the INSCOM Inspector General for investigation.

(b)(1)

(b)(1)

- ~~(S)~~ **Intelligence Oversight Inspections and Staff Assistance Visits (SAVs):** The Office of the ATSD(IO) and the IGs of DoD components conducted approximately 140 Intelligence Oversight inspections or staff assistance visits (SAVs) of intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified during the inspections and SAVs, although administrative issues were identified and corrected.

- **(U) NSA Activities:**

-- ~~(U/FOUO)~~ **Joint Inspection of the Kunia Regional Security Operations Center (KRSOC):** A joint NSA/IG, (b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

conducted an inspection of the KRSOC, Kunia, Hawaii. The inspection team found that the KRSOC IO program manager lacked the authority to centrally manage the Center's IO program. In addition the team found that IO training materials contained inaccuracies, and the training accounting process was fragmented. Corrective action was recommended by the team and will be monitored by NSA/IG.

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

(b)(3)-P.L. 86-36

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- (U) (b)(3)-P.L. 86-36	(b)(3)-P.L. 86-36
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INTELLIGENCE  
OVERSIGHT

ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

NOV 8 2005

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
April-June 2005 is attached. We continue to monitor a number of on-going  
Intelligence Oversight investigations and incidents that have been reported  
to us.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

William R. Dugan, Jr.  
Acting ATSD(IO)

Attachment a/s

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INTELLIGENCE  
OVERSIGHT

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ASSISTANT TO THE SECRETARY OF DEFENSE  
7200 DEFENSE PENTAGON  
WASHINGTON, DC 20301-7200

21 SEP 05

Chairman, Intelligence Oversight Board  
New Executive Office Building, Room 5020  
Washington, DC 20500

Dear Mr. Chairman:

The Department of Defense Intelligence Oversight Report for the period  
October-December 2004 is attached. There were no significant Intelligence  
Oversight issues warranting IOB attention for this period and no significant  
Intelligence Oversight violations.

Daniel J. Dell'Orto  
Principal Deputy General Counsel

William R. Dugan, Jr.  
Acting ATSD(IO)

Attachment a/s

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Department of Defense Intelligence Oversight Report  
October-December 2004

- ~~(S//FOUO)~~ Significant Intelligence Oversight issues warranting SECDEF/IOB attention for this period: None.
- ~~(S//FOUO)~~ Intelligence Oversight violations during this period. There were no Intelligence Oversight violations reported during this period that warrant SECDEF/IOB attention. This office continues to monitor an Army investigation into a report, by the Special Operations Command, concerning the inability to account for assigned funds (see July-September 2004 Intelligence Oversight Report). In addition, this office is also monitoring several on-going investigations including:

-- ~~(S//NOFORN)~~ Alleged Abuse of Detainees in Afghanistan (05-2566-MA-056): DIA/IG provided a memorandum of notification to the ATSD(IO) on a DIA investigation into allegations against a civilian assigned to the <sup>(b)(1),(b)(3):10 USC 84</sup> [ ] <sup>(b)(1),(b)(3):10 USC §424</sup> [ ] The individual is alleged to have abused two detainees on March 21, 2005, while attached for duty with <sup>(b)(1),(b)(3):10 USC §424</sup> [ ] <sup>(b)(1),(b)(3):10 USC §424</sup> [ ] The alleged abuse consisted of immersing one detainee up to his neck in cold water, and burning the other detainee with wood. The investigation is on-going.

(b)(1)

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-- (U) Improper Collection and Investigation Activities (DAIG 05-011): INSCOM reported that two CI Special Agents (SA) assigned to the 470<sup>th</sup> Military Intelligence Brigade (MIBDE), Fort Sam Houston, Texas, are alleged to have conducted improper collection and investigative activities. The allegations center on the activities of the SAs after they witnessed a suspicious incident. Instead of reporting the activity to their regional office, the SAs requested investigative assistance from the Provost Marshall to conduct a license plate check on the vehicle involved in the incident and, after determining it was a rental car, to obtain identifying information on the driver from the rental company. The Commander, 470<sup>th</sup> MIBDE has initiated an investigation into the actions of the SAs since personnel assigned to the 470<sup>th</sup> do not have CI investigative jurisdiction in the U.S.

(b)(1)

- ~~(FOUO)~~ Intelligence Oversight Inspections and Staff Assistance Visits (SAVs): The Office of the ATSD(IO) and the IGs of DoD components conducted approximately 121 Intelligence Oversight inspections or staff assistance visits (SAVs) of intelligence units located worldwide. No violations of Intelligence Oversight guidance were identified during the inspections and SAVs, although administrative issues were identified and corrected.
- ~~(FOUO)~~ International Intelligence Review Agencies' Conference (IIRAC), Chantilly Virginia, October 3-4, 2004: Intelligence Oversight officials from the United States, United Kingdom, Canada, Australia, New Zealand, and South Africa initiated the International Intelligence Review Agencies' Conference (IIRAC) in 1997. The primary purpose of the IIRAC is to provide a forum for delegates to share their experiences in establishing oversight systems, discussing more efficient ways of conducting oversight and accountability, and meeting new challenges. The theme of this year's IIRAC was *Balancing National Security and Constitutional Principles in a Democracy*. In addition to the core countries, officials from the Intelligence Oversight bodies of Poland, Slovakia and Nigeria attended. The conference was sponsored by the ATSD(IO) and the Inspectors General of the Central Intelligence Agency, Department of Defense, National Security Agency, Defense Intelligence Agency, National Reconnaissance Office, and the National Geospatial-

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Intelligence Agency. Supreme Court Justice Antonin Scalia and Ms. Joan Dempsey, Executive Director of the President's Foreign Intelligence Advisory Board, among others, addressed this year's conference.

- (U) NSA Activities:

- ~~(S)~~ **Inspector General Activities:** An NSA/IG inquiry into (b)(3)-P.L. 86-36 (b)(3)-P.L. 86-36 has resulted in direct action to correct identified shortcomings (b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36 clearly defined roles and responsibilities for

(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

NSA/IG

will continue to track progress on a fourth recommendation: supplemental tailored initial and refresher training for all personnel involved in the collection process.

(b)(1)(b)(3)-50 USC 403, 18 USC 798, P.L. 86-36

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