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SUBJECT: Quarterly Intelligence Oversight Activities Report (1<sup>st</sup> Quarter, FY 08) (U)

J. (U) AR 381-20, The Army Counterintelligence Program, 15 November 1993.

2. (U) **SCOPE OF REPORT:** In accordance with (IAW) the references listed above, this report provides information on:

a. (U) Questionable Intelligence Activities (QIAs) reported to the Intelligence Oversight Division, US Army Inspector General Agency (DAIG-IO), during 1<sup>st</sup> Quarter, Fiscal Year 2008;

b. (U) Updates to QIAs previously reported;

c. (U) Results of intelligence oversight (IO) inspections and other actions conducted by DAIG-IO during 1<sup>st</sup> Quarter, Fiscal Year 2008;

d. (U) Summary of substantive changes to the Army IO program during 1<sup>st</sup> Quarter, Fiscal Year 2008; and

e. (U) Summary of any changes to intelligence, counterintelligence (CI), and intelligence-related policies during 1<sup>st</sup> Quarter, Fiscal Year 2008.

3. (U) **NEW QIA REPORTS:** Nine new reports of QIAs were reported during 1<sup>st</sup> Quarter, Fiscal Year 2008.

a. (U) **DAIG Case No. 08-001:**

(1)



(2) (U) DAIG-IO notes a *lack of clarity* with regard to *approval authority policy and standard operating procedure* for US Army Intelligence organizations, other than the Intelligence and Security Command (INSCOM) and the 650<sup>th</sup> MI Group (MIG), to obtain NAIA, as currently outlined IAW AR 381-10 and the classified memo mentioned above. Additionally, there appears to be an ability for Army Intelligence organizations to obtain NAIA through the DNI CIO's browsing service, which may conflict with required approvals in documents referenced above. DAIG-IO recommended that the Deputy Chief of Staff (DCS) G2 examine the existing policy guidance for obtaining NAIA to ensure consistency and clarity and provide a report of findings. This action was completed 17 December 2007.

(3) (U) **Update** – We are awaiting the results of the USAREUR 15-6 investigation into this matter in order to close this case. USAREUR plans to take the following corrective actions to resolve the above-mentioned allegations:

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(a) (U) Conduct a Commander's Inquiry to ascertain the extent of regulatory violations in addition to identifying the shortfalls and shortcomings of the current USAREUR NAIA policy.

(b) (U) Request reinstatement of NAIA approval authority to the USAREUR G2 as the Command's Senior Intelligence Officer (SIO).

(c) (U) No further NAIA access will be granted for USAREUR intelligence personnel unless it is granted IAW AR 381-10.

(4)

(a)

(b)

(5) (U) A command investigation under the provisions (UP) of AR 15-6 is ongoing. A final report will be provided once the investigation is completed. **STATUS: Open.**

b. (U) DAIG Case No. 08-002:

(1) (U) **Background** - On 12 October 2007, DAIG-IO received a Procedure 15 report of QIA from the INSCOM Inspector General (IG). The INSCOM report provides information with regard to alleged federal criminal activity by an intelligence Soldier (97E-Interrogator) assigned to Force Protection Detachment - Columbia. On or about 7 September 2007, a female Colombian citizen reportedly filed an official complaint of statutory rape against the Soldier.

(2) (U) **Update** - The 470<sup>th</sup> Military Intelligence Brigade (MIB) opened an AR 15-6 investigation on 6 October 2007 and informed the Fort Sam Houston Criminal Investigation Division (CID) of the alleged incident. CID opened an investigation (#0344-2007-CID044) on

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11 October 2007. The 470<sup>th</sup> suspended its AR 15-6 investigation pending the results of the CID investigation. The Soldier has been recalled to Fort Sam Houston, TX by the 470<sup>th</sup> MIB. Upon review of the initial 470<sup>th</sup> MIB report, INSCOM Staff Judge Advocate has determined that allegations may violate UCMJ Articles 120 (Carnal Knowledge) and 134 (Indecent Assault). DCS G2 and INSCOM will submit a final report upon completion of the CID investigation and the Command's review of those findings. STATUS: Open.

c. (U) DAIG Case No. 08-003:

(1) (U) Background – On 5 October 2007, DAIG-IO received a report of QIA from a CI Officer working for USAREUR, G2X, ATCICA. An Army Counterintelligence (CI) Special Agent (S/A) assigned to Task Force (TF) Prowler, TF Falcon, 29<sup>th</sup> Infantry Division (ID) at Camp Bondsteel, Kosovo was informed about a classified document found in a trashcan inside living quarters on Camp Bondsteel. Under *standing investigative authority* (SIA) the CI S/A interviewed additional personnel and identified the individual that was responsible for inappropriately disposing of the classified material. The CI S/A then proceeded to conduct an *unofficial* subject interview of the subject, telling the subject that he did not have to worry about getting in trouble since the CI S/A did not advise him of his rights prior to questioning him. The subject admitted to both inappropriately disposing of classified document as well as inappropriately securing classified documents in his personal wall locker. USAREUR ATCICA alleged the CI S/A failed to comply with the following regulatory guidance:

(a) (U) Used his position to require a subject to comply with a subject interview *without authorization* and *without advising him of his rights* IAW paragraph 15-4b. (Misrepresentation), AR 381-10.

(b) (U) Failed to follow US Army regulations, Chapter 4 of AR 381-20, while conducting a counterintelligence investigation.

(2) (U) Update – CI investigation (# 08-TFFCI-001) was closed 19 October 2007 and the results were referred back to the Company for action. The CI investigation did not expose any espionage indicators. The Company Commander counseled all employees on appropriate storage of classified documents. The CI S/A was counseled verbally and in writing and was retrained on AR 381-10 and AR 381-20. The Commander has assessed this incident as inappropriate activities of one individual and it should not be considered a systemic issue within the Task Force. This matter is considered closed with no further action anticipated. STATUS: Closed.

d. (U) DAIG Case No. 08-004:

(1) (U) Background – 30 October 2007, INSCOM Inspector General (IG) reported alleged federal criminal activity UP Chapter 16, AR 381-10. The INSCOM IG alleged Federal Criminal Activity / QIA by an INSCOM / National Ground Intelligence Center (NGIC) civilian employee who was investigated, charged, and convicted for using a government furnished computer to view and store child-pornography and who is now serving a federal sentence.

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(2) (U) Update – This case was erroneously reported as a Procedure 15, a federal crime that had been properly reported to the DCS, G2, UP Procedure 16, AR 381-10. It should not have been reported as a Procedure 15 and the Procedure 15 is hereby closed. Monitoring and reporting IAW Procedure 16 is unaffected by this action. STATUS: Closed.

e. (U) DAIG Case No. 08-005:

(1) (U) Background – 30 October 2007, INSCOM IG reported alleged federal criminal activity UP Chapter 16, AR 381-10. A Warrant Officer assigned to the NGIC, with duty at the Washington Navy Yard, on 4 August 2007 allegedly assaulted his spouse while on Fort Belvoir, VA. The Warrant Officer has subsequently received a General Officer Letter of Reprimand and, according to the INSCOM SJA, a civil case is pending.

(2) (U) Update – This case was erroneously reported as a Procedure 15 a federal crime that had been properly reported to the DCS, G2, UP Procedure 16, AR 381-10. It should not have been reported as a Procedure 15 and the Procedure 15 is hereby closed. Monitoring and reporting IAW Procedure 16 is unaffected by this action. STATUS: Closed.

f. (U) DAIG Case No. 08-006:

(1) (U) Background – INSCOM IG reported on 30 October 2007 alleged federal criminal activity UP Chapter 16, AR 381-10. An INSCOM civilian employee and Non Commissioned Officer (NCO) assigned to NGIC, between November 2004 and March 2007, allegedly submitted fraudulent claims to the government amounting to approximately \$62,000.00.

(2) (U) Update – This case was erroneously reported as a Procedure 15 a federal crime that had been properly reported to the DCS, G2, UP Procedure 16, AR 381-10. It should not have been reported as a Procedure 15 and the Procedure 15 is hereby closed. Monitoring and reporting IAW Procedure 16 is unaffected by this action. STATUS: Closed.

g. (U) DAIG Case No. 08-007:

(1) (U) Background – 30 October 2007, INSCOM IG reported of alleged federal criminal activity UP Chapter 16, AR 381-10. An NGIC Non Commissioned Officer (NCO) improperly changed the locale designation for her basic allowance for housing (BAH) from Charlottesville, VA to Washington, DC, thereby defrauding the government of approximately \$14,770.00.

(2) (U) Update – As the reported activity is currently being investigated by the US Army Criminal Investigation Command (USACIDC), and as there are no apparent systemic intelligence oversight issues requiring attention, DAIG-IO determines no further investigation or reporting IAW AR 381-10 is required. STATUS: Closed.

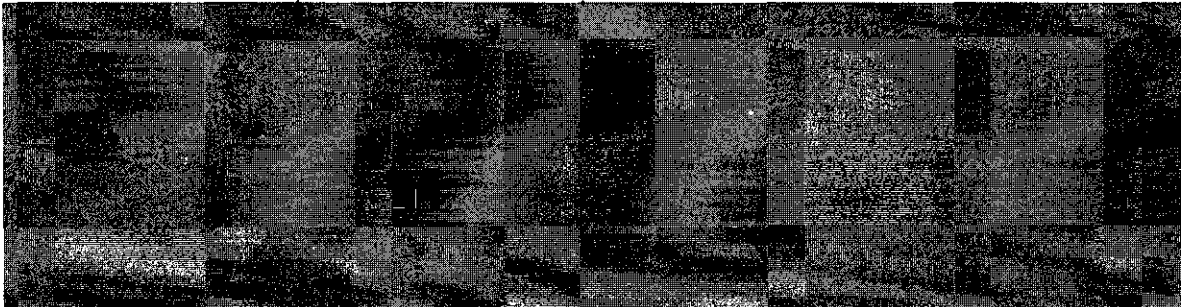
h. (U) DAIG Case No. 08-008:

(1) [REDACTED]

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(2) (U) Update - On 18 January 2008, DAIG-IO referred this issue to INSCOM to take appropriate action in order to facilitate an Army response to the Member of Congress.  
STATUS: Open.

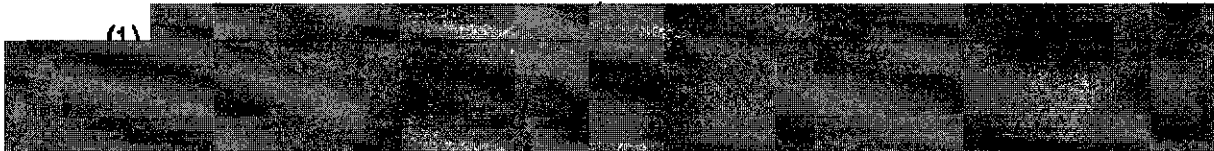
I. (U) DAIG Case No. 08-009:

(1) (U) Background - 30 November 2007, Third Army / U.S. Army Central - Area Support Group Qatar (ASG-QA) reported allegations of QIA by a counterintelligence (CI) special agent (S/A) assigned to the CI Resident Office (RO), ASG-QA. DAIG-IO in a Confidential//NOFORN memorandum, subject: Initial/Final Report of Questionable Intelligence Activity, Procedure 15, AR 381-10 (DAIG-07-019) (U), 12 July 2007, reported earlier allegations against the same special agent which were investigated by ASG-QA under the provisions of AR 15-6 and found to be *unsubstantiated*. The current allegations allege that the S/A, the [redacted] conducted unauthorized military police investigations, improperly collected information concerning U.S. Persons (USP), improperly handled and released investigative material (Initial Subversion and Espionage Directed Against the U.S. Army [SAEDA] reports), and committed various regulatory infractions in the handling and exploitation of evidence seized during gate security operations and investigations.

(2) (U) Update - The Commander, ASG-QA has initiated a second investigation UP of AR 15-6 to address the new allegations, and will report the results upon conclusion of the investigation. STATUS: Open.

4. (U) UPDATES ON PREVIOUSLY REPORTED QIAs:

a. (U) DAIG Case No. 05-037:



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(c)

(2) (U) The officer and the 42nd ID have since redeployed back to Idaho and New York, respectively. ACICA determined allegations were *not of CI interest*. CID-Iraq elected not to investigate the allegations. 42nd ID conducted an initial command investigation, but was unable to resolve all allegations. NGB assumed the responsibility for completing the investigation.

(a) (U) 42nd ID determined ICF related allegation to be *unsubstantiated*, but NGB is reviewing the results to ensure the Division appropriately applied AR 381-141(C), ICF (U), 16 January 2004. Allegations associated with a Category-1 Interpreter have been resolved as *unsubstantiated*. Also found to be *unsubstantiated* were the related allegations concerning the compromise of classified information. DAIG-IO determined hacking allegation should be referred to CID for criminal investigation and recommended Army-G2 report hacking allegation as a possible federal crime under the provisions of Chapter 16, AR 381-10. CID opened a criminal investigation 0048-2006-CID221-501109.

(b) (U) Upon review of the initial command investigative product, DAIG-IO noted other issues requiring resolution by NGB:

(1) (U) In the command investigative report, the investigating officer *substantiated* a previously unknown allegation that the officer's "THT (Tactical HUMINT Team) *improperly conducted raids without the presence or knowledge of the task force...*". DAIG-IO requested NGB confirm the status of the allegation and report corrective actions, as the THT was supposedly under the officer's control and raids were presumably in support of intelligence activities.

(2) (U) The officer's company commander and the BCT S2 allegedly sanctioned the THT's unauthorized use of alcoholic beverages during source operation, which violates theater policies. DAIG-IO requested NGB report the status of allegations and corrective actions.

(3) (U) The commander and S2 allegedly prevented a witness from reporting the QIAs. DAIG-IO requested NGB report status of allegation and corrective actions.

(4) (U) The officer allegedly required THT members to falsify intelligence reports, omitting references to the officer's presence during interrogations. DAIG-IO requested NGB report the status of this allegation and related corrective actions. On 11 January 2008, NGB IG confirms that the findings from the NGB ROI were referred to the New York and Idaho State Joint Force Headquarters with Soldiers involved for UCMJ action as appropriate.

(d) (U) 20 November 2007, DAIG-IO received NGB's Final Report of Investigation (ROI) dated 12 November 2007 regarding this issue. The ROI substantiates only allegations (b) (2) and (b) (4) above.

(e) (U) 11 December 2007, NGB IG provided a more focused assessment of their command's 15-6 investigation and stated the following:

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(1) (U) With regard to allegation (1)(a) the preponderance of the evidence suggests there were no violations of ICF usage.

(2) (U) With regards to allegation (1)(c) the preponderance of the evidence suggests the subject did not seek or receive authorization from the appropriate approval authority to conduct electronic surveillance of a non-US person's computer or computer records in the Operation IRAQI FFREEDOM Area of Responsibility (AOR) as defined by Procedure 7, paragraph C.4., AR 381-10.

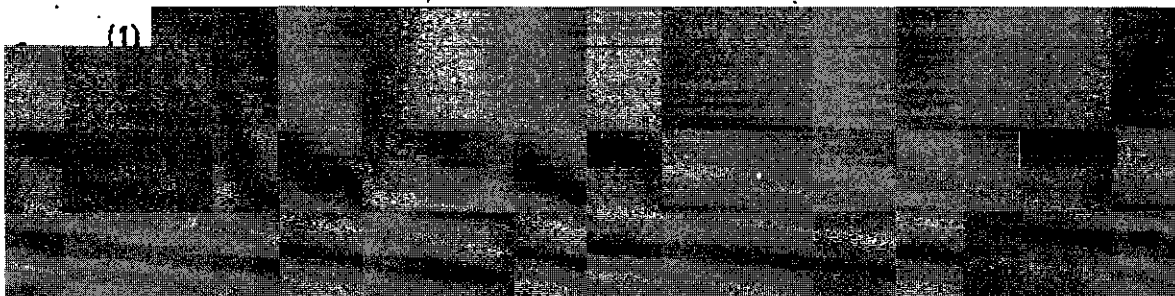
(c) (U) On 25 May 2006, CID's Computer Crime Investigative Unit (CCIU) issued its final report (0048-2006-CID221-501109 - 8P3 - 9G2F) regarding this case and determined that unauthorized access to a protected computer (allegation (1)(c) above) was *unfounded*. The CCIU made the following determination: *Investigation determined there was no evidence to substantiate the allegations that the officer in question committed any criminal offense. A ...source reported the officer in question made comments to the effect he had "hacked" into E-mail accounts and foreign computers. The officer in question was interviewed and denied "hacking" into any computer systems. The ...source was re-interviewed and stated he/she had no first hand knowledge of the incident and only the word of the Officer in Question. Subsequent investigation did not identify any witnesses to the allegations or physical evidence.*

(2) (U) Update -

(a) (U) On 23 January 2008, DAIG-IO IGs met CCIU investigators to deconflict the results of the NGB's final ROI and the CID investigation. As computer subject matter experts (SMEs), CCIU investigators felt the conclusions from the final NGB ROI did not warrant any further criminal investigation in relation to allegation (1)(c).

(b) (U) DAIG-IO will arrange to discuss the merits of this case with the Army OGG to determine if further investigation is required prior to closing this case. **STATUS: Open.**

b. (U) DAIG Case No. 06-003:



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(b) [REDACTED]

(1) [REDACTED]

(2) [REDACTED]

(3) [REDACTED]

(c) [REDACTED]

(1) [REDACTED]

(2) [REDACTED]

(3) [REDACTED]

(d) [REDACTED]

(2) (U) Update – INSCOM has taken further measures to mitigate the likelihood of similar actions in the future by establishing the following policies and procedures:

(a) (U) INSCOM will approve all National Ground Intelligence Center (NGIC) operational support to FMA activities. Requests for NGIC support will be forwarded to INSCOM for coordination with, and approval by, Army G2X. INSCOM has requested DCS G2 update AR 381-100 and AR 381-26 and Issue FMA guidance to mitigate problems highlighted by the investigation.

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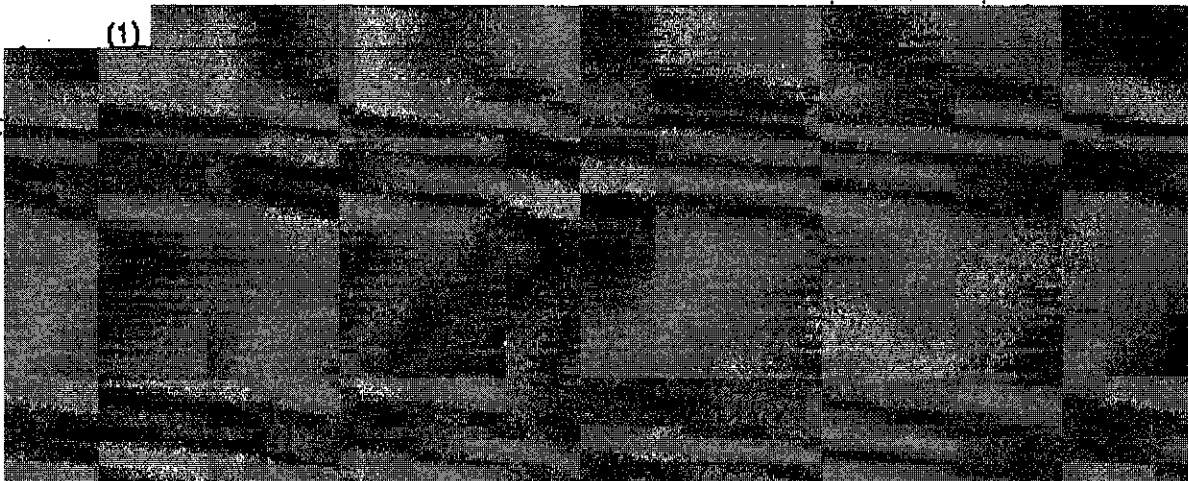
(b) (U) G2X will designate a single FMA point of contact and develop procedures to coordinate FMA requirements within INSCOM before forwarding to DAMI-FIT for validation. An FMA standing operating procedure will be developed and coordinated with DIA.

(c) (U) NGIC analysts are prohibited from conducting site visits to vendors and will not interact with vendors in support of FMA activities without prior INSCOM coordination and approval. NGIC personnel involved in FMA activities will be trained in basics of FMA activities and Operational Security (OPSEC) measures.

(U) INSCOM is still resolving the issues raised concerning TSCM. This case remains open pending INSCOM's final determination/actions. STATUS: Open

c. (U) DAIG Case No. 06-004:

(1)



(2) (U) Update – IAW AR 381-20 (The Army Counterintelligence Program, 15 November 1993), the 650<sup>th</sup> MiG initiated a counterintelligence investigation (LCCN: 06-TFFCI-003) concerning the deliberate security compromise. Concurrently, the IO Officer, G2, USAREUR, is conducting a command investigation into the QIAs (Procedure 15, AR 381-10). To date, we are still awaiting the results of both investigations. STATUS: Open

d. (U) DAIG Case No. 06-009:

(1) (U) Background – INSCOM notified DAIG-IO 5 January 2008 that a 902d MIG CI S/A, with duty at Joint Terrorism Task Force, Miami, FL (JTTF-Miami) may have collected and reported information on US-persons.

(a) (U) The agent reported the information as a Threat and Local Observance Notice (TALON) report, submitting it through 902d MIG to CI Field Activity (CIFA) for analysis and entry in the Cornerstone database.

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(b) (U) The report described a workshop and planning meeting to discuss countering US military recruiting in High Schools, as well as efforts to assist recruits in getting out of military contracts.

(c) (U) The CI S/A provided an updated TALON report describing plans to set up tables at schools in order to perform surveillance on military recruiters while on campus.

(d) (U) The TALON report referred to US Persons as a "group" and a "US Domestic Protest Group."

(e) (U) Deputy Secretary of Defense issued 13 September 2007 guidance on the implementation of interim threat reporting procedures effectively closing the TALON reporting system. CIFA General Counsel reportedly maintains a copy of the TALON data for intelligence oversight and Freedom of Information Act purposes.

(2) (U) Update – INSCOM conducted an IG preliminary investigation into alleged QIAs reporting that no further investigation was required.

(a) (U) Additionally, INSCOM advised that DAIG Case No. 06-009 and DAIG Case No. 06-019 (next below) were administratively combined, as both contained similar allegations of QIAs related to US persons and that issues raised in both cases would be addressed in a CG INSCOM directed IG Special Inspection of TALON (reporting) in INSCOM.

(b) (U) 19 October 2007, DAIG-IO informed INSCOM that they would maintain both this case and DAIG Case No. 06-019 (next below) as open cases, pending receipt of clarifying information received from INSCOM relative to the special IG inspection of TALON reporting and any appropriate actions taken.

(c) (U) DAIG-IO anticipates closure of these cases within the next quarter's reporting period. STATUS: Open.

e. (U) DAIG Case No. 06-019:

(1) (U) Background – According to a 27 April 2006 Wall Street Journal (WSJ) article, "Pentagon Steps up Intelligence Efforts Inside U.S. Borders," intelligence analysts assigned to the 902d MIG, Fort Meade, MD, allegedly collected and disseminated information concerning participants in a 19 March 2005 anti-war protest in Akron, OH.

(2) (U) Update – Review update for DAIG 06-009 listed above. STATUS: Open.

f. (U) DAIG Case No. 06-022:

(1) (U) Background – In June 2006, DAIG-IO received numerous allegations concerning members of the 101<sup>st</sup> Airborne Division (101<sup>st</sup> Abn), 4<sup>th</sup> ID, and Operational Detachment-Alpha 386 (ODA-386), 3<sup>rd</sup> Special Forces Group, during their 2006 deployment in Iraq. Some of the allegations were non-IO related and they were referred to Assistance Division, US Army Inspector General Agency (SAIG-AC), for action/resolution as appropriate.

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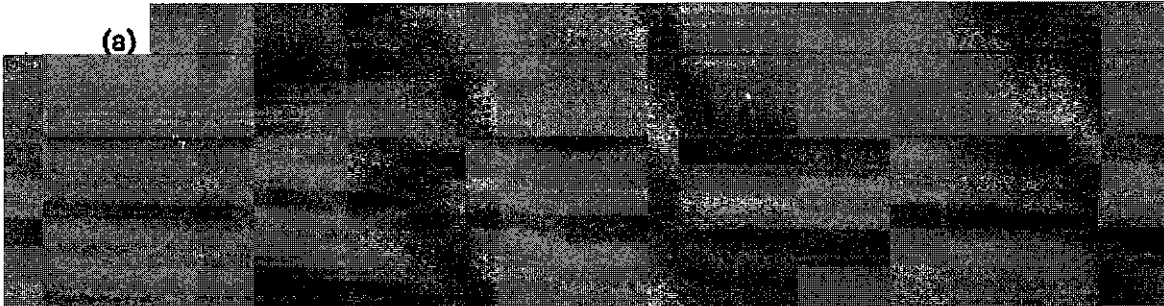
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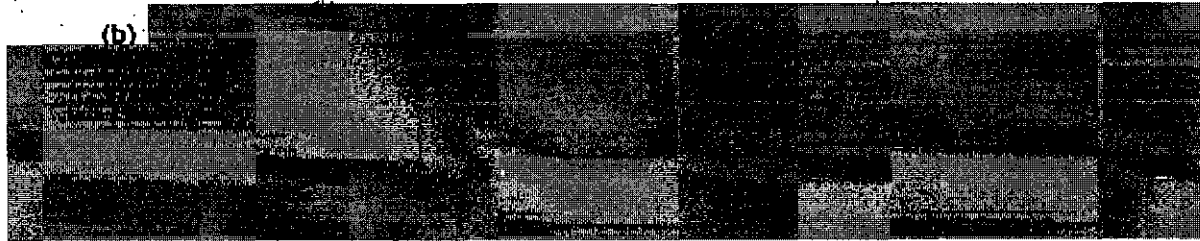
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However, other allegations (outlined below) are considered QIAs requiring resolution IAW AR 381-10. The QIAs were referred to the appropriate commands and DAIG-IO continues to monitor the investigative progress. (Note: At the time of the alleged incidents, elements of the 4<sup>th</sup> ID were task organized as a subordinate element of the 101<sup>st</sup> Abn.)

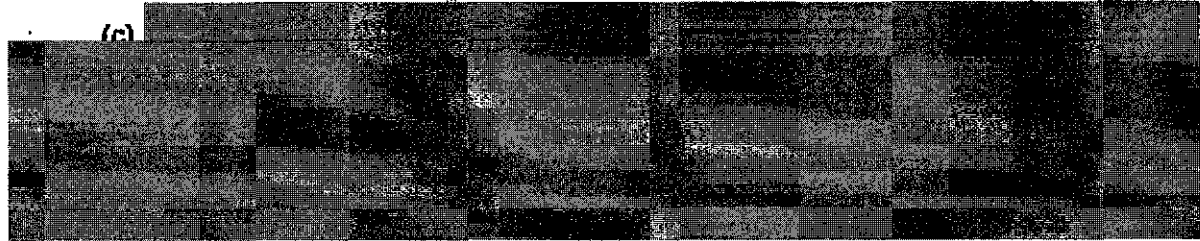
(a)



(b)



(c)



(d)



(e) (U) After formally briefing the Army G2, Army General Counsel, and The Inspector General, DAIG-IO referred the allegations to MNC-1 and US Army Special Operations Command for resolution. DAIG-IO also provided courtesy notifications to IG DIA, IG CENTCOM, and IG Multi National Forces-Iraq (MNF-I).

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(2)

(a) (U) An Infantry Officer and his linguist conducted unauthorized source operations in violation of Army regulations and theater policies. One such unauthorized operation may have contributed to a source's death.

(b) (U) An Infantry Officer and his linguist interfered with THT operations, in violation of Army regulations and theater policies.

(c) (U) An Infantry Officer and his linguist conducted unauthorized detention and interrogation operations, in violation of Army regulations and theater policies.

(d) (U) Four officers in the 1/187<sup>th</sup> failed to report and accurately resolve the QIAs reported to them, in violation of AR 381-10.

(3) (U) The remaining allegations were determined to be *unsubstantiated*. As a result of the I/O's substantiated findings, the CG of the 101<sup>st</sup> Abn issued letters of reprimand to four officers. The officers will also publish a "Company and Battalion Commanders Handbook and Guide to HUMINT Operations consistent with the recently published FM 2-22.3, HUMINT Collector Operations, September 2006." The Division G2, who is not a subject in the command investigation, will supervise the handbook project. The CG also directed improvement to training and coordination activities to prevent future incidents.

(4) (U) The 101<sup>st</sup> Abn's command investigation is closed. USASOC's investigative report regarding this case is anticipated no later than (NLT) the end of FEB 2008. **STATUS: Open.**

g. (U) DAIG Case No. 06-026:

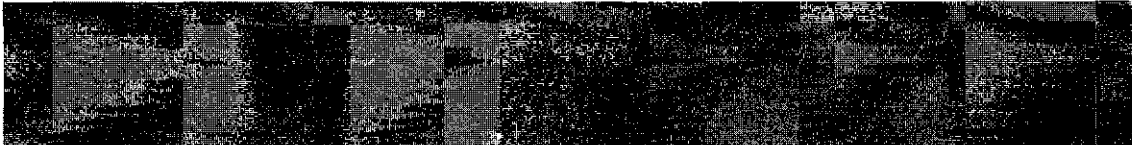
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(2) (U) Update – USASOC has conducted a command investigation UP AR 15-6, which concluded in FY 07. However, this case is pending interview of one additional witness that may provide more information regarding this case. That lead should be resolved by NLT the end of February 2008. STATUS: Open.

h. (U) DAIG Case No. 06-027:



(2) (U) Update – Per INSCOM's FY 08, 1<sup>st</sup> Quarter IO Activities Report dated 17 January 2008, the unit commander ordered an AR 15-6 investigation which *substantiated* the majority of the allegations. As a result, the commander issued a memorandum of proposed removal from civilian employment as a MICECP to the individual and submitted a memorandum for security clearance determination to the US Army Central Personnel Security Clearance Facility (CCF). Subsequently, the individual submitted a letter of resignation, and is no longer a federal employee as of 13 October 2007. Case closed. STATUS: Closed.

i. (U) DAIG Case No. 06-029:

(1) (U) Background – On 23 March 2006, the IG, DoD received an anonymous complaint concerning an MI officer's alleged misconduct in the performance of his intelligence duties while he was assigned to the US Army TF In Kosovo. On 15 June 2006, the DoD IG referred the case to the US Army Inspector General Agency's (USAIGA) Assistance Division (DAIG-AC). On or about 17 July 2006, after notifying the DAIG-IO, DAIG-AC further referred the case to the TF IG for resolution (DAIG-AC case number: DIH-06-8182). According to the initial report, the officer allegedly misused his position as a TF MI officer and ICF custodian/agent to make personal trips monthly to Headquarters, US Army Europe (USAREUR), Heidelberg, GM, under the possible guise of reconciling the ICF account with USAREUR. It was further alleged that the officer's supervisor would conceal the purpose of the trip(s) as official MI business.

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(2) (U) Update – The TF has been directed to report its investigative results to DAIG-AC and DAIG-IO. DAIG-AC will also provide a copy of the investigative results to the IG, DoD. Further updates are expected at the end of February 2008. STATUS: Open.

j. (U) DAIG Case No. 06-030:

(1)

(2) (U) Update – As this is an ongoing CE investigation, no further updates will be provided until ACCO completes their investigation. STATUS: Open.

k. (U) DAIG Case No. 06-034:

(1)

(2) (U) Update – As this matter is still being investigated by ACICA, no further updates will be reported until the case is closed. STATUS: Open.

l. (U) DAIG Case No. 07-001:

(1)

(a) (U) ACCN: PI-SCO-07-001 substantiated the following: First, in 1998 the SAO provided a Foreign Military Attaché with Foreign Country troop movements *without proper approval*. Second, the SAO *improperly stored* a compact disk (CD) containing information up to SECRET level at his personal residence. Third, the SAO had an *improper relationship* with a female Foreign National. The results of this investigation were forwarded to CCF, the General Officer Management Office (GOMO), and the Army G2 for future action/awareness.

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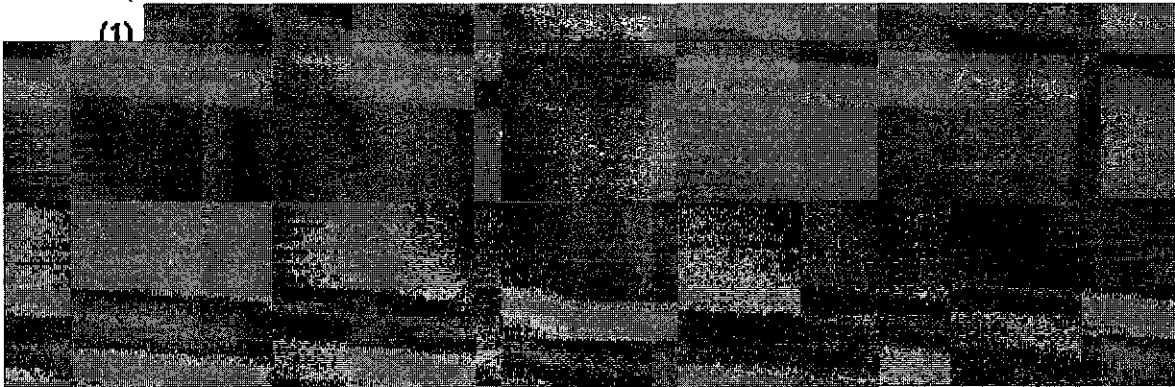
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(b) (U) The USAIGA concluded its Report of Investigation (ROI) (Case 07-006) on 27 March 2007 which substantiated the following: the SAO engaged in inappropriate relationships and also improperly handled classified material.

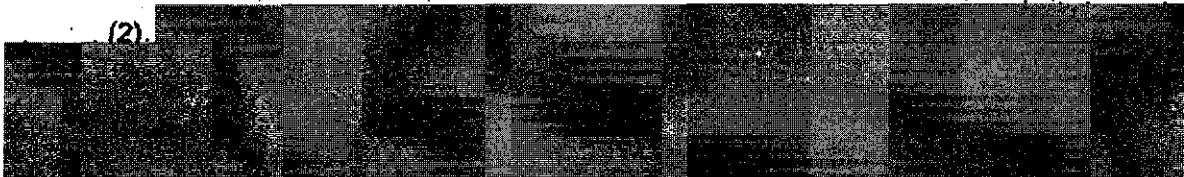
(2) (U) Update – On or about 29 March 2007, the SAO received a Memorandum of Concern from the Vice Chief of Staff of the Army. This matter is considered closed with no further action anticipated. STATUS: Closed.

m. (U) DAIG Case No. 07-002:

(1)

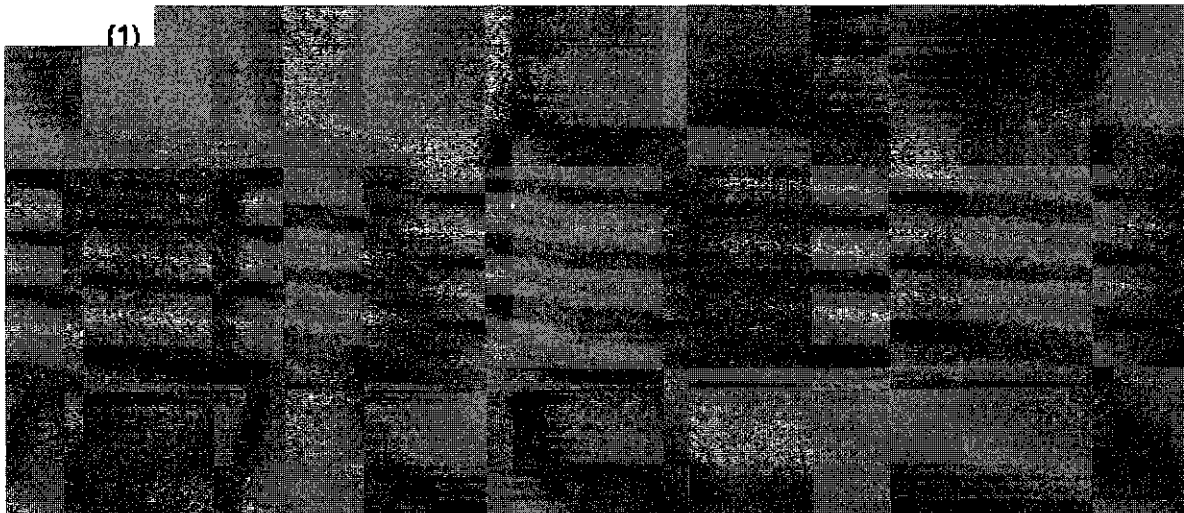


(2)



n. (U) DAIG Case No. 07-007:

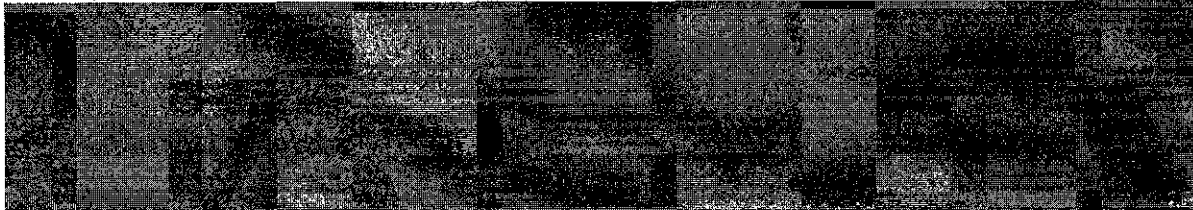
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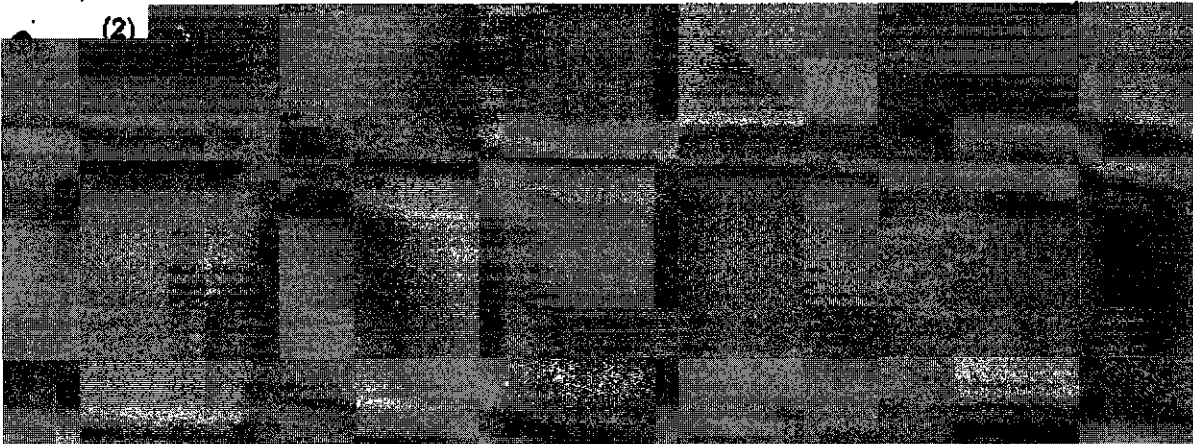
SUBJECT: Quarterly Intelligence Oversight Activities Report (1<sup>st</sup> Quarter, FY 08) (U)



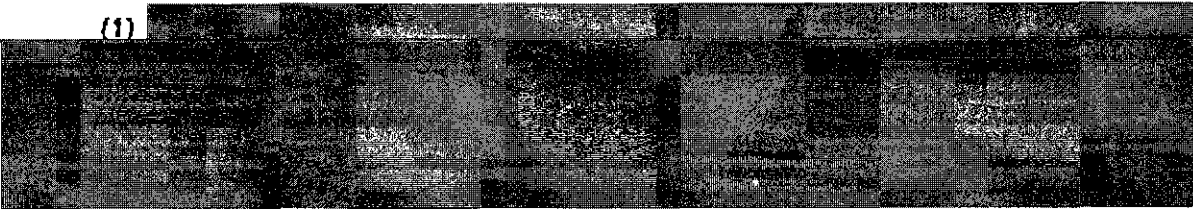
(2) (U) Update - The MND-B has completed a command investigation to resolve the allegations. DAIG-IO is currently reviewing that investigation and subsequent MND-B actions. STATUS: Open.

o. (U) DAIG Case No. 07-008:

(1) (U) Background - On 6 October 2008, the S2, 506<sup>th</sup> Regimental Combat Team (RCT) Forward Operating Base (FOB) Rustamiyah, Iraq, allegedly violated regulations by directing his subordinates to gather as much evidence as they could against a USP interpreter who worked on the FOB. Initial reporting indicated that the S2 possibly violated portions of AR 381-10, 381-12 and AR 381-20. Initial reporting also stated that the activities directed by the S2 were not part of an authorized CI investigation. The Commanding General, MND-B, directed an investigation UP AR 15-6, to resolve the allegations.



p. (U) DAIG Case No. 07-012:

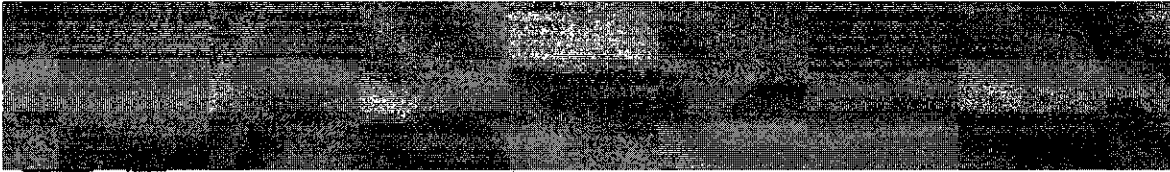


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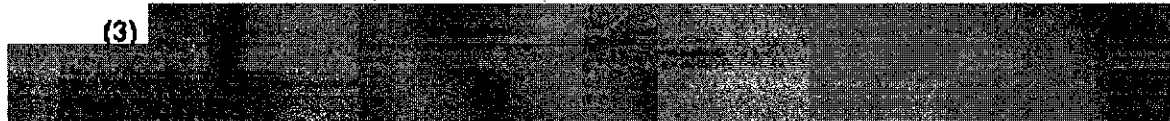


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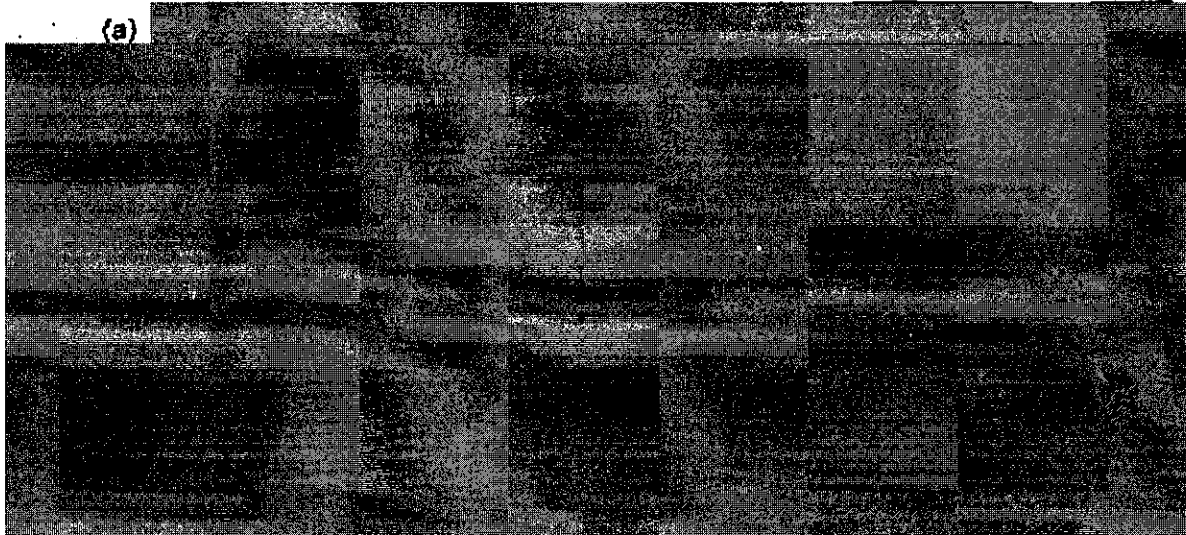


(4) (U) 7 January 2008, DAIG-IO continues to coordinate with INSCOM requesting clarification of the fact that no allegations were substantiated against any individuals in this case. STATUS: Open.

q. (U) DAIG Case No. 07-018:

(1) (U) Background - On 17 April 2007, DAIG-IO received a memorandum from ATSD-IO forwarding a report from the NSA alleging QIA by members of the 27<sup>th</sup> Cavalry in Iraq. The reference also requested that the Inspector General, MNF-I, conduct an inquiry / investigation into the NSA allegations.

(a)



(b) (U) A 9 November 2007 Update Memorandum reported the results of the investigation to ATSD-IO. ATSD-IO discussed the results with the FBI and requested on behalf of the FBI, that a copy of the investigation be provided to the FBI to facilitate possible FBI investigation of the potential misconduct of their agents in Iraq. After obtaining permission to release the command investigation to the FBI from the Multi-National Corps-Iraq Staff Judge Advocate, a copy of the investigation was provided to ATSD-IO for transmittal to the FBI.

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(2) (U) Update – The Army anticipates no further action in this matter. STATUS: Closed.

r. (U) DAIG Case No. 07-020:

(1) (U) Background – In April 2007, a CI S/A (Sergeant) assigned to TF Prowler, Task Force Falcon, 29<sup>th</sup> Infantry Division possibly used his Installation Access Card (IAC) *Inappropriately* to bring a CAT II Interpreter onto Camp Bondsteel, Kosovo. The interpreter lost her Kosovo Force (KFOR) badge while previously on leave in Serbia. It is further alleged that the CI S/A tried to assist the interpreter to get a new KFOR Identification Card (ID) the following day *without proper approval or authority*. Then, the agent *misidentified* the associated contract company, potentially to avoid detection of the lost KFOR ID and the potential consequences to the interpreter by her employer. The NCO's alleged actions are violations of Chapter 9, AR 381-20, and Paragraph 15-4b., AR 381-10.

(2) (U) Update – Task Force Falcon initiated a command investigation UP of AR 15-6. We have requested an update on this case from USAREUR G2 and are awaiting their reply. STATUS: Open.

s. (U) DAIG Case No. 07-021:

(1) (U) Background – On 12 June 2007, the 308<sup>th</sup> MI Battalion, 902<sup>nd</sup> MI Group provided information on the alleged federal criminal activity of a Department of the Army MICECP employee and his wife. The wife is being investigated by the Irvine, California, Police Department for embezzlement and fraud (approximately \$ 400,000) against the company for which she worked. The MICECP employee also worked for the company prior to and continuing after his employment with the Department of the Army. The stolen money was deposited in a joint bank account of the MICECP employee and his wife. The investigation is focusing on the MICECP employee's possible involvement in, or knowledge of and complicity with, the embezzlement and fraud. The Irvine Police Department has kept the FBI apprised. As a result, the FBI intended to open a criminal investigation by 22 June 2007 on both individuals.

(2) (U) Update – The employee's access to classified information has been suspended and he surrendered his CI badge and credentials, government credit card, access badges to supported civilian contracting facilities, and keys to the office. He is on paid administrative leave pending his unit finding suitable employment that does not require an active security clearance. This case was erroneously reported as a Procedure 15, but it was a federal crime that had been properly reported to the DCS, G2, under the provisions of Procedure 16, AR 381-10. It should have not been reported IAW Procedure 15 and is hereby closed. STATUS: Closed.

t. (U) DAIG Case No. 07-022:

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(2) (U) Update – As of 17 January 2008, the ACICA case is still active. A final report will be provided once the case is closed. STATUS: Open.

u. (U) DAIG Case No. 07-023:

(1) (U) Background – On 15 June 2007, the US Army Forces Command (FORSCOM) IG Office reported a possible violation of Section 4, (USSID) SP0018 (S//COMINT) and Procedure 2 of AR 381-10 in reference to the collection of U.S. persons information. During a field exercise on 6-7 April 2007 at the Joint Readiness Training Center (JRTC), Fort Polk, LA, a SIGINT NCO operating a SIGINT collection system allegedly intercepted civilian cell phone conversations. The incident was reported to the National Security Agency (NSA) Security Intelligence Directorate's (SID) Intelligence Oversight & Compliance (O&C) Office. The unit commander immediately conducted an inquiry into this situation.

(2) (U) Update – On 29 October 2007, the FORSCOM IG submitted its final report on this issue. The final determination of this situation is as follows: "The SIGINT Collection Operator did not admit to listening to conversations for entertainment as was first reported; he may have listened to some conversations longer than necessary to do his job but there is no proof available to indicate otherwise." In light of the seriousness of this allegation, the unit commander has directed the following action to mitigate future occurrences:

(a) (U) The SIGINT Collection Operator was counseled by the Intel Division Observation Controller (OC), the SIGINT OC, and the SIGINT Collection Operator's Platoon Leader.

(b) (U) Additionally, DA 5248 'Report of Unfavorable Information for Security Determination' was drafted and processed through the SIGINT Collection Operator's chain of command.

(c) (U) The SIGINT Collection Operator's chain of command decided not to suspend his clearance pending a determination from CCF.

(d) (U) NSA's Office of the Adjutant General provided refresher training on USSID SP0018 and Intelligence Oversight responsibilities to the personnel assigned to Ft. Polk in September 2007.

(3) (U) DAIG-IO has reviewed the information surrounding this case and considers this issue now closed from an intelligence oversight perspective. STATUS: Closed.

v. (U) DAIG Case No. 07-025:

(1) (U) Background – On 19 July 2007, DAIG-IO received a Procedure 15 report from the USAREUR, G2X, ATCICA via the DA DCS G2. The report alleged that two officers, one warrant officer, and one NCO assigned to TF Falcon's CI Team conducted a CI investigation without proper authorization. TF Falcon is currently stationed at Camp Bondsteel, Kosovo. The subjects of this unauthorized investigation were US Citizen interpreters with US secret

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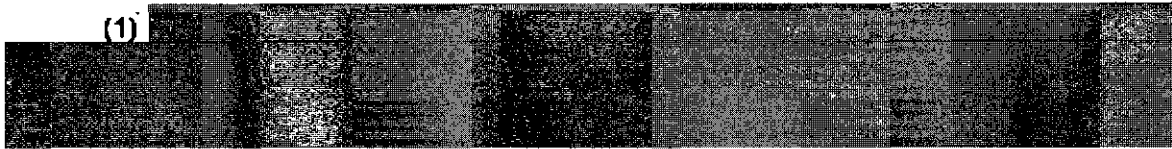
SUBJECT: Quarterly Intelligence Oversight Activities Report (1<sup>st</sup> Quarter, FY 08) (U)

clearances employed by TF Falcon. Sometime during June 2007, the subjects had reportedly traveled across the border without proper authorization, were temporarily detained by the border authorities, and potentially lied to these authorities for the reasons for their travel. During the interviews, the team learned that a fourth person was involved, and they interviewed that subject the following day. All four of the interviews were conducted without approval of the 650<sup>th</sup> MI Group's Sub Control Office (SCO) [their serving entity] and without reading the subjects their rights. Upon completing the investigation, the team's Special Agent in Charge (SAIC) drafted an unclassified memorandum outlining their actions and forwarded it to the TF G2. On 18 June 2007, the USAREUR ATCICA office was made aware of the incident outside of intelligence channels and proceeded to contact the 650<sup>th</sup> MIG's SCO to inform them of the incident. Only when the USAREUR ATCICA sent a message to the 650<sup>th</sup> MIG's SCO and TF Falcon's G2 on that same day was the SCO informed of the incident. On 16 July 2007, the USAREUR ATCICA contacted the TF IO Officer to check on the status of this event only to discover that the TF IO Officer had never been made aware of this incident, and because of this, it had not been reported to DA IG.

(2) (U) Update – 18 January 2008, MNTF-(E) TF CICA reported that they could find no record of this investigation at TF Falcon. USAREUR, G2X is probing into this case to provide this office with an update. STATUS: Open.

w. (U) DAIG Case No. 07-030:

(1)



(2) (U) Update – On 20 September 2007, ACICA opened a CI investigation (ACCN: 07-0033-002), which will be conducted jointly with the FBI, with Army in the lead. On 17 January 2008, INSCOM reports that this remains an active CI case. STATUS: Open.

5. (U) INSPECTIONS: During the 1<sup>st</sup> Quarter, DAIG-IO conducted inspections of Army elements located in Kansas during the periods 2-9 and 12-15 NOV 07. No significant IO violations were discovered; inspection results have been forwarded to the ACOM of the units that were inspected.

6. (U) IO PROGRAM CHANGES: Nothing Significant to Report (NSTR).

7. (U) ITEMS OF INTEREST: NSTR.

8. (U) POINTS OF CONTACT:



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[REDACTED] SIPRNET:



ALAN W. THRASHER  
Major General, USA  
Deputy The Inspector General

Encl  
as

CF:  
DCS G2  
OTJAG

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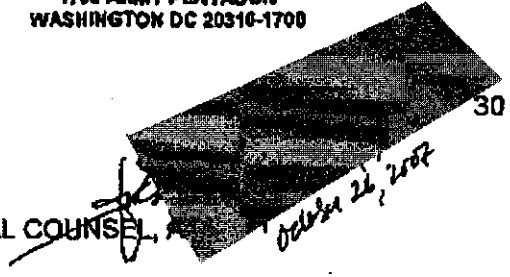
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DEPARTMENT OF THE ARMY  
OFFICE OF THE INSPECTOR GENERAL  
1700 ARMY PENTAGON  
WASHINGTON DC 20310-1700

SAIG-IO (381-10b)

30 October 2007



MEMORANDUM THRU GENERAL COUNSEL,  
FOR OFFICE OF THE ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT) (ATSD(IO))

SUBJECT: Quarterly Intelligence Oversight Activities Report (4th Quarter, FY 07) (U)

1. (U) References:

- a. (U) Executive Order 12333, US Intelligence Activities, 4 December 1981.
- b. (U) DoD Directive 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, December 1982.
- c. (U) DoD Directive 5240.1, DoD Intelligence Activities, 27 August 2007.
- d. (U) Army Regulation (AR) 381-10, US Army Intelligence Activities, 3 May 2007.
- e. (U) Unclassified memorandum, Assistant to the Secretary of Defense, 8 December 2006, subject: Annual Intelligence Oversight Report to Congress - New Requirement.
- f. (U) Unclassified//FOUO memorandum, Office of the Director of National Intelligence, 23 March 2006, subject: Request for Information and Coordination.
- g. (U) SECRET//NOFORN memorandum, Department of the Army Inspector General (DAIG), 3 August 2007, subject: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U).
- h. (U) AR 20-1, Inspector General Activities and Procedures, 1 February 2007.
- i. (U) AR 15-6, Procedures for Investigating Officers and Boards, 30 September 1996.

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SUBJECT: Quarterly Intelligence Oversight Activities Report (4th Quarter, FY 07) (U)

2. (U) **SCOPE OF REPORT:** In accordance with the references listed above, this report provides information on:

a. (U) Questionable Intelligence Activities (QIAs) reported to the Intelligence Oversight Division, US Army Inspector General Agency (SAIG-IO), during 4th Quarter, Fiscal Year 2007;

b. (U) Updates to QIAs previously reported;

c. (U) Results of intelligence oversight (IO) inspections and other actions conducted by SAIG-IO during 4th Quarter, Fiscal Year 2007;

d. (U) Summary of substantive changes to the Army IO program during 4th Quarter, Fiscal Year 2007; and

e. (U) Summary of any changes to intelligence, counterintelligence (CI), and intelligence-related policies during 4th Quarter, Fiscal Year 2007.

3. (U) **NEW QIA REPORTS:** Five new reports of QIAs were reported during 4th Quarter, Fiscal Year 2007.

a. (U) **DAIG Case No. 07-026:**

(1) (U//~~FOUO~~) Background - The Intelligence and Security Command (INSCOM) Inspector General (IG) received an IG Action Request (IGAR) alleging QIA by a contract employee, who allegedly attempted without authority to use government computer systems to search for information about a US person, thereby violating Procedure 14 (Employee Conduct), AR 381-10.

(2) (U//~~FOUO~~) The contract employee allegedly used a government computer to search for personal information through a commercial fee-for-service website, thus potentially compromising the intelligence computer system.

(3) (U) Update - (U//~~FOUO~~) INSCOM concluded 30 August 2007 its AR 15-6 investigation and *substantiated* above allegations. Recommended corrective actions include:

(a) (U//~~FOUO~~) The contractor has been barred from the INSCOM HQ.

(b) (U//~~FOUO~~) As a contract employee, the employer has been given responsibility to determine employment status.

(c) (U//~~FOUO~~) IO Refresher training has been accomplished of personnel assigned to the intelligence operations center (IOC). SAIG-IO concurs with INSCOM's assessment of this incident and considers this case to be closed. STATUS: Closed.

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b. (U) DAIG Case No. 07-027:

(1) (U//~~FOUO~~) Background - Hanau Resident Office (HURO), 66<sup>th</sup> Military Intelligence Group (MIG) reported 25 July 2007 an alleged QIA involving a local national investigator (LNI) assigned to Hanau Military Intelligence Detachment (MID), 2d MI Battalion (BN), 66<sup>th</sup> MIG, Hanau, Germany, who allegedly conducted physical surveillance of a non-US person (N-USP) without proper authority, thus violating Procedures 9 (Physical Surveillance) and 14 (Employee Conduct), AR 381-10.

(2) (U//~~FOUO~~) Update - HURO / 66<sup>th</sup> MIG has taken the following corrective actions to prevent future, similar violations.

(a) (U//~~FOUO~~) Commander, Hanau MID, counseled LNI in writing 30 July 2007 on required authorizations and reporting procedures under AR 381-10.

(b) (U//~~FOUO~~) Commander, Hanau MID, required LNI to attend mandatory Intelligence Oversight (IO) training on purpose, history, and applicability of IO to all personnel assigned to a U.S. Department of Defense intelligence organization.

(c) (U//~~FOUO~~) Furthermore, LNI was provided an IO reference card to be used as a quick reference and reminder of the need for authorizations to conduct specific activities.

(d) (U//~~FOUO~~) SAIG-IO concurs with INCOM's recommendation to close this case.  
STATUS: Closed.

c. (U) DAIG Case No. 07-028:

(1) (U) Background - INSCOM forwarded 24 August 2007 an email from Criminal Investigation Command (CID) to Office of the Inspector General (OTIG) referencing correspondence from Law Offices of [REDACTED] to LTG Stanley Green, in which [REDACTED] alleged "... INSCOM has made electronic surveillance of whistleblower calls ... to my law office line ..."

(a) (U) The alleged QIA outlined above relates to DoD Inspector General Hotline Whistleblower Complaint Case 104420 involving [REDACTED] client, an INSCOM employee.

(b) (U) INSCOM's report of QIA was submitted 29 August 2007 to the US Army Inspector General Agency (USAIGA), Intelligence Oversight Division (IOD), SAIG-IO, as an initial QIA report.

(c) (U) USAIGA-IOD, SAIG-IO, in coordination with the Army's Deputy Chief of Staff (DCS) G2, conducted an informal inquiry into alleged QIA.

(2) (U) Update - SAIG-IO closed 10 October 2007 this case, as [REDACTED] assertions were implausible, given that INSCOM has neither the unilateral authority, nor the direct operational capability to conduct the type of electronic surveillance alleged by [REDACTED]. INSCOM would have to justify a tasking requirement for national signal intelligence



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(SIGINT) collection assets in the midst of wartime operations to focus on [REDACTED] and his client in Alexandria, VA. SAIG-IO has closed the case, with no further action required.  
STATUS: Closed.

d. (U) DAIG Case No. 07-029:

✓

[REDACTED]

(a) [REDACTED]

(b) [REDACTED]

(c) [REDACTED]

(2) [REDACTED]

(a) [REDACTED]

(b) [REDACTED]

(c) [REDACTED]

e. (U) DAIG Case No. 07-030:

✓

(1) [REDACTED]

(2) (U) Update - None. STATUS: Open.

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4. (U) UPDATES ON PREVIOUSLY REPORTED QIAs:

a. (U) DAIG Case No. 05-006:

(1) [REDACTED]

(2) [REDACTED]

b. (U) DAIG Case No. 05-037:

(1) (U) [REDACTED]

(a) [REDACTED]

(b) [REDACTED]

(c) [REDACTED]

(d) [REDACTED]

(2) (U) ACICA determined allegations were not of CI interest. CID-Iraq elected not to investigate the allegations. 42<sup>nd</sup> ID conducted an initial command investigation, but was unable to resolve all allegations. NGB assumed the responsibility for completing the investigation.

(3) (U) 42<sup>nd</sup> ID determined ICF related allegation to be *unsubstantiated*, but NGB is reviewing the results to ensure the Division appropriately applied AR 381-141(C), ICF (U), 18 January 2004. Allegations associated with a Category-1 Interpreter have been resolved as *unsubstantiated*. Also found to be *unsubstantiated* were the related allegations concerning the compromise of classified information. SAIG-IO determined hacking allegation should be referred to CID for criminal investigation and recommended Army-G2 report hacking allegation as a possible federal crime under the provisions of Chapter 16, AR 381-10. CID opened a criminal investigation, which is ongoing.

(4) (U) Upon review of the initial command investigative product, SAIG-IO noted other issues requiring resolution by NGB:

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(a) (U) In the command investigative report, the investigating officer substantiated a previously unknown allegation that the officer's "THT (Tactical HUMINT Team) improperly conducted raids without the presence or knowledge of the task force...". SAIG-IO requested NGB confirm the status of the allegation and report corrective actions, as the THT was supposedly under the officer's control and raids were presumably in support of intelligence activities.

(b) (U) The officer's company commander and the BCT S2 allegedly sanctioned the THT's unauthorized use of alcoholic beverages during source operation, which violates theater policies. SAIG-IO requested NGB report the status of allegations and corrective actions.

(c) (U) The commander and S2 allegedly prevented a witness from reporting the QIAs. SAIG-IO requested NGB report status of allegation and corrective actions.

(d) (U) The officer allegedly required THT members to falsify intelligence reports, omitting references to the officer's presence during interrogations. SAIG-IO requested NGB report the status of this allegation and related corrective actions.

(5) (U) Update - NGB-IG advised 19 July 2007 that the primary investigator has concluded a subject interview, two additional interviews are pending as of 28 September 2007. STATUS: Open.

c. (U) DAIG Case No. 08-002:

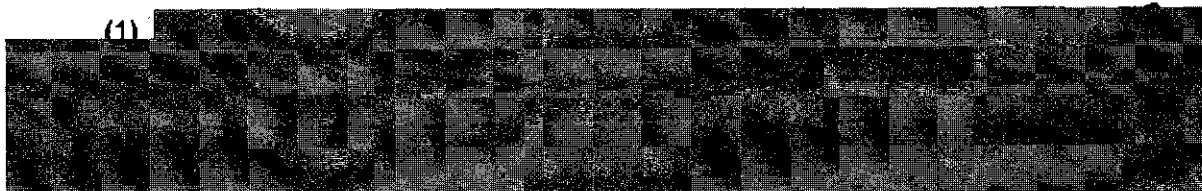
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(2) (U) Update - The Army Counterintelligence Coordinating Authority (ACICA) terminated the investigation 7 August 2007, finding the allegations were *unsubstantiated*. INSCOM issued 29 August 2007 a final report closing the case, as required by provisions of AR 381-10. SAIG-IO concurs with INSCOM's recommendation to close the case; no further action required. STATUS: Closed.

d. (U) DAIG Case No. 06-003:

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[REDACTED]

(a)

[REDACTED]

(b)

[REDACTED]

(c) AR 381-26(S), US Army Foreign Material Program (FMP) (U), 27 May 1991, is outdated and does not describe current policy and procedures for Army participation in FMP.

(d) SAIG-IO was unable to identify management and oversight controls for INSCOM participation in FMP operations.

(e) A risk or cover impact assessment may be necessary to determine security posture of at least one participant who is now serving in a sensitive position.

(2)

[REDACTED]

(a)

[REDACTED]

(b)

[REDACTED]

(c)

[REDACTED]

(3)

[REDACTED]

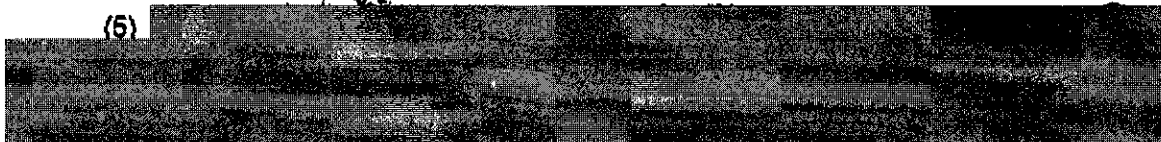
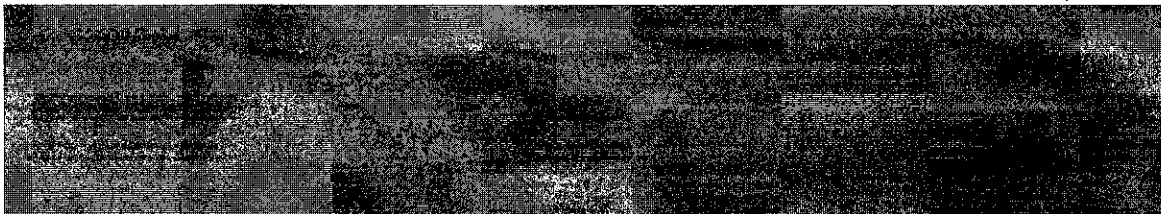
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(8) (U) Update - ~~(S//NF)~~ INSCOM has taken further measures to mitigate the likelihood of similar actions in the future by establishing the following policies and procedures:

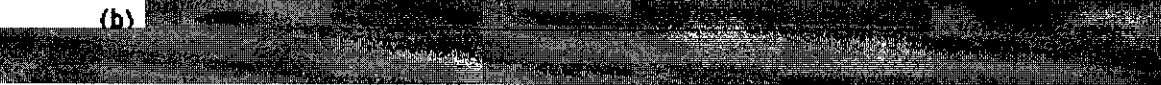
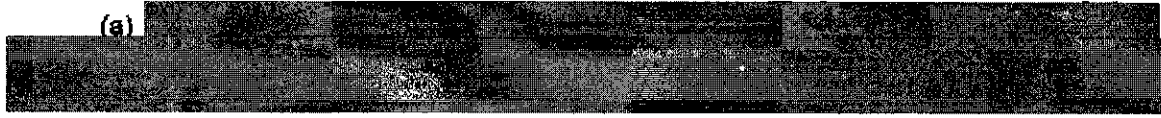
(a) ~~(U//FOUO)~~ INSCOM will approve all National Ground Intelligence Center (NGIC) operational support to FMA activities. Requests for NGIC support will be forwarded to INSCOM for coordination with, and approval by, Army G2X. INSCOM has requested DCS G2 update AR 381-100 and AR 381-26 and issue FMA guidance to mitigate problems highlighted by the investigation. DCS G2 acknowledges requirement to update AR 381-100 and AR 381-26(S) and has directed that the regulations "...be expeditiously updated ..."

(b) ~~(U//FOUO)~~ G2X will designate a single FMA point of contact and develop procedures to coordinate FMA requirements within INSCOM before forwarding to DAMI-FIT for validation. An FMA standing operating procedure will be developed and coordinated with DIA.

(c) ~~(U//FOUO)~~ NGIC analysts are prohibited from conducting site visits to vendors and will not interact with vendors in support of FMA activities without prior INSCOM coordination and approval. NGIC personnel involved in FMA activities will be trained in basics of FMA activities and Operational Security (OPSEC) measures.

(d) (U) INSCOM reports case closed. Although SAIG-IO concurs with the actions DCS G2 and INSCOM have taken to mitigate future, similar questionable activities, DCS G2 and INSCOM have not addressed the specific allegations in paragraph d. (2) (a-c) above identified by SAIG-IO. STATUS: Open - Pending final review of DCS G2 and INSCOM comments.

e. (U) DAIG Case No. 06-006:

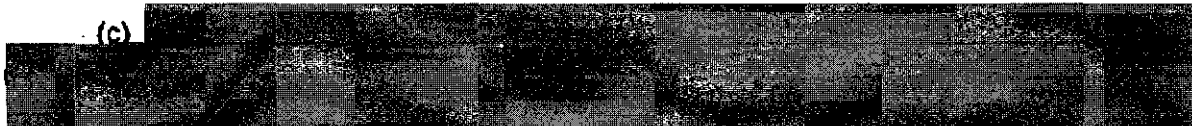
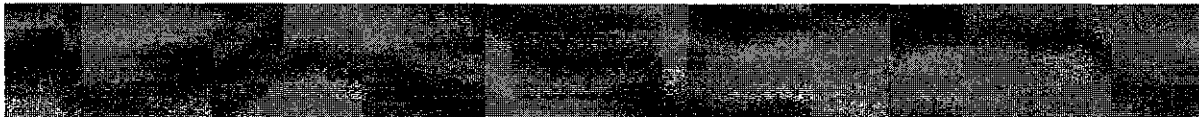


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(2) (U) Update - 902<sup>nd</sup> Military Intelligence Group's Sub-Control Office, with ACCO's concurrence, opened 10 January 2006 a preliminary investigation, which was resolved 2 August 2007 when allegations were found to be *unsubstantiated*. INSCOM submitted a final report IAW AR 381-10 closing the case. SAIG-IO concurs with INSCOM's conclusions; no further action required. STATUS: Closed.

f. (U) DAIG Case No. 06-009:

(1) (U//~~FOUO~~) Background - INSCOM notified SAIG-IO 5 January 2006 that a 902d MIG CI special agent, with duty at Joint Terrorism Task Force, Miami, FL (JTTF-Miami) may have collected and reported information on a protest group made up of US-persons focused on countering military recruiting in high schools.

(a) (U//~~FOUO~~) The agent reported the information as a Threat and Local Observance Notice (TALON) report, submitting it through 902d MIG to CI Field Activity (CIFA) for analysis and entry in the Cornerstone database.

(b) (U//~~FOUO~~) The report described a workshop and planning meeting to discuss countering US military recruiting in High Schools, as well as efforts to assist recruits in getting out of military contracts.

(c) (U//~~FOUO~~) The CI special agent provided an updated TALON report describing plans to set up tables at schools in order to perform surveillance on Military recruiters while on campus.

(d) (U//~~FOUO~~) The TALON report referred to US Persons as a "group" and a "US Domestic Protest Group."

(e) (U//~~FOUO~~) Deputy Secretary of Defense issued 13 September 2007 guidance on the implementation of interim threat reporting procedures effectively closing the TALON reporting system. CIFA General Counsel reportedly maintains a copy of the TALON data for intelligence oversight and Freedom of Information Act purposes.

(2) (U) Update -

(a) (U) INSCOM conducted an Inspector General preliminary investigation into alleged QIAs reporting that no further investigation was required.

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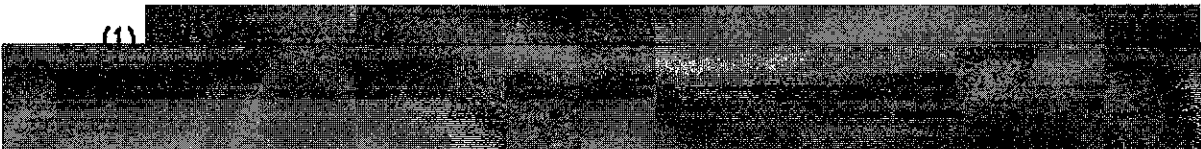
SUBJECT: Quarterly Intelligence Oversight Activities Report (4th Quarter, FY 07) (U)

(b) (U) Additionally, INSCOM advised that DAIG Case No. 06-009 and DAIG Case No. 06-019 (next below) were administratively combined, as both contained similar allegations of QIAs related to US persons and that issues raised in both cases would be addressed in a CG INSCOM directed IG Special Inspection of TALON (reporting) in INSCOM.

(c) (U) SAIG-IO will maintain both DAIG Case No. 06-009 and DAIG Case No. 06-019 (two below) as open cases, pending receipt of clarifying information received from INSCOM relative to the special IG inspection of TALON reporting and any appropriate actions taken. STATUS: Open - Pending receipt of clarifying information from INSCOM.

g. (U) DAIG Case No. 06-016:

(1)



(2) (U) Update - Since the allegations were considered espionage indicators; Sub-Control Office (SCO), 500<sup>th</sup> MI Brigade (MIB), opened 12 April 2006 a preliminary investigation with concurrence of the Army Central Control Office (ACCO) / Army Counterintelligence Coordinating Authority (ACICA). ACICA terminated 15 September 2007 the case after finding the allegations were *unsubstantiated*. INSCOM submitted a final report closing the case. SAIG-IO concurs with INSCOM's determination; no further action required. STATUS: Closed.

h. (U) DAIG Case No. 06-019:

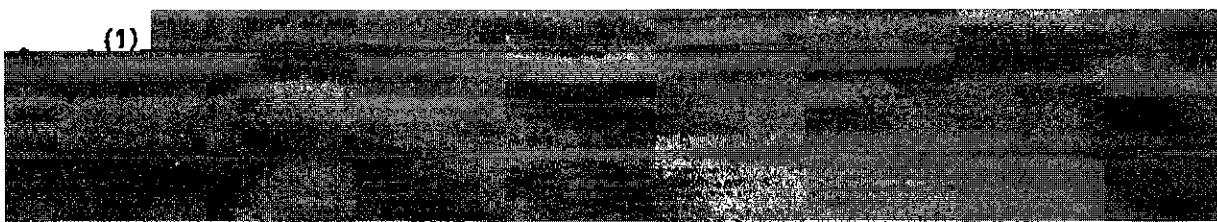
(1) (U) Background / Update -

(a) (U) According to a 27 April 2006 Wall Street Journal (WSJ) article, "Pentagon Steps up Intelligence Efforts Inside U.S. Borders," intelligence analysts' assigned to the 902d MI Group (MIG), Fort Meade, MD, allegedly collected and disseminated information concerning participants in a 19 March 2005 anti-war protest in Akron, OH.

(b) (U) See update notes above related to DAIG Case No. 06-009. STATUS: Open - Pending receipt of clarifying information from INSCOM.

i. (U) DAIG Case No. 06-035:

(1)



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(2) (U) **Update** - The investigation was terminated 5 April 2007 by ACICA, as allegations were *unsubstantiated*. INSCOM submitted 29 August 2007 their final report closing the case. SAIG-IO concurs; no further action required. **STATUS: Closed.**

j. (U) DAIG Case No. 07-011 and Case No. 07-024:

(1) (U) **Background** - DAIG 07-011 duplicates DAIG-07-024 closed 19 July 2007; the resolution of DAIG 07-024 is considered the resolution of the same issue. INSCOM reported 28 November 2006 QIA by the 513<sup>th</sup> MI Brigade's CI elements deployed in the Southwest Asia area of operations, whereby two violations of regulatory guidance were alleged to have occurred.

(a) (U) CI elements routinely submitted initial CI investigative reports beyond the 72-hour time limit as specified in paragraph 3-4b.(1) of AR 381-12, and

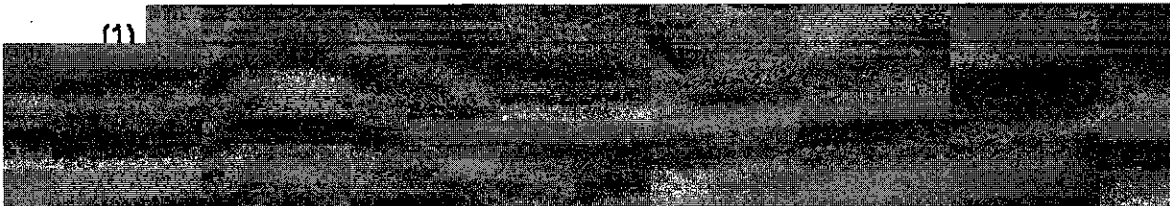
(b) (U) may have been conducting investigative activity beyond the "Standing Investigative Authority," in violation of ACICA policies and AR 381-20.

(2) (U) Commander 513<sup>th</sup> MI Brigade directed a Commander's Inquiry which *substantiated* the allegations, making several findings and conclusions regarding the various causes of untimely SAEDA reporting. INSCOM Deputy Commander also directed an AR 15-6 Investigation, likewise making several findings and conclusions which *paralleled* the results of the 513<sup>th</sup> MIBDE Commander's Inquiry.

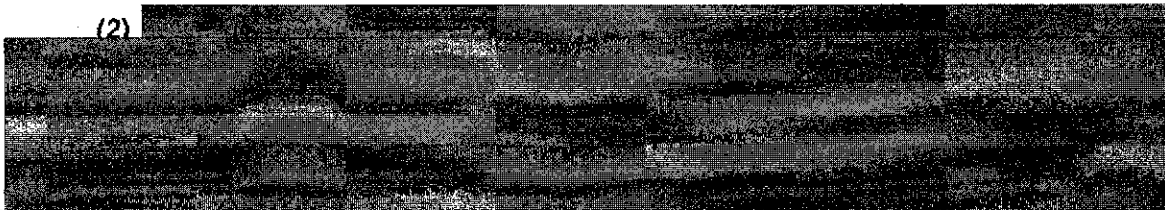
(3) (U) **Update** - INSCOM reported 13 July 2007 the results of a Commander's Inquiry to SAIG-IO. INSCOM Deputy Commander has approved the findings and recommendations of the AR 15-6 Investigation, closing the case. SAIG-IO concurs with INSCOM's findings and recommendations for corrective action; no further action required. **STATUS: Closed.**

k. (U) DAIG Case No. 07-012:

(1)



(2)



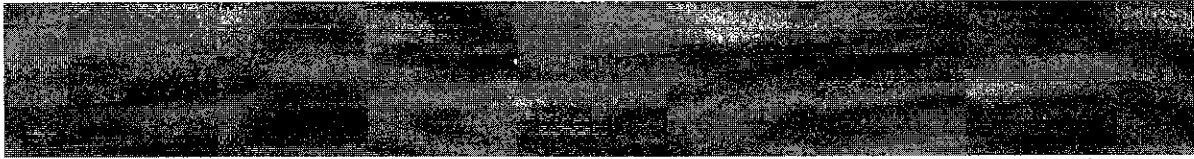
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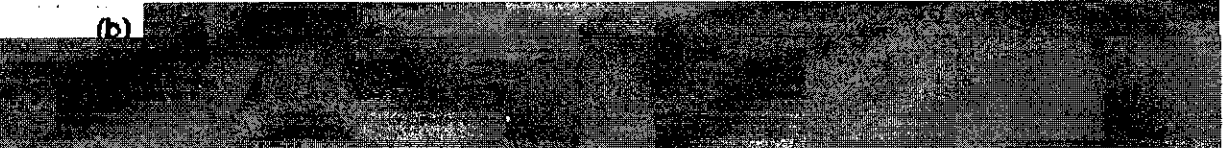
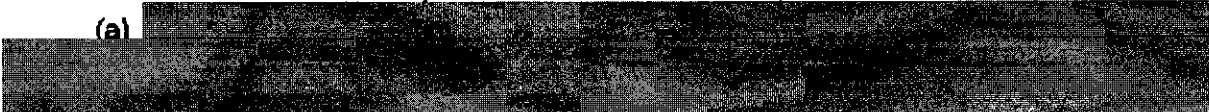
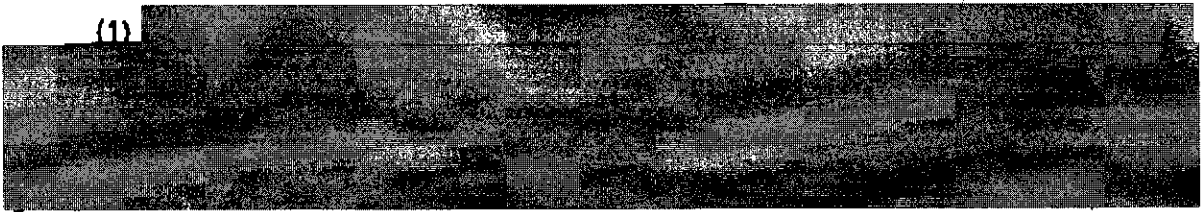
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SUBJECT: Quarterly Intelligence Oversight Activities Report (4th Quarter, FY 07) (U)



I. (U) DAIG Case No. 07-017:



5. (U) INSPECTIONS:

SAIG-IO conducted 4<sup>th</sup> Quarter inspections of Army elements located in New York and New Jersey during the periods 13-17 AUG 07 and 17-21 SEP 07, which revealed no significant IO violations; inspection results will be reported back to the Army Commands of inspected subordinate units.

6. (U) IO PROGRAM CHANGES:

SAIG-IO acknowledges recent changes to AR 381-10 effective 3 May 2007 and DoD Directive 5240.1 effective 27 August 2007, which will form the basis for all future DAIG IO inspections.

7. (U) ITEMS OF INTEREST:

a. (U//FOUO) REPORTING SIGINT RELATED QIAs: Acting INSCOM Command Inspector General advised 10 October 2007 SAIG-IO that National Security Agency (NSA) directs subordinate SIGINT elements to report questionable (SIGINT) intelligence activities to NSA Signals Intelligence Directorate (SID). NSA's requirement to report QIAs to SID does not obviate Army requirement per AR 381-10 to report QIAs. SAIG-IO will ensure Army cryptologic elements are aware of service QIA reporting requirements.

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b. (U//FOUO) DOD GUIDANCE NEEDED ON MI PERSONNEL OPERATING IN JTTF ENVIRONMENT: It was noted in discussions with the FBI Assistant General Counsel while visiting JTTF-Manhattan, NY, 17 September 2007, that there is a lack of guidance and common understanding relative to the left and right parameters of what missions DoD intelligence personnel assigned to the JTTFs can and cannot perform. Without clear guidance for Army intelligence personnel detailed to JTTFs, there is an increased potential for the conduct of QIAs by DoD (Army) personnel. FBI JTTF-Manhattan advised SAIG-IO team that DoD intelligence personnel are deputized as a precautionary measure to avoid procedural violations associated with military intelligence personnel performing domestic law enforcement missions. Legal ramifications of deputizing MI personnel are currently unknown, but SAIG-IO does not deem the measure a suitable substitute for DoD clarifying guidance.

9. (U) POINTS OF CONTACT:

[REDACTED] or SIPRNET [REDACTED] or [REDACTED]  
 [REDACTED] SIPRNET: [REDACTED]  
 [REDACTED]



ALAN W. THRASHER  
 Major General, USA  
 Deputy The Inspector General

Encl  
as

CF:  
DCS G2  
OTJAG

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DEPARTMENT OF THE ARMY  
OFFICE OF THE INSPECTOR GENERAL  
1700 ARMY PENTAGON  
WASHINGTON DC 20310-1700

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SAIG-IO (381-10b)

10 May 2007

MEMORANDUM THRU GENERAL COUNSEL, ARMY

FOR OFFICE OF THE ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT) [ATSD(IO)]

SUBJECT: Quarterly Intelligence Oversight Activities Report (2nd Quarter, FY 07) (U)

1. (U) References:

- a. (U) Executive Order 12333, US Intelligence Activities, 4 December 1981.
- b. (U) DOD Directive 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, December 1982.
- c. (U) Army Regulation (AR) 381-10, US Army Intelligence Activities, 22 November 2005.
- d. (U) Unclassified memorandum, Assistant to the Secretary of Defense, 8 December 2006, Subject: Annual Intelligence Oversight Report to Congress – New Requirement.
- e. (U) Unclassified//FOUO memorandum, Office of the Director of National Intelligence, 23 March 2006, Subject: Request for Information and Coordination.
- f. (U) ~~SECRET//NOFORN~~ memorandum, Department of the Army Inspector General (DAIG), 25 January 2007, Subject: Quarterly Intelligence Oversight Activities Report (1st Quarter, FY 07) (U).
- g. (U) AR 20-1, Inspector General Activities and Procedures, 19 July 2006.
- h. (U) AR 15-6, Procedures for Investigating Officers and Boards, 30 September 1996.

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2. (U) **SCOPE OF REPORT:** In accordance with references 1.b. – 1.d., and paragraph 3 of reference 1.e., this report provides information on the following:

a. (U) Questionable intelligence activities (QIAs) processed by the Intelligence Oversight Division, US Army Inspector General Agency (SAIG-IO), during the reporting period, 2nd Quarter, fiscal year 2007.

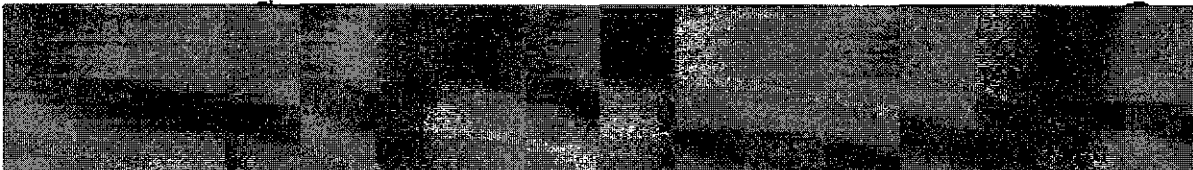
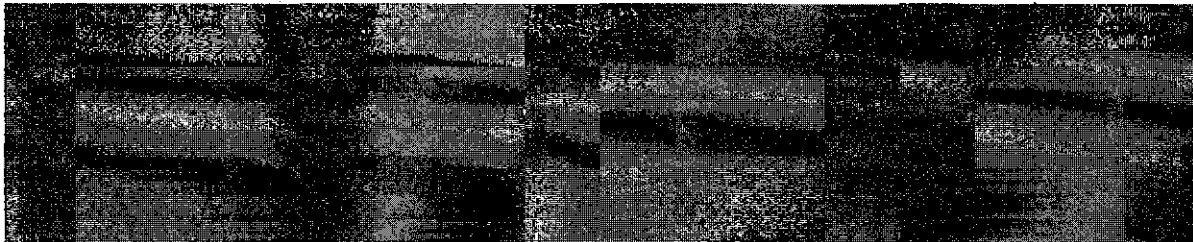
b. (U) Updates on QIAs reported in previous quarters.

c. (U) The results of intelligence oversight (IO) inspections and other initiatives conducted by SAIG-IO during the reporting period.

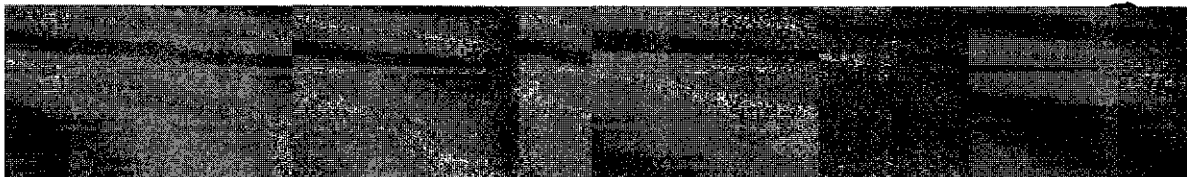
d. (U) Summary of substantive changes to the Army IO program during the reporting period.

e. (U) Summary of any changes to intelligence, counterintelligence (CI), and intelligence-related policies during the reporting period.

3. (U) **NEW REPORTS OF QIA:** There were five new reports of QIA processed during this reporting period.

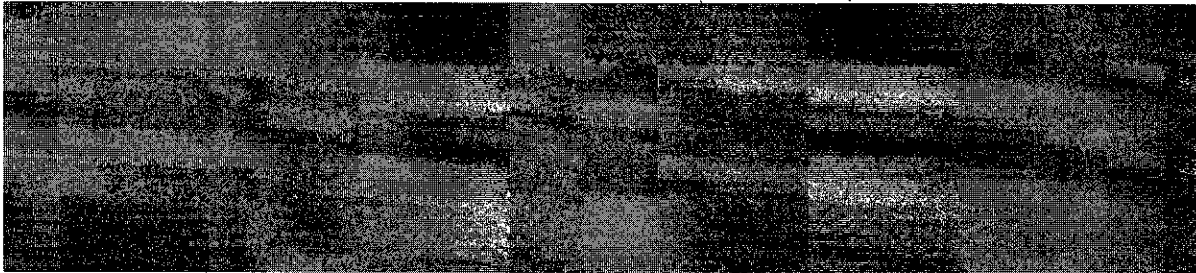
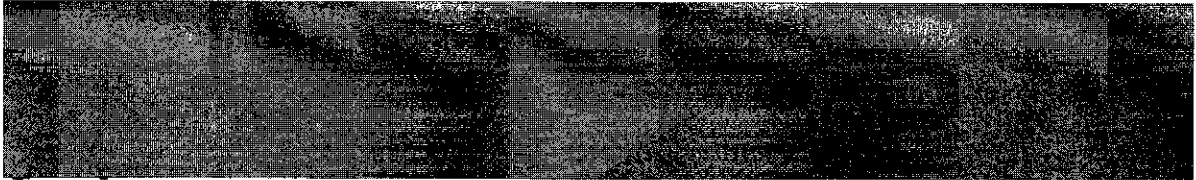


c. (U) **DAIG-07-015:** On 2 February 2007, INSCOM reported the QIA of a CI Special Agent (S/A) assigned to the 202<sup>nd</sup> MI Battalion, 513<sup>th</sup> MI Brigade, Kuwait. On more than one occasion, the S/A allegedly misused his CI Badge and Credentials (B&Cs) to remove vehicle citations from his local Provost Marshal record. The battalion initiated a command investigation under the provisions of AR 15-6. **STATUS: Open.**



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4. (U) UPDATES: Updates of QIA cases reported last quarter (reference 1.f.) are provided below:



(1) (U) ACICA opened a case and promptly determined the allegations were not of CI interest. ACICA terminated its case (ACCN: 42ID-G2X-05-017) and referred the allegations to the officer's deployed unit of assignment and the US Army Criminal Investigation Command (CID) in Iraq for further investigation, as appropriate. CID-Iraq elected not to investigate the allegations. However, the 42<sup>nd</sup> Infantry Division conducted the initial command investigation, but the 42<sup>nd</sup> Infantry Division was unable to resolve all of the allegations. The NGB assumed the responsibility for completing the investigation.

(2) (U) First, the 42<sup>nd</sup> Infantry Division determined the ICF related allegation to be unsubstantiated, but NGB is reviewing the results to ensure the Division appropriately applied AR 381-141(C), ICF (U), 16 January 2004. Second, the allegations associated with the use of a Category-1 Interpreter have been resolved as unsubstantiated, as the use of the interpreter was determined to be consistent with Multi-National Forces-Iraq (MNF-I) Policy 05-02 (Interrogation Policy). Also found to be unsubstantiated were the related allegations concerning the compromise of classified information to sources and interpreters. While the policy was not fully described in the command's investigative report, feedback from the Assistant Inspector General, Multi-National Corps-Iraq (MNC-I), confirms the accuracy of the I/O's conclusion. Third, after consulting with the Army General Counsel, SAIG-IO determined that the hacking

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allegation might be a violation of federal law, specifically the Electronic Communications Privacy Act of 1986, USC Title 18, Part I, Chapter 119. Therefore, SAIG-IO referred the hacking allegation to CID Headquarters for criminal investigation and SAIG-IO recommended the Army-G2 report the allegation as a possible federal crime under the provisions of Chapter 16, AR 381-10. CID opened a criminal investigation under case number 0048-2006-CID221-50109, which is ongoing.

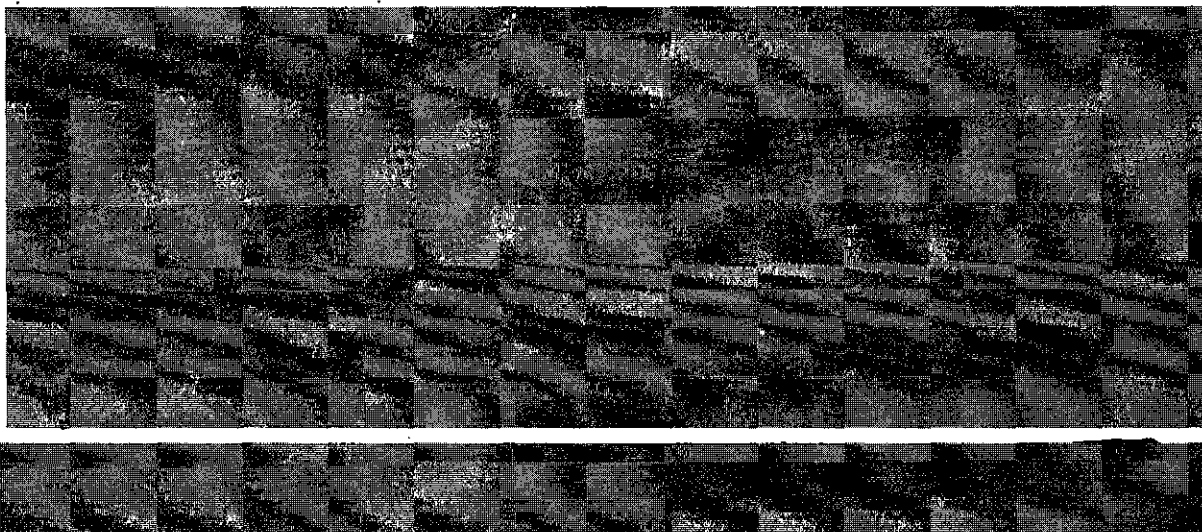
(3) (U) Upon review of the initial command investigative product, SAIG-IO noted other issues requiring resolution by NGB:

(a) (U) In the command investigative report, the IO substantiated a previously unknown allegation that the officer's *THT (Tactical HUMINT Team) improperly conducted raids without the presence or knowledge of the task force...* SAIG-IO requested NGB confirm the status of the allegation and report corrective actions, as the THT was supposedly under the officer's control and the raids were presumably in support of intelligence activities.

(b) (U) The officer's company commander and the BCT S2 allegedly sanctioned the THT's unauthorized use of alcoholic beverages during source operations, which violates theater policies. SAIG-IO requested NGB report the status of the allegations and corrective actions.

(c) (U) The commander and S2 allegedly prevented a witness from reporting the QIAs. SAIG-IO requested NGB report the status of this allegation and corrective actions.

(d) (U) It was alleged that the officer required his THT members to falsify intelligence reports. Specifically, the officer would always serve as the lead interrogator or interviewer, but he required the THT members to write the activity reports and omit his (officer's) presence and participation in the intelligence activity. SAIG-IO requested NGB report the status of this allegation and related corrective actions. STATUS: Open.



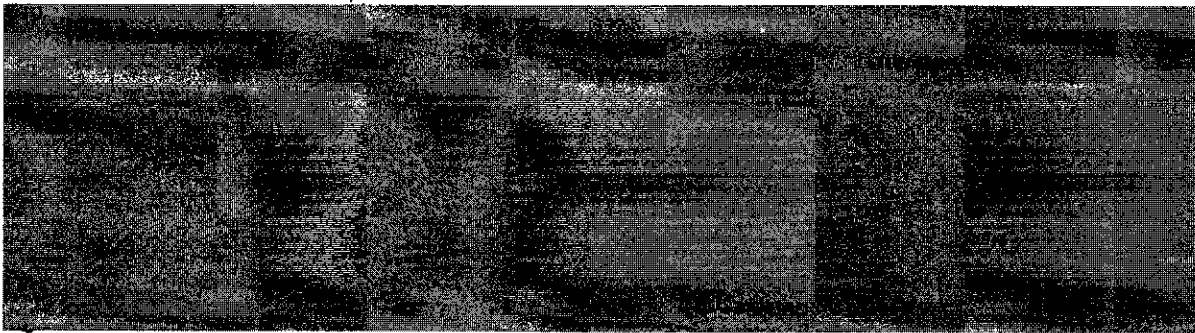
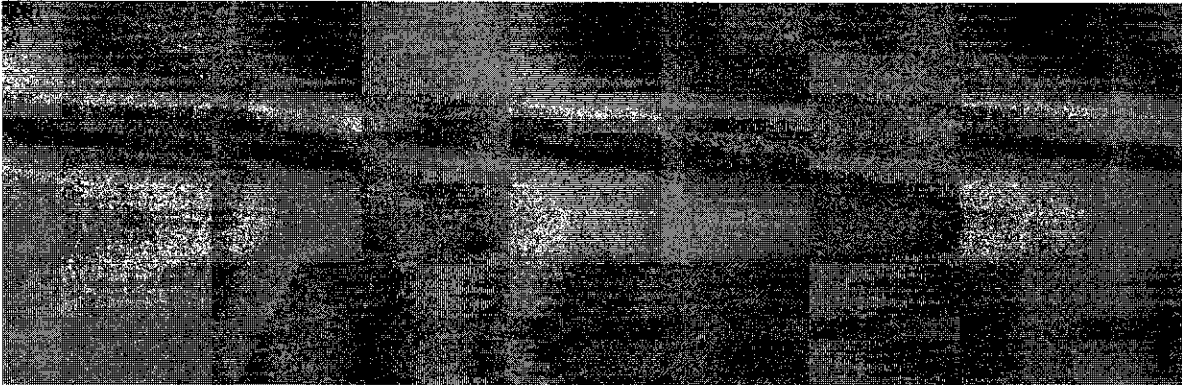
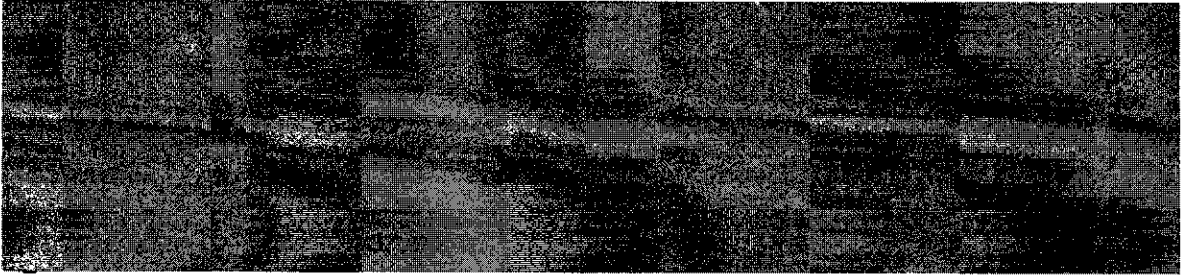
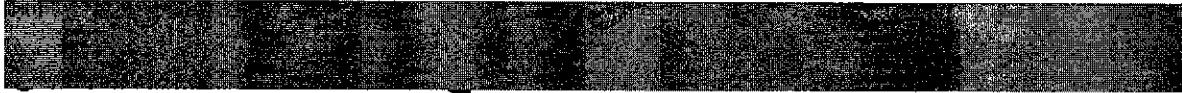
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## c. (U) DAIG-06-009.

(1) (U) On 5 January 2006, INSCOM notified SAIG-IO that on 9 November 2004 a CI S/A assigned to the 902d MIG, with duty at the Joint Terrorism Task Force, Miami, FL (JTTF-Miami) may have inappropriately collected and reported information about a group's (US-person) plan to exercise its constitutional freedoms of assembly and speech. The information was reported as a Threat and Local Observance Notice (TALON) and submitted through the 902d MIG to the CI Field Activity (CIFA) for analysis and entry in the Cornerstone database. The report described the group's plan to convene a meeting titled "*Countering Military Recruitment, the Draft and Military Law.*" The report also described the group's plan to "*hold a workshop and planning meeting to discuss countering US military recruiting in High Schools, as well as efforts to assist recruits in getting out of military contracts.*" On 15 November 2004, the S/A provided an updated TALON report describing the group's plans to set up "*tables at the schools in order to perform 'surveillance' on Military recruiters while on campus.*" The TALON report did not indicate the group or planned activities had a foreign nexus. In the report, the S/A generically referred to the US Person as a "*group*" and a "*US Domestic Protest Group.*" However, INSCOM provided that when reporting the address of the group's meeting venue, the S/A included the name of the meeting facility, which was assumed to contain the name of the group. Until recently, the 902d MIG maintained a database of all or some of the TALON reports submitted by its S/As.

(2) (U) On 30 March 2006, the Deputy Secretary of Defense (DEPSECDEF) established an unclassified interim policy memorandum concerning the TALON Reporting System, Subject: Threats to the Department of Defense (DoD). In the memorandum, the DEPSECDEF confirmed the reporting system should only be used to report information regarding possible international terrorism activities and the information should be retained in accordance with DoD 5240.1-R, Activities of DoD Intelligence Components that Affect US Persons, December 1982. Second, the interim policy requires that proposed TALON reports must meet one of the seven criteria outlined in the memorandum. Third, the Under Secretary for Defense (Intelligence) (USD(I)) will convene working groups to examine information fusion among intelligence, CI, force protection, law enforcement and security communities. Fourth, ATSD(IO) will conduct annual inspections of the TALON system. Finally, the lead components from each military department must provide CIFA with copies of their implementation guidance of the DEPSECDEF's interim policy memorandum. The USD(I) policy developments for TALON continue.

(3) (U) INSCOM recently reported that "*after the INSCOM Inspector General preliminary investigation of the TALON situation, per AR 20-1, the INSCOM Command Group determined that the allegations required no further investigation.*" According to various INSCOM staff officers and the 902d MI Group's IO Officer, the alleged infractions by the S/A were exacerbated, if not caused by, inadequate policy guidance from HQDA and USD(I), which are now being addressed (see the preceding subparagraph). The 902d MI Group IO Officer also stated that the name of the meeting facility, which was included in the S/A's TALON report, was not the name of the US domestic protest group; therefore, the assumption that the protest group was the target of collection is not supported by the content of the report. INSCOM considers this case closed, but SAIG-IO maintains this as an open case, pending the results of an IO review by the SAIG-IO Division Chief. STATUS: Open.



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d. (U) DAIG-06-019:

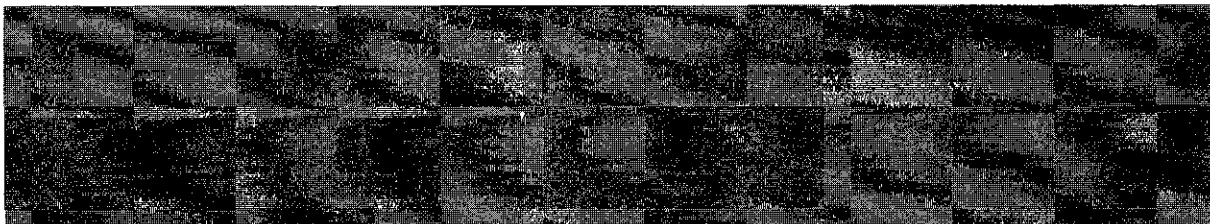
(1) (U) According to a 27 April 2006 Wall Street Journal (WSJ) article, "Pentagon Steps Up Intelligence Efforts Inside U.S. Borders," intelligence analysts assigned to the 902d MIG, Fort Meade, MD, allegedly collected and disseminated information concerning participants in a 19 March 2005 anti-war protest in Akron, OH. The article specifically alleged that the MIG's analysts downloaded information from activist web sites, intercepted emails and cross-referenced the information with police databases. The MIG allegedly reported the planned protest to the Akron police who, in turn, "followed" the rally. The Akron rally was said to be one of seven protests "monitored by the Army" in March 2005.

(2) (U) INSCOM recently reported that "after the INSCOM Inspector General preliminary investigation of the TALON situation, per AR 20-1, the INSCOM Command Group determined that the allegations required no further investigation." INSCOM considers this case closed, but SAIG-IO maintains this as an open case, pending the results of an IO review by the SAIG-IO Division Chief. STATUS: Closed.

e. (U) DAIG-06-021: On 9 May 2006, INSCOM reported the questionable intelligence activities of a former Department of the Army Civilian (Intelligence Specialist). According to the ACICA, the civilian allegedly attempted to ship classified material in his unaccompanied household baggage, subsequent to his dismissal from a US Embassy position. As a result, ACICA opened a CI investigation (ACCN: 06-0037-902). This case was closed on 14 June 2006 and referred to the Federal Bureau of Investigation (FBI) because it was determined the individual was no longer employed by the US Army. INSCOM is prepared to provide assistance to the FBI, as needed, but INSCOM will not maintain this as an open CI case. While the CI case was closed on 14 June 2006, INSCOM satisfied the Procedure 15 reporting requirements during the 2<sup>nd</sup> quarter, FY07. STATUS: Closed.

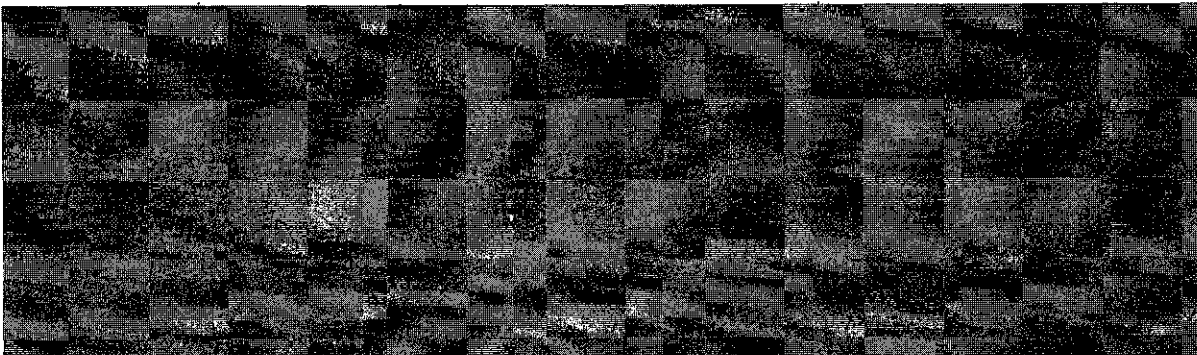
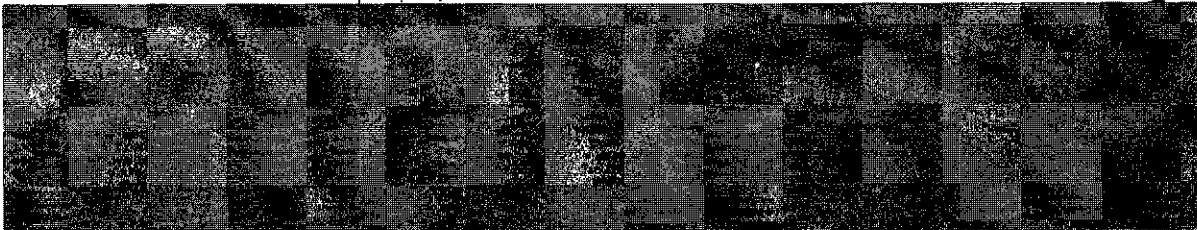
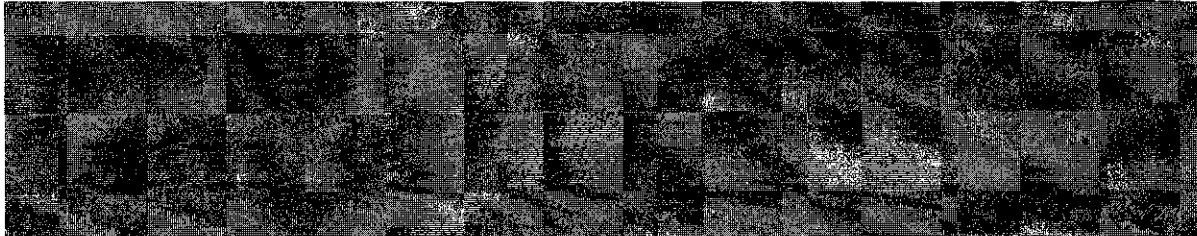
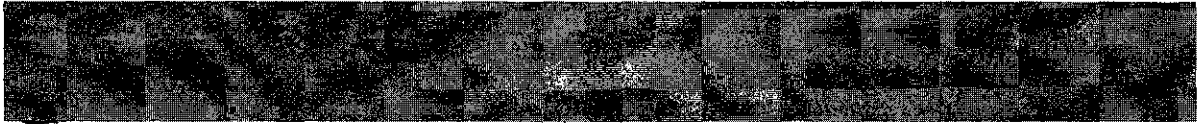
f. (U) DAIG-06-022:

(1) (U) In June 2006, SAIG-IO received numerous allegations concerning members of the 101<sup>st</sup> Airborne Division (101<sup>st</sup> Abn), 4<sup>th</sup> Infantry Division (4<sup>th</sup> ID), and Operational Detachment-Alpha 386 (ODA-386), 3<sup>rd</sup> Special Forces Group, during their 2006 deployment in Iraq. Some of the allegations were non-IO related and they were referred to Assistance Division, US Army Inspector General Agency (SAIG-AC), for action/resolution as appropriate. However, other allegations (outlined below) are considered QIAs requiring resolution IAW AR 381-10. The QIAs were referred to the appropriate commands and SAIG-IO continues to monitor the investigative progress. (Note: At the time of the alleged incidents, elements of the 4<sup>th</sup> ID were task organized as a subordinate element of the 101<sup>st</sup> Abn.)

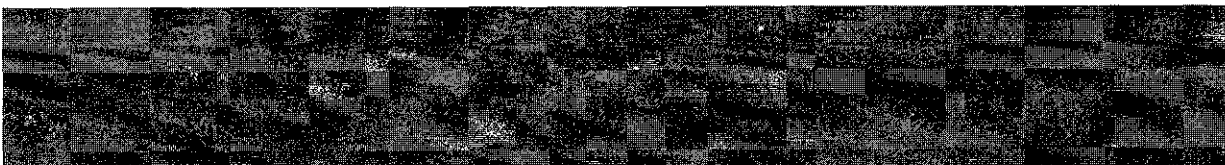


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(6) (U) After formally briefing the Army-G2, Army General Counsel, and The Inspector General, SAIG-IO referred the allegations to MNC-I and US Army Special Operations Command for resolution. SAIG-IO also provided courtesy notifications to IG-DIA, IG-CENTCOM, and IG-Multi National Forces-Iraq (MNF-I).



(a) (U) An Infantry Officer and his linguist conducted unauthorized source operations in violation of Army regulations and theater policies. One such unauthorized operation may have contributed to a source's death.

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(b) (U) An Infantry Officer and his linguist interfered with THT operations, in violation of Army regulations and theater policies.

(c) (U) An Infantry Officer and his linguist conducted unauthorized detention and interrogation operations, in violation of Army regulations and theater policies.

(d) (U) Four officers in the 1/187<sup>th</sup> failed to report and accurately resolve the QIAs reported to them, in violation of AR 381-10.

(e) (U) The remaining allegations were determined to be unsubstantiated. As a result of the I/O's substantiated findings, the Commanding General of the 101<sup>st</sup> Abn issued letters of reprimand to four officers. The officers will also publish a "Company and Battalion Commanders Handbook and Guide to HUMINT Operations consistent with the recently published FM 2-22.3, HUMINT Collector Operations, September 2006." The Division G2, who is not a subject in the command investigation, will supervise the handbook project. The Commanding General also directed improvement to training and coordination activities to prevent future incidents.

(8) (U) The 101<sup>st</sup> Abn's command investigation is closed. USASOC's investigative report is in draft and under legal review. STATUS: Open.

g. (U) DAIG-06-023: On 1 June 2006, INSCOM reported the alleged QIA of an employee assigned as the ICF Class-A Agent, MI Battalion (Provisional), 500<sup>th</sup> MI Brigade (MIB), Camp Zama, Japan. In March 2006, command representatives from the 500<sup>th</sup> MIB conducted a "cash count" inspection of the Battalion's ICF, which was managed by the employee. The March 2006 inspection revealed that the employee's records were insufficient to reconcile the Battalion account. The employee was given one month to properly organize his records for a re-inspection, which took place in May 2006 and again found that the employee's records were insufficient. Members of INSCOM's Internal Review Office later augmented the inspection team and, on 25 May 2006, the team determined that the Battalion was unable to account for approximately \$100,000 in ICF. The inspection/audit also showed irregularities pre-dating the last May 2004 inspection.

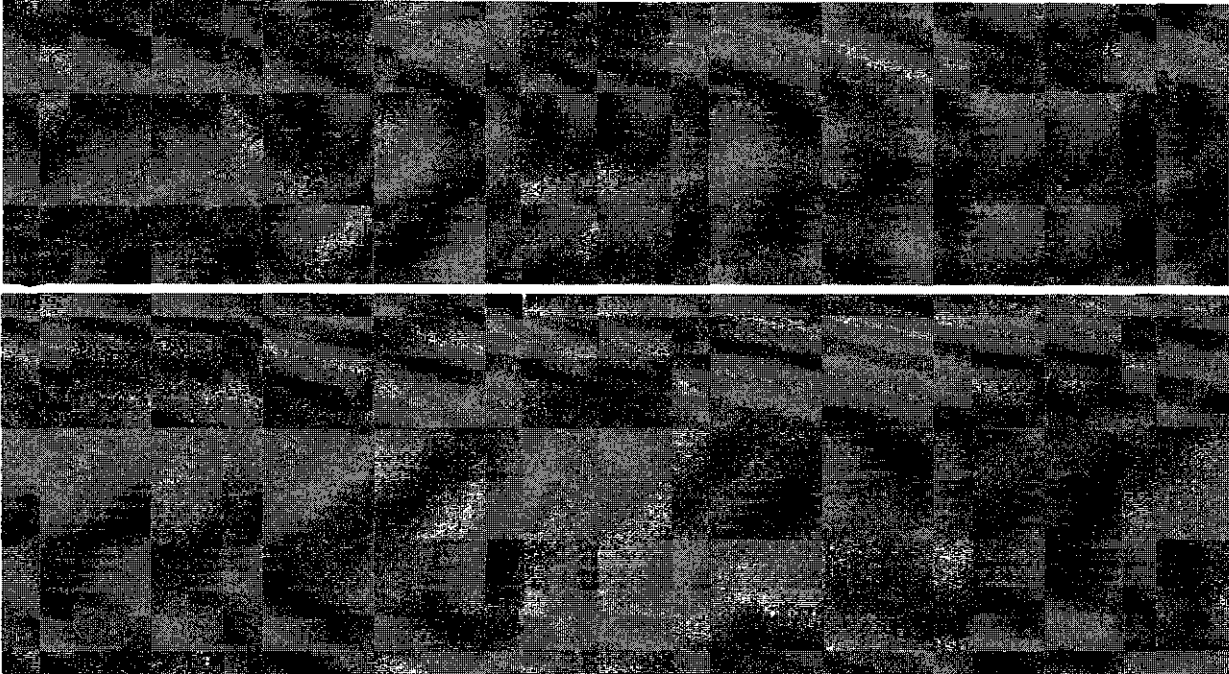
(1) (U) The employee was removed from his position as the Class-A Agent, placed on administrative leave, ordered to report daily to the Battalion Executive Officer, and ordered not to enter his office. Additionally, the command suspended the employee's access to classified information. The CID was notified and, on 25 May 2006, CID opened case number 0023-2006-CID018-73509 to investigate allegations of larceny of government funds and fraud. IAW Chapter 16, Federal Crimes, AR 381-10, INSCOM also reported to the incident to HQDA, DCS-G2.

(2) (U) As a result of CID's investigative findings, the employee was terminated from federal service, returned to the United States, and surrendered to federal authorities. On 8 January 2007, he signed a plea agreement for theft of government funds and filed it in Federal District Court. On 2 March 2007, he pleaded guilty. Sentencing is scheduled for 8 June 2007. STATUS: Closed.

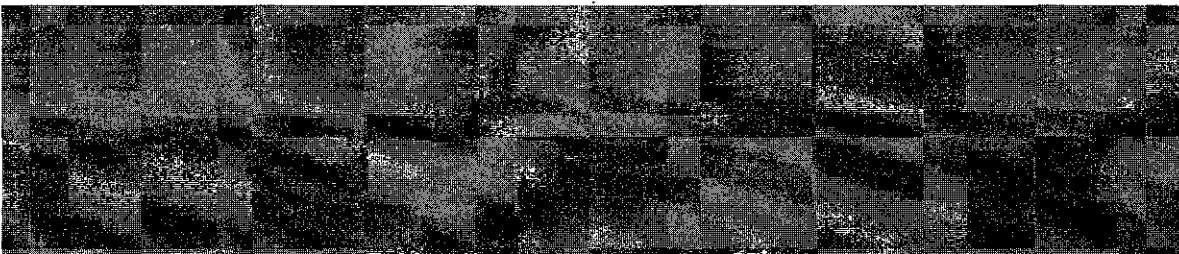
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SUBJECT: Quarterly Intelligence Oversight Activities Report (2nd Quarter, FY 07) (U)



J. (U) DAIG-06-029: On 23 March 2006, the DoD Inspector General (IG-DoD) received an anonymous complaint concerning an MI officer's alleged misconduct in the performance of his intelligence duties while he was assigned to the US Army Task Force (TF) in Kosovo. On 15 June 2006, the IG-DoD referred the case to the SAIG-AC. On or about 17 July 2006, after notifying the SAIG-IO, SAIG-AC further referred the case to the TF Inspector General for resolution (SAIG-AC case number: DIH-06-8182). According to the initial report, the officer allegedly misused his position as a TF MI officer and ICF custodian/agent to travel monthly to Headquarters, US Army Europe (USAREUR), Heidelberg, GM, under the possible guise of reconciling the ICF account with USAREUR. It was further alleged that the officer's supervisor would conceal the purpose of the trip(s) as official MI business. The TF's investigation continues and once complete, the TF will report its results to SAIG-AC and SAIG-IO. SAIG-AC will also provide a copy of the investigative results to the IG-DoD. STATUS: Open.



I. (U) DAIG-06-033:

(1) (U) On 15 August 2006, INSCOM reported the QIA of a Department of the Army Civilian (DAC) employee, CI S/A, 500<sup>th</sup> MI Brigade's Pacific Liaison Detachment (PLD),

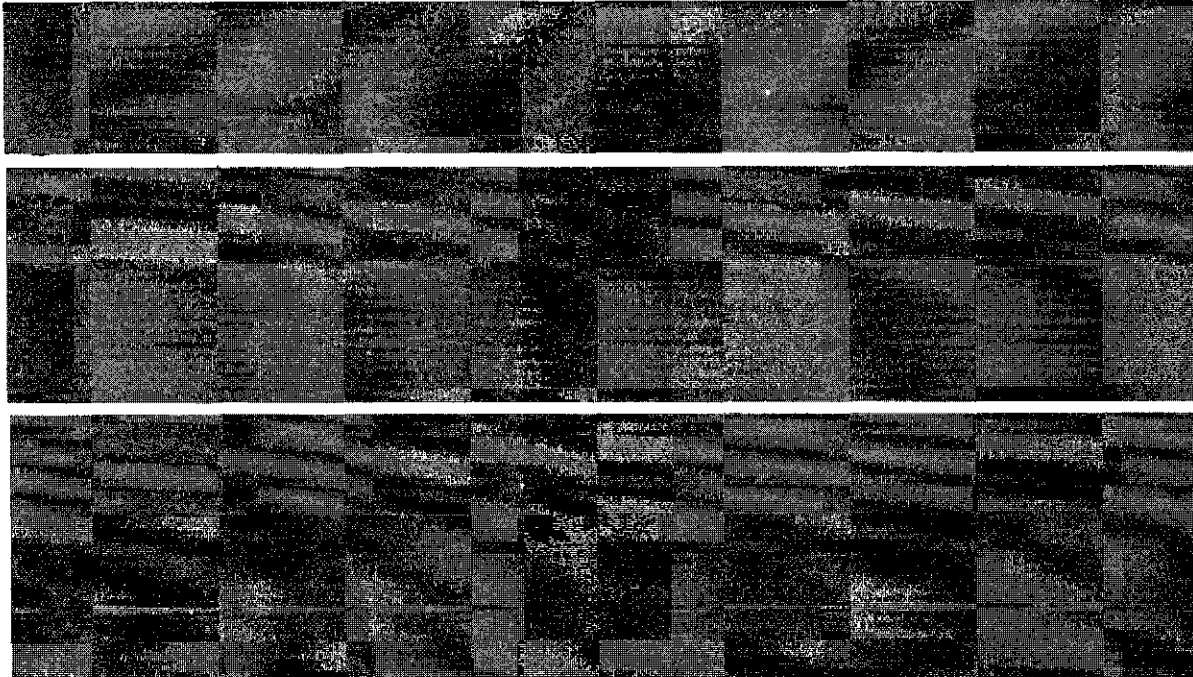
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Tokyo, Japan. The QIA occurred during a liaison meeting in a Japanese restaurant with Japanese officials. Representing PLD was the PLD Chief, a Japanese national employee, the DAC, and another CI S/A. During the meeting, the DAC became intoxicated and used foul language. The two Japanese officials were offended by the DAC's lack of decorum, causing them to end the meeting and depart the restaurant. Subsequently, when the PLD Chief attempted to discuss the evening's mishaps with the PLD team, the DAC responded violently and assaulted the Chief and the team members. The restaurant employees attempted to quell the commotion by restraining the DAC, removing him from the restaurant and placing him in a taxi. However, the DAC managed to exit the taxi, grab the PLD Japanese national employee, and throw her onto the street. The injuries to all involved were limited to bruises and the PLD Chief's preliminary assessment is that the episode *"will not become an international incident."* PLD's Japanese national employee *"appears to have no intention"* of reporting the matter to the Japanese police.

(2) (U) The Brigade Commander appointed an I/O, reported the incident to CID, secured the DAC's CI badge and credentials, and placed him on administrative leave. CID completed their investigation on 30 August 2006 under case number 0041-06-CID018-7359 [Destruction of Things in General, Article 261, Japanese Penal Code (JPC); Bodily Injury, Article 204, JPC; and Violence, Article 208, JPC] and provided the results to the command for inclusion in the 15-6 investigation.

(3) (U) The CID investigation obtained a confession from the employee and substantiated the allegations. As a result, the employee was terminated from federal service.  
**STATUS: Closed.**



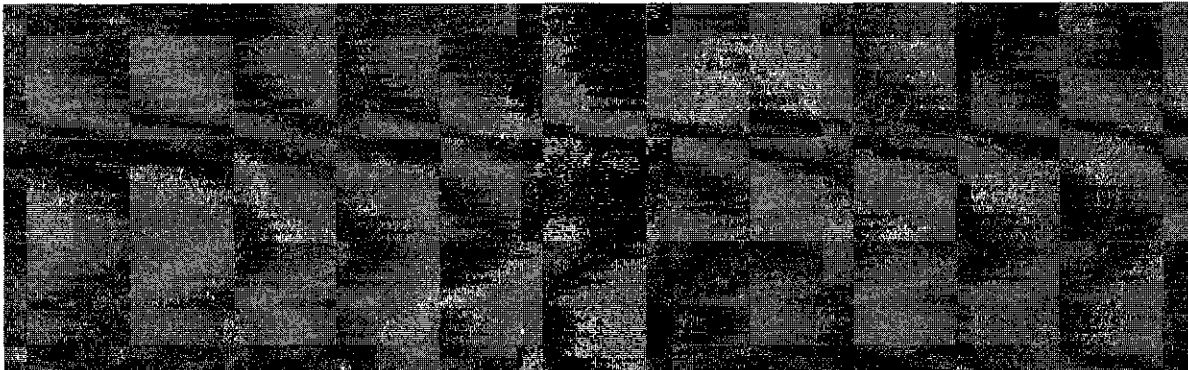
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SUBJECT: Quarterly Intelligence Oversight Activities Report (2nd Quarter, FY 07) (U)

n. (U) DAIG-07-003: On 5 October 2006, INSCOM reported the alleged QIA of a US Army Staff Sergeant (SSG) CI S/A, while attending the MI Basic NCO Course (BNCOC), Fort Huachuca, AZ, from July-August 2006. In July 2006, the SSG allegedly misused his official position when approached a female soldier, identified himself with his CI Badge and Credentials (B&Cs), deceptively suggested he worked for US Special Forces, and solicited her interest in working in special operations on behalf of the Army, without authority. The soldier agreed and began answering numerous personal questions, which she assumed to be part of the assessment process. During the next month, he provided her training in surveillance and elicitation techniques (without authority), and they engaged in a physical relationship. Their relationship ended when he graduated from BNCOC and departed Fort Huachuca. The SSG's alleged actions are apparent violations of chapters 5 and 9, AR 381-20, The Army CI Program, 15 November 1993, and Procedure 14, AR 381-10 (reference 1.c.). INSCOM completed a command investigation under the provisions of AR 15-6 (reference 1.h.), which disproved all of the allegations. STATUS: Closed.

o. (U) DAIG-07-007:

(1) (U) On 28 November 2006, SAIG-IO received an initial report of QIA from the Deputy Inspector General, Multi-National Division-Baghdad (MND-B), Iraq. The allegations concern unauthorized and/or inappropriate source operations by members of 506<sup>th</sup> Regimental Combat Team (RCT), which are possible violations of Army Field Manual (FM) 2-22.3, HUMINT Intelligence Collector Operations; MNF-I HUMINT CONOP for the Iraq theater of Operations; the 4<sup>th</sup> Infantry Division's Commanding General's Intelligence Collection Policy dated 7 June 2005; and Procedure 14, AR 381-10.



p. (U) DAIG-07-008:

(1) (U) On 28 November 2006, SAIG-IO received an initial QIA report from the Deputy Inspector General, MND-B. The original allegation appeared to have been reported by the G2, MND-B, and concerns an unauthorized investigation of a US-Person by the S2, 506<sup>th</sup> RCT, in possible violation of AR 381-12, AR 381-20 and Procedures 2 and 14 of AR 381-10.

(2) (U) On 6 October 2006, the S2 allegedly directed four subordinate personnel to obtain the personnel files of a Category II linguist, a US-Person, who worked on Forward Operating Base-Rustamiyah. Specifically, the S2 directed his people to "gather as much

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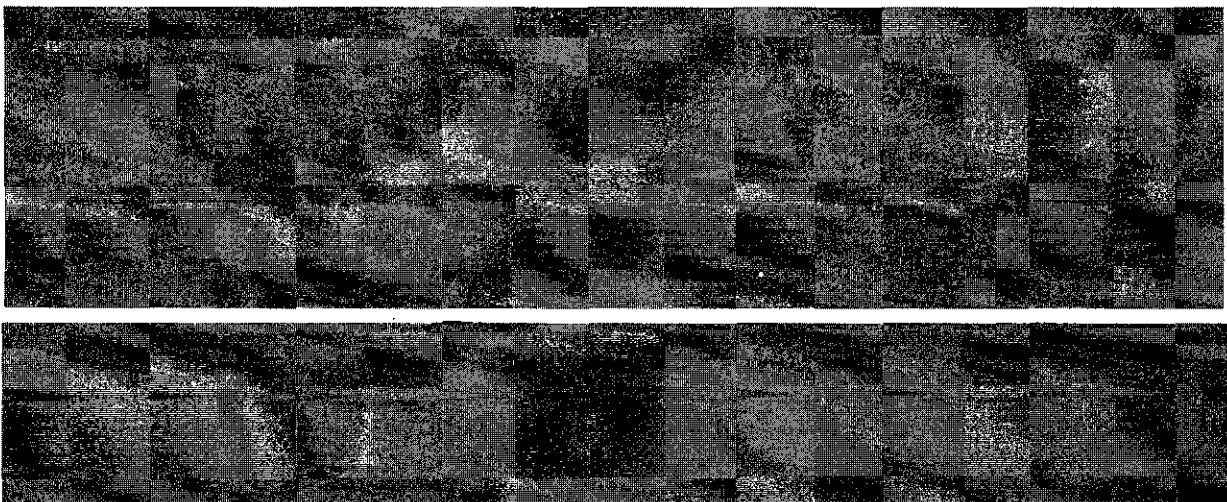
SUBJECT: Quarterly Intelligence Oversight Activities Report (2nd Quarter, FY 07) (U)

*evidence as you can about this terp.* (Note: The term "terp" is military slang for "interpreter.") There is no indication that the investigation was part of an authorized CI investigation. The MND-B initiated a command investigation to resolve the allegations. STATUS: Open

q. (U) DAIG-07-009: On 12 October 2006, INSCOM reported the QIA of two CI S/As, 524<sup>th</sup> MI Battalion, 501<sup>st</sup> MI Brigade, Korea. The Military Police (MP), US Army-Yongsan, Korea, alleged that the S/As violated a General Order (Article 92, UCMJ), and Obstruction of Justice (Article 134, UCMJ). Allegedly, on 19 November 2006, the MPs, working with the Korean National Police, identified two junior Soldiers in a drinking establishment in Itaewon, Korea (off-base), during curfew hours. When questioned by the MPs, the individuals identified themselves as on-duty CI S/As conducting an investigation. The MPs stated that one of the S/As used his CI B&Cs to assert his official status, which the S/A later denied. Initial investigation by the MPs determined that the S/As were not on duty. Both individuals were apprehended (MPR#01653-2006-MPC338) and transported to the MP Station, US Army-Yongsan, where they failed sobriety tests. The Soldiers were then processed and released to their unit. The Commander, 524<sup>th</sup> MI Battalion, completed a command investigation, which determined only one of the individuals misused his Badge and Credentials. The offending individual received a Field Grade Article 15. No further action was taken. STATUS: Closed.

r. (U) DAIG-07-011: On 28 November 2006, INSCOM reported the QIA of the 513<sup>th</sup> MI Brigade's CI elements deployed in the Southwest Asia area of operations. The CI elements routinely submit Initial CI investigative reports late, beyond the 72-hour time limit, and may have been conducting investigative activity beyond the "Standing Investigative Authority." In violation of ACICA policies and AR 381-20. The Commander, 513<sup>th</sup> MI Brigade, is conducting a commander's inquiry to determine the scope of the problem, responsible CI elements, and appropriate corrective actions. Key leaders in the 513<sup>th</sup> MI Brigade have opined that unrealistic policies are contributing factors to the incidents. Specifically, some leaders believe that the 72-hour reporting requirement and the "Standing Investigative Authority" policy are often too restrictive in a combat environment. STATUS: Open.

s. (U) DAIG-07-012:



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- 5. (U) **INSPECTIONS:** SAIG-IO did not conduct any IO inspections during the reporting period.
- 6. (U) **INSPECTION TRENDS:** Unchanged. Please refer to the inspection trends reported in the 1<sup>st</sup> Quarter, FY07, reference 1.f. above.
- 7. (U) **IO PROGRAM CHANGES:** There have been no substantive changes to the Army's IO program during the reporting period.
- 8. (U) **CHANGES TO MI REGULATIONS / POLICIES:** SAIG-IO is coordinating with Army-G2 to establish a quarterly reporting mechanism to keep abreast of changes to MI regulations and policies. SAIG-IO will submit a separate report to ATSD(IO) if there have been substantive changes to MI regulations and policies during the second quarter of FY07.
- 9. (U) **POINT OF CONTACT:** [redacted] at [redacted] NIPRnet email:  
[redacted] SIPRnet email: [redacted]

  
 ALAN W. THRASHER  
 Major General, USA  
 Deputy The Inspector General

Encl  
as

CF:  
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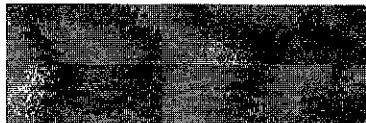
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DEPARTMENT OF THE ARMY  
OFFICE OF THE INSPECTOR GENERAL  
1700 ARMY PENTAGON  
WASHINGTON DC 20316-1700

AUG 03 2007

SAIG-IO (381-10b)



MEMORANDUM THRU GENERAL COUNSEL, ARMY

FOR OFFICE OF THE ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT) [ATSD(IO)]

SUBJECT: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U)

1. (U) References:

- a. (U) Executive Order 12333, US Intelligence Activities, 4 December 1981.
- b. (U) DOD Directive 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, December 1982.
- c. (U) Army Regulation (AR) 381-10, US Army Intelligence Activities, 3 May 2007.
- d. (U) Unclassified memorandum, Assistant to the Secretary of Defense, 8 December 2006, subject: Annual Intelligence Oversight Report to Congress - New Requirement.
- e. (U) Unclassified//FOUO memorandum, Office of the Director of National Intelligence, 23 March 2006, subject: Request for Information and Coordination.
- f. (U) SECRET//NOFORN memorandum, Department of the Army Inspector General (DAIG), 10 May 2007, subject: Quarterly Intelligence Oversight Activities Report (2nd Quarter, FY 07) (U).
- g. (U) AR 20-1, Inspector General Activities and Procedures, 1 February 2007.
- h. (U) AR 15-6, Procedures for Investigating Officers and Boards, 30 September 1998.

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SUBJECT: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U)

2. (U) **SCOPE OF REPORT:** In accordance with references 1.b. – 1.d., and paragraph 3 of reference 1.e., this report provides information on the following:

a. (U) Questionable intelligence activities (QIAs) processed by the Intelligence Oversight Division, US Army Inspector General Agency (SAIG-IO), during the reporting period, 3rd Quarter, Fiscal Year 2007.

b. (U) Updates on QIAs reported in previous quarters.

c. (U) The results of intelligence oversight (IO) inspections and other initiatives conducted by SAIG-IO during the reporting period.

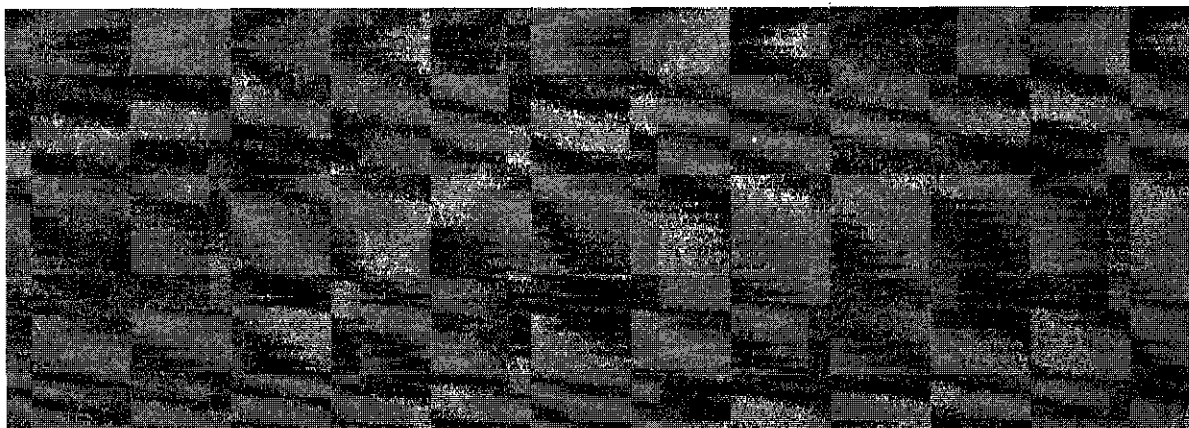
d. (U) Summary of substantive changes to the Army IO program during the reporting period.

e. (U) Summary of any changes to intelligence, counterintelligence (CI), and intelligence-related policies during the reporting period.

3. (U) **NEW REPORTS OF QIA:** There were eight new reports of QIA processed during this reporting period.

a. (~~U//FOUO~~) **DAIG-07-018:** On 17 April 2007, the Assistant to the Secretary of Defense for Intelligence Oversight [ATSD(IO)] forwarded to SAIG-IO an incident report from the National Security Agency (NSA) which alleges questionable intelligence activity (QIA) on behalf of 27<sup>th</sup> Cavalry while deployed to Iraq. SAIG-IO further has referred this matter to Multi-National Force-Iraq (MNF-I) for resolution. To date, no further updates have been received.

**STATUS: Open.**



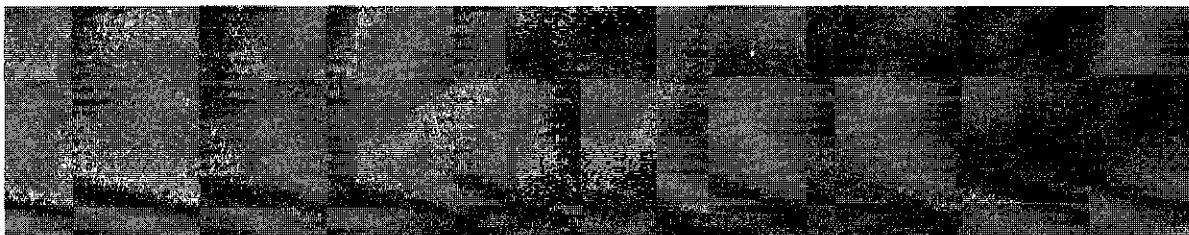
c. (~~U//FOUO~~) **DAIG-07-020:** On 30 May 2007, SAIG-IO received a report of a possible Procedure 15 violation from the Inspector General of Multi-National Task Force (East), KFOR8, Camp Bondsteel, Kosovo. The alleged incident involves a CI Sergeant inappropriately assisting a CAT II Interpreter onto Camp Bondsteel to replace an identification badge lost while on leave

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in Serbia. It is further alleged that the CI Special Agent (S/A) tried to assist the interpreter to get a new KFOR Identification Card (ID) the following day without proper approval or authority. Then, the agent misidentified the associated contract company, potentially to avoid detection of the lost KFOR ID and the potential consequences to contractor by her employer. The NCO's alleged actions are violations of Chapter 9, AR 381-20, The Army Counterintelligence Program, 15 November 1993, and paragraph 15-4b., AR 381-10, U.S. Army Intelligence Activities, 3 May 2007. Task Force Falcon has initiated a command investigation under the provisions of AR 15-6 Procedures for Investigating Officers and Boards of Officers, 30 September 1996.  
**STATUS: Open.**

d. (U//~~FOUO~~) DAIG-07-021: On 21 June 2007, the Intelligence and Security Command (INSCOM) provided SAIG-IO information on the alleged federal criminal activity of a Department of the Army Military Intelligence Civilian Excepted Career Program (MICECP) employee and his wife. The wife is being investigated by the Irvine, California, Police Department for embezzlement and fraud (approximately \$ 400,000) against the company for which she worked. The MICECP employee also worked for the company prior to and continuing after his employment with the Department of the Army. The stolen money was deposited in a joint bank account of the MICECP employee and his wife. The investigation is focusing on the MICECP employee's possible involvement in, or knowledge of and complicity with, the embezzlement and fraud. The Irvine Police Department has kept the Federal Bureau of Investigation (FBI) apprised. As a result, the FBI intended to open a criminal investigation by 22 June 2007 on both individuals. The employee's access to classified information has been suspended and he surrendered his CI badge and credentials (B&Cs), government credit card, access badges to supported civilian contracting facilities, and keys to the office. He is on paid administrative leave pending his unit finding suitable employment that does not require an active security clearance.  
**STATUS: Open.**

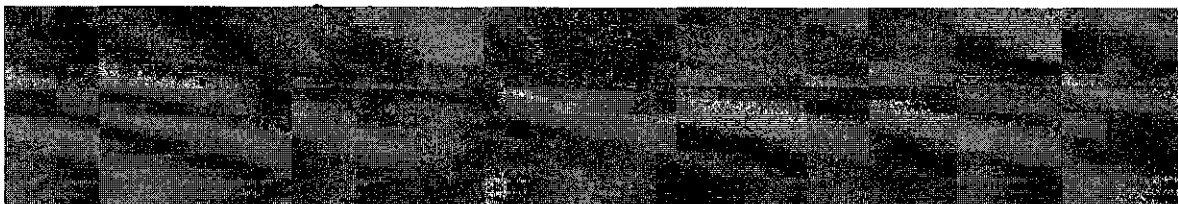
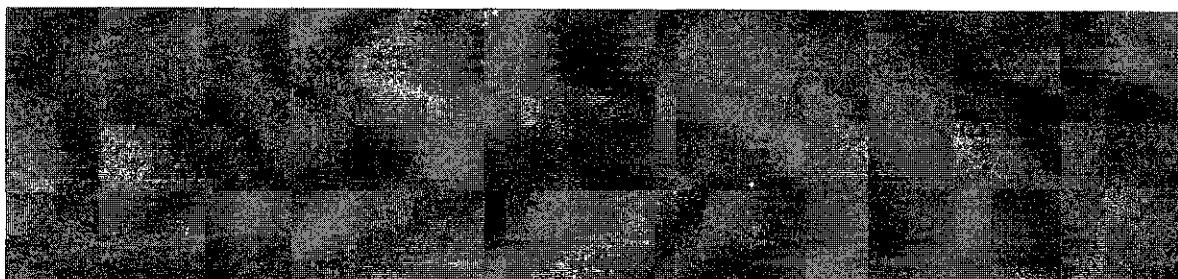


X f. (U//~~FOUO~~) DAIG-07-023: On 15 June 2007, the US Forces Command (FORSCOM) IG Office reported to SAIG-IO a possible violation of Section 4, (USSID) SP0018 (S//COMINT) and Procedure 2 of AR 381-10 in reference to the collection of U.S. persons information. During a field exercise on 6-7 April 2007 at the Joint Readiness Training Center (JRTC), Fort Polk, LA, a SIGINT NCO operating a Prophet system allegedly intercepted civilian cell phone conversations. This incident was reported to the National Security Agency (NSA) Security Intelligence Directorate's (SID) Intelligence Oversight & Compliance (O&C) Office. The unit commander conducted an inquiry into this situation. Closure of this case is pending receipt of findings from the command directed investigation. The draft report of findings is currently under the scrutiny of the Command's Staff Judge Advocate. **STATUS: Open.**

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g. (U//FOUO) DAIG-07-024:



(3) (U//FOUO) On 13 July 2007, INSCOM reported the results of a Commander's inquiry and a Command 15-6 Investigation into this situation to SAIG-IO. The INSCOM Deputy Commander has approved the findings and recommendations of the AR 15-6 Investigation and considers this case closed. DAIG has further reviewed all the provided documentation and concurs with INSCOM's assessment and also considers this case closed. STATUS: Closed.

h. (U//FOUO) DAIG-07-025:

(1) (U//FOUO) On 19 July 2007, SAIG-IO received a Procedure 15 report from the USAREUR, G2X, Army Theater Counterintelligence Coordination Authority (ATCICA) via the DA DCS-G2. The report alleged that two officers, one warrant officer, and one NCO assigned to Task Force (TF) Falcon's CI Team conducted a CI investigation without proper authorization. The subjects of this unauthorized investigation were US Citizens interpreters with US secret clearances employed by TF Falcon. Sometime during June 2007, the subjects had reportedly traveled cross the border without proper authorization, were temporarily detained by the border authorities, and potentially lied to these authorities about the reasons for their travel. At 2345 hours on the evening of the interpreters return (date TBD); the TF Falcon CI Team proceeded to the subjects' quarters and escorted them back to their office where the Team commenced to interview each of them. During the interviews, the MI Bde Team learned that a fourth person was involved and they interviewed that subject the following day. All four of the interviews were conducted without approval of the 650<sup>th</sup> MI Group's Sub Control Office (SCO) (their servicing entity) and without reading the subjects their rights. Upon completing the investigation, the team's Special Agent In Charge (SAIC) drafted an unclassified memorandum outlining their actions and forwarded it to the TF G2. TF Falcon is currently stationed at Camp Bondsteel, Kosovo.

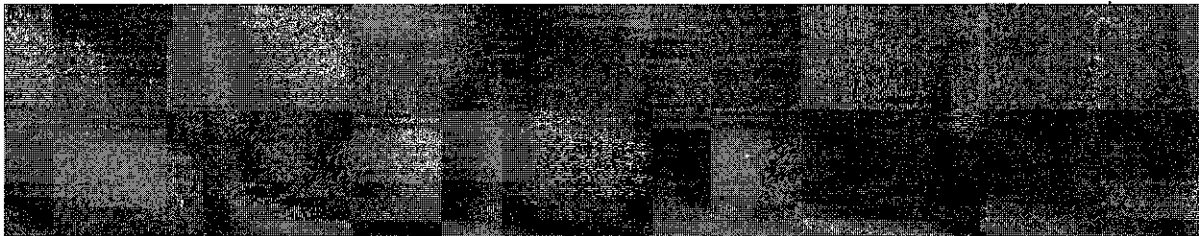
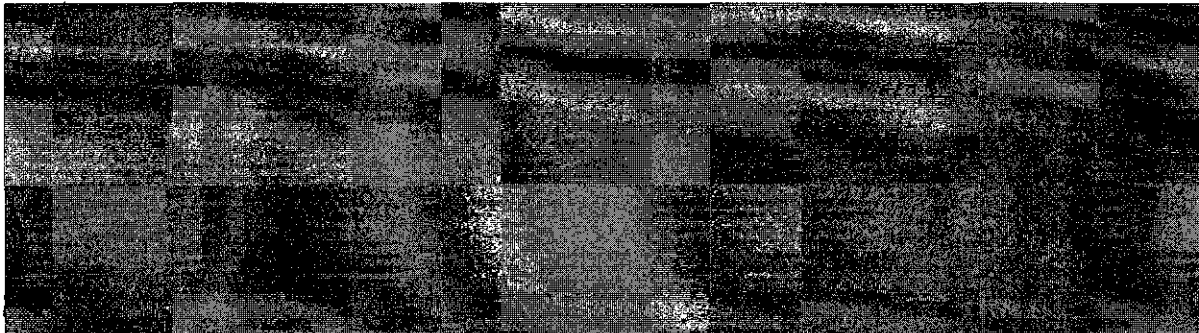
(2) (U//FOUO) On 18 June 2007, the USAREUR ATCICA office was made aware of the incident outside of intelligence channels and proceeded to contact the 650<sup>th</sup> MIG's SCO to

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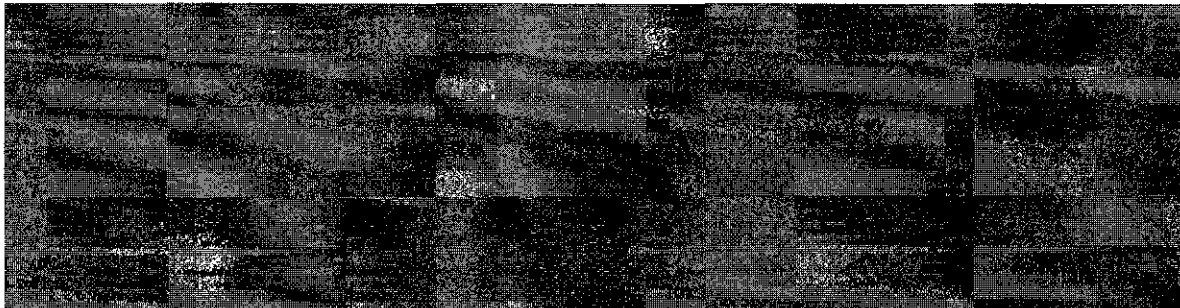
SUBJECT: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U)

inform them of the incident. Only when the USAREUR ATCICA sent a message to the 650<sup>th</sup> MIG's SCO and TF Falcon's G2 on that same day was the SCO informed of the incident. On 18 July 2007, the USAREUR ATCICA contacted the TF Intelligence Oversight (IO) Officer to check on the status of this event only to discover that the TF IO Officer had never been made aware of this incident, and because of this, it had not been reported to DAIG. SAIG-IO submits this initial report under the provisions AR 381-10 and AR 381-20. A final report will be provided once the case is closed. STATUS: Open.

4. (U) UPDATES: Updates of QIA cases reported last quarter (reference 1.f.) are provided below:

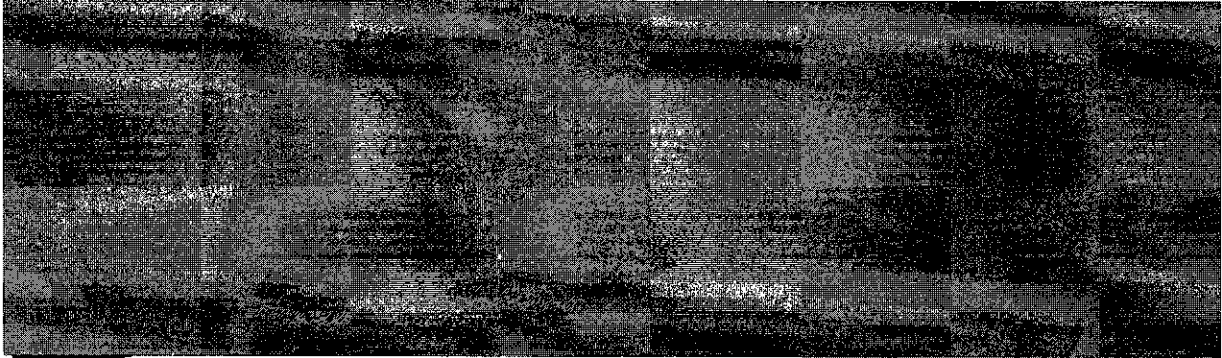


c. (U) DAIG-07-015: On 2 February 2007, INSCOM reported the QIA of a CI S/A assigned to the 202<sup>nd</sup> MI Battalion, 513<sup>th</sup> MI Brigade, Kuwait. On more than one occasion, the S/A allegedly misused his CI B&Cs to remove vehicle citations from his local Provost Marshal record. The battalion has completed a command investigation under the provisions of AR 15-6. The investigation substantiated the allegation, the S/A was removed from his position and received a Field Grade Article 15. STATUS: Closed.



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(1) (U) ACICA opened a case and promptly determined the allegations were not of CI interest. ACICA terminated its case (ACCN: 42ID-G2X-05-017) and referred the allegations to the officer's deployed unit of assignment and the US Army Criminal Investigation Command (CID) in Iraq for further investigation, as appropriate. CID-Iraq elected not to investigate the allegations. However, the 42<sup>nd</sup> ID conducted the initial command investigation, but the 42<sup>nd</sup> ID was unable to resolve all of the allegations. The NGB assumed the responsibility for completing the investigation.

(2) (U) First, the 42<sup>nd</sup> ID determined the ICF related allegation to be unsubstantiated, but NGB is reviewing the results to ensure the Division appropriately applied AR 381-141(C), ICF (U), 16 January 2004. Second, the allegations associated with the use of a Category-1 interpreter have been resolved as unsubstantiated, as the use of the interpreter was determined to be consistent with Multi-National Forces-Iraq (MNF-I) Policy 05-02 (Interrogation Policy). Also found to be unsubstantiated were the related allegations concerning the compromise of classified information to sources and interpreters. While the policy was not fully described in the command's investigative report, feedback from the Assistant Inspector General, Multi-National Corps-Iraq (MNC-I), confirms the accuracy of the investigating officer's (I/O) conclusion. Third, after consulting with the Army General Counsel, SAIG-IO determined that the hacking allegation might be a violation of federal law, specifically the Electronic Communications Privacy Act of 1986, USC Title 18, Part I, Chapter 119. Therefore, SAIG-IO referred the hacking allegation to CID Headquarters for criminal investigation and SAIG-IO recommended the Army-G2 report the allegation as a possible federal crime under the provisions of Chapter 16, AR 381-10. CID opened a criminal investigation under case number 0048-2006-CID221-50109, which is ongoing.

(3) (U) Upon review of the initial command investigative product, SAIG-IO noted other issues requiring resolution by NGB:

(a) (U) In the command investigative report, the I/O substantiated a previously unknown allegation that the officer's *THT (Tactical HUMINT Team) improperly conducted raids without the presence or knowledge of the task force...*. SAIG-IO requested NGB confirm the status of the allegation and report corrective actions, as the THT was supposedly under the officer's control and the raids were presumably in support of intelligence activities.

(b) (U) The officer's company commander and the BCT S2 allegedly sanctioned the THT's unauthorized use of alcoholic beverages during source operations, which violates

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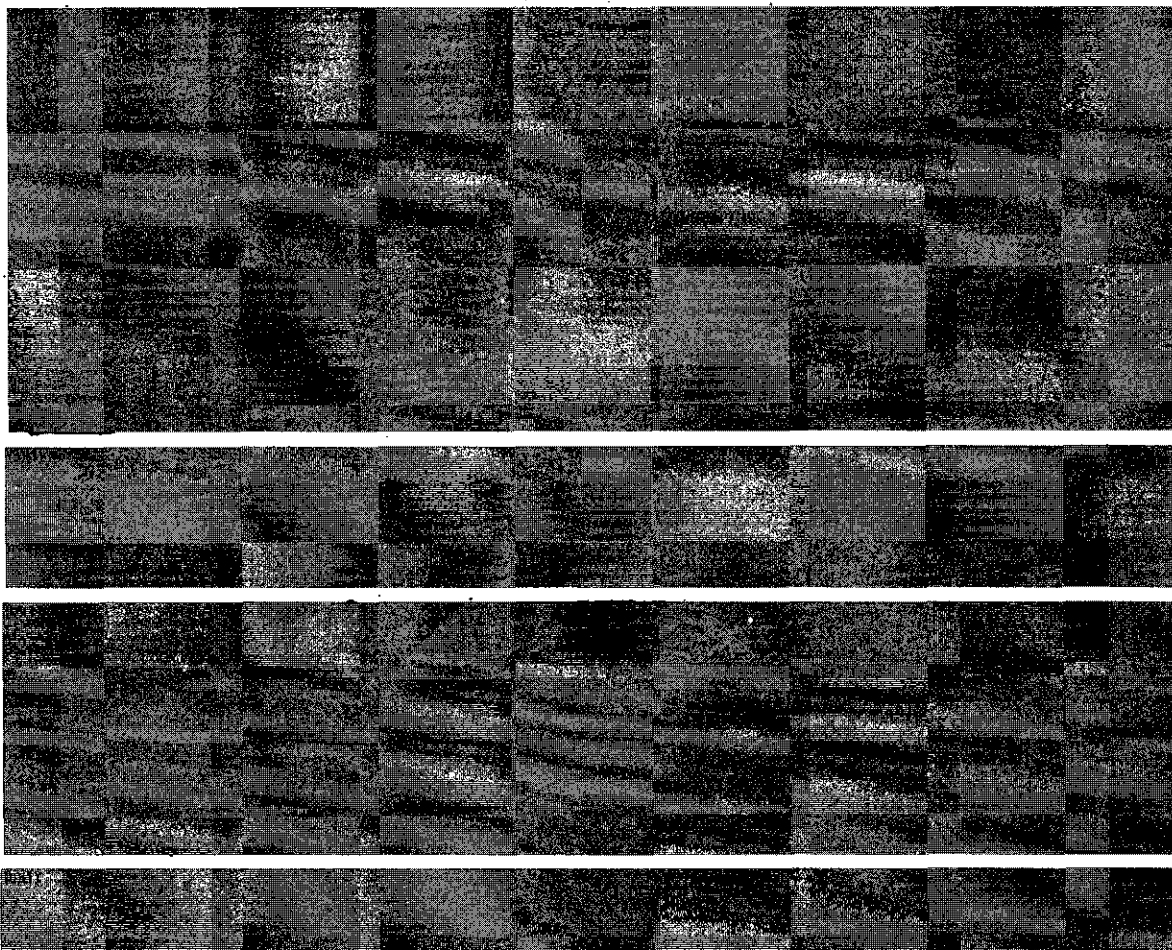
SUBJECT: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U)

theater policies. SAIG-IO requested NGB report the status of the allegations and corrective actions.

(c) (U) The commander and S2 allegedly prevented a witness from reporting the QIAs. SAIG-IO requested NGB report the status of this allegation and corrective actions.

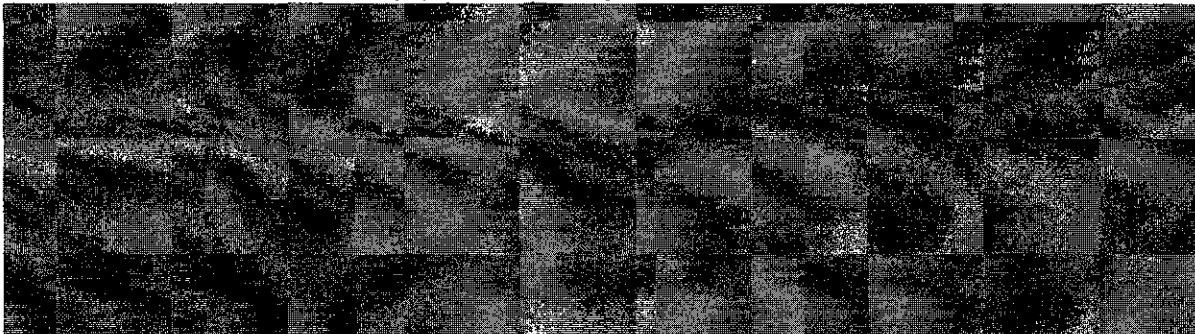
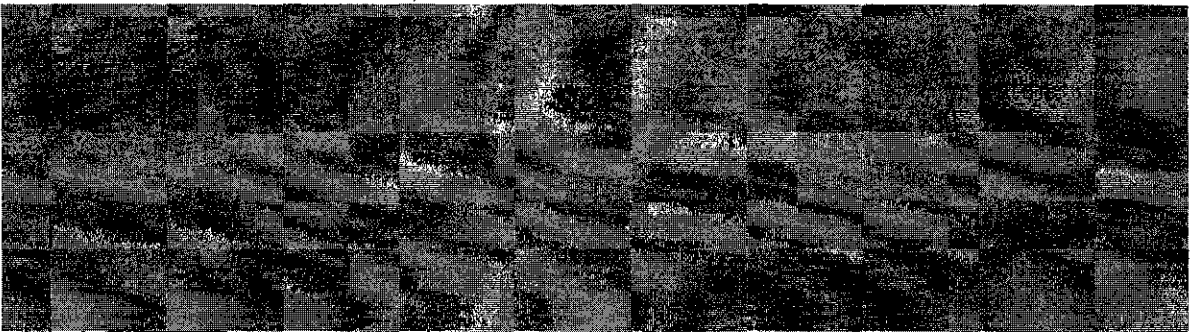
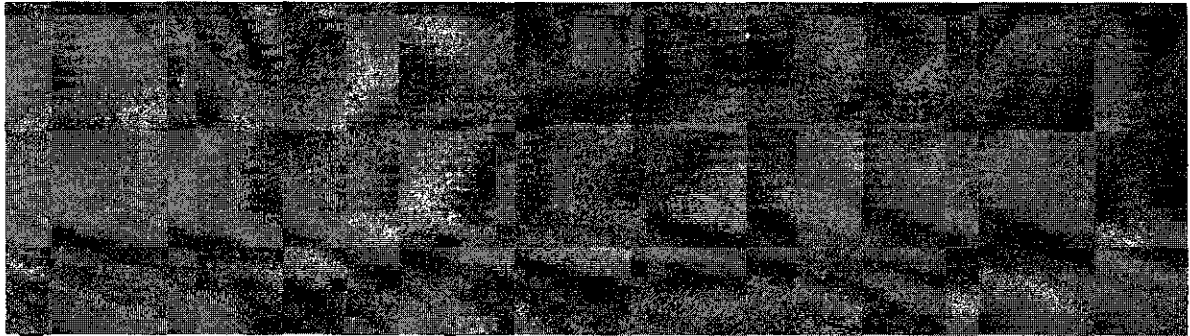
(d) (U) It was alleged that the officer required his THT members to falsify intelligence reports. Specifically, the officer would always serve as the lead interrogator or interviewer, but he required the THT members to write the activity reports and omit his (officer's) presence and participation in the intelligence activity. SAIG-IO requested NGB report the status of this allegation and related corrective actions.

(e) (U) According to an NGB-IG update on 19 July 2007, the primary investigator has concluded the subject interview for this investigation. However, two more interviews are pending. This case should reach its conclusion by the next quarterly reporting period.  
**STATUS: Open.**



SAIG-IO

SUBJECT: Quarterly Intelligence Oversight Activities Report (3rd Quarter, FY 07) (U)



g. (U) DAIG-06-009.

(1) (U) On 5 January 2008, INSCOM notified SAIG-IO that on 9 November 2004 a CI S/A assigned to the 902d MIG, with duty at the Joint Terrorism Task Force, Miami, FL (JTTF-Miami) may have inappropriately collected and reported information about a group's (US-person) plan to exercise its constitutional freedoms of assembly and speech. The information was reported as a Threat and Local Observance Notice (TALON) and submitted through the 902d MIG to the CI Field Activity (CIFA) for analysis and entry in the Cornerstone database. The report described the group's plan to convene a meeting titled "Countering Military Recruitment, the Draft and Military Law." The report also described the group's plan to "hold a workshop and planning meeting to discuss countering US military recruiting in High Schools, as well as efforts to assist recruits in getting out of military contracts." On 15 November 2004, the S/A provided an updated TALON report describing the group's plans to set up "tables at the schools in order to perform 'surveillance' on Military recruiters, while on campus." The TALON



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report did not indicate the group or planned activities had a foreign nexus. In the report, the S/A generically referred to the US Person as a "group" and a "US Domestic Protest Group." However, INSCOM provided that when reporting the address of the group's meeting venue, the S/A included the name of the meeting facility, which was assumed to contain the name of the group. Until recently, the 902d MIG maintained a database of all or some of the TALON reports submitted by its S/As.

(2) (U) On 30 March 2006, the Deputy Secretary of Defense (DEPSECDEF) established an unclassified interim policy memorandum concerning the TALON Reporting System, Subject: Threats to the Department of Defense (DoD). In the memorandum, the DEPSECDEF confirmed the reporting system should only be used to report information regarding possible international terrorism activities and the information should be retained in accordance with DoD 5240.1-R, Activities of DoD Intelligence Components that Affect US Persons, December 1982. Second, the interim policy requires that proposed TALON reports must meet one of the seven criteria outlined in the memorandum. Third, the Under Secretary for Defense (Intelligence) [USD(I)] will convene working groups to examine information fusion among Intelligence, CI, force protection, law enforcement and security communities. Fourth, ATSD(IO) will conduct annual inspections of the TALON system. Finally, the lead components from each military department must provide CIFA with copies of their implementation guidance of the DEPSECDEF's interim policy memorandum. The USD(I) policy developments for TALON continue.

(3) (U) INSCOM recently reported that "...after the INSCOM Inspector General preliminary investigation of the TALON situation, per AR 20-1, the INSCOM Command Group determined that the allegations required no further investigation." According to various INSCOM staff officers and the 902d MI Group's IO Officer, the alleged infractions by the S/A were exacerbated, if not caused by, inadequate policy guidance from HQDA and USD(I), which are now being addressed (see the preceding subparagraph). The 902d MI Group IO Officer also stated that the name of the meeting facility, which was included in the S/A's TALON report, was not the name of the US domestic protest group; therefore, the assumption that the protest group was the target of collection is not supported by the content of the report. INSCOM considers this case closed, but SAIG-IO maintains this as an open case, pending the results of an IO review by the SAIG-IO Division Chief. STATUS: Open.

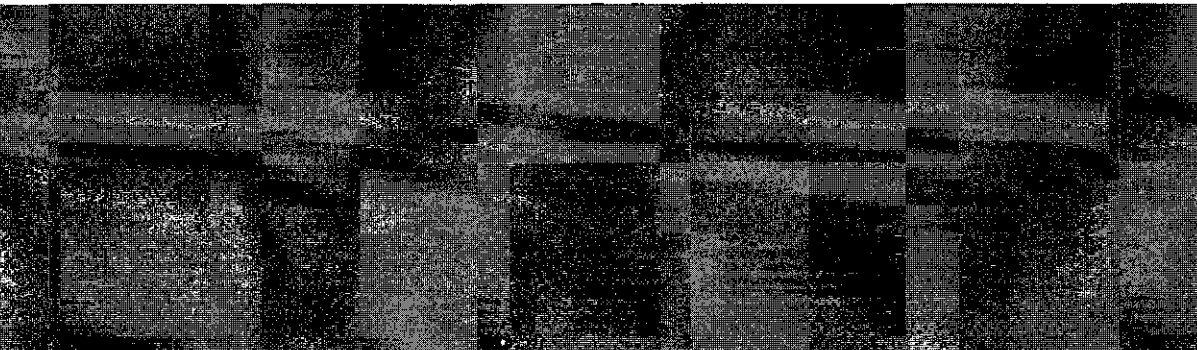
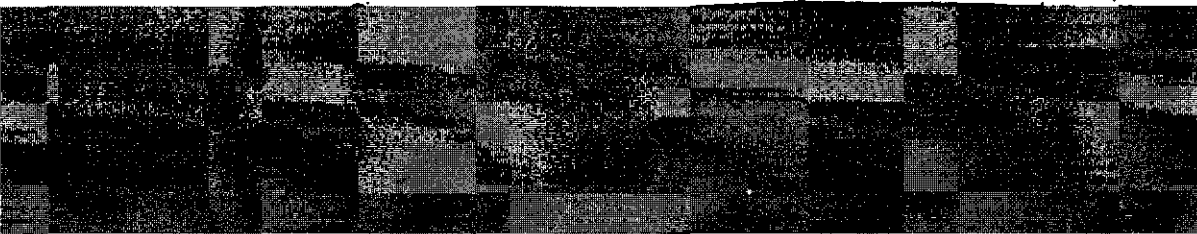
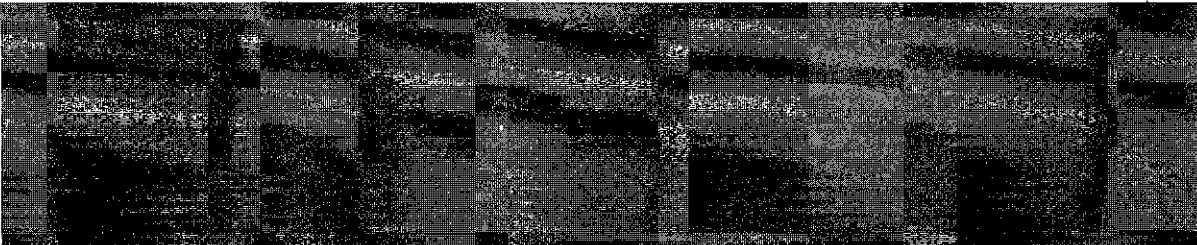
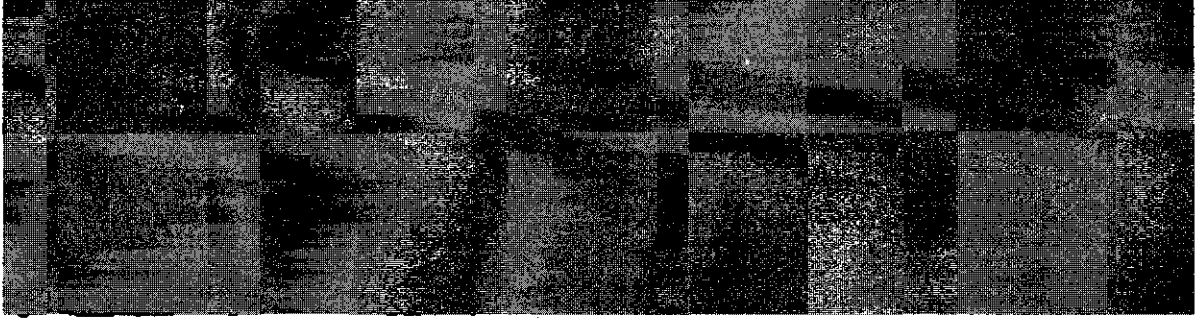
h. (U) DAIG-06-022:

(1) (U) In June 2006, SAIG-IO received numerous allegations concerning members of the 101<sup>st</sup> Airborne Division (101<sup>st</sup> Abn), 4<sup>th</sup> Infantry Division (4<sup>th</sup> ID), and Operational Detachment-Alpha 386 (ODA-386), 3<sup>rd</sup> Special Forces Group, during their 2006 deployment in Iraq. Some of the allegations were non-IO related and they were referred to Assistance Division, US Army Inspector General Agency (SAIG-AC), for action/resolution as appropriate. However, other allegations (outlined below) are considered QIAs requiring resolution IAW AR 381-10. The QIAs were referred to the appropriate commands and SAIG-IO continues to monitor the investigative progress. (Note: At the time of the alleged incidents, elements of the 4<sup>th</sup> ID were task organized as a subordinate element of the 101<sup>st</sup> Abn.)

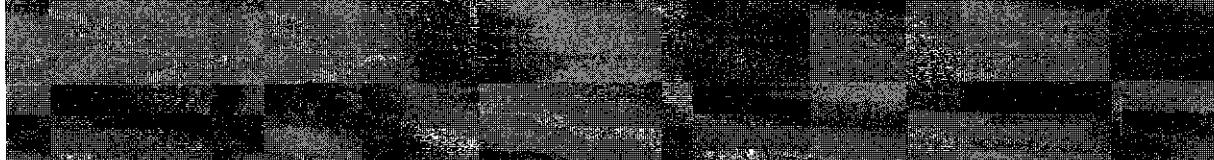
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(6) (U) After formally briefing the Army-G2, Army General Counsel, and The inspector General, SAIG-IO referred the allegations to MNC-I and US Army Special Operations Command for resolution. SAIG-IO also provided courtesy notifications to IG DIA, IG CENTCOM, and IG Multi National Forces-Iraq (MNF-I).



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(a) (U) An Infantry Officer and his linguist conducted unauthorized source operations in violation of Army regulations and theater policies. One such unauthorized operation may have contributed to a source's death.

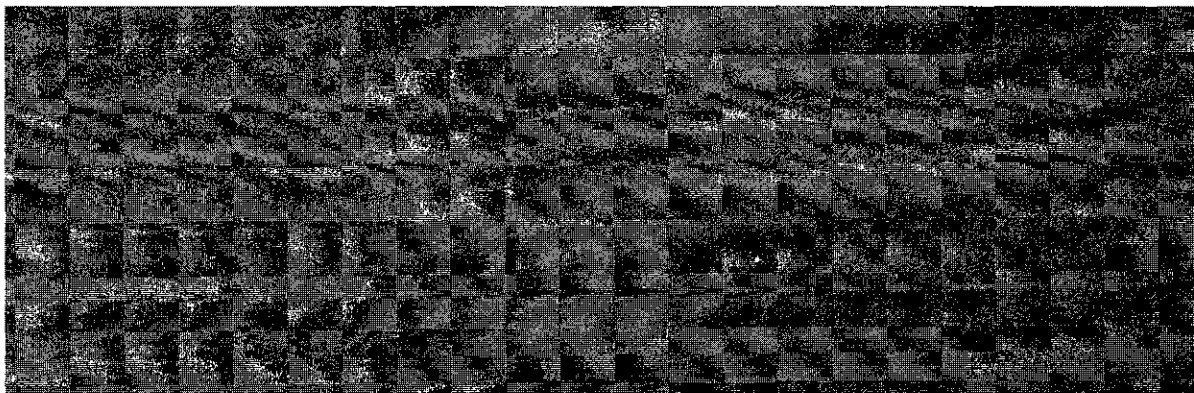
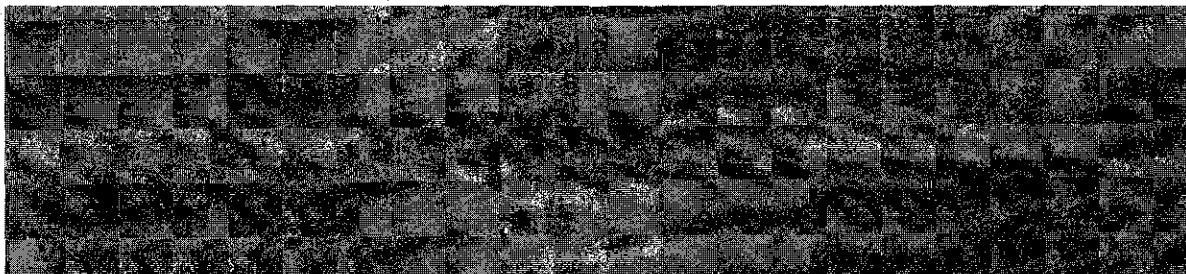
(b) (U) An Infantry Officer and his linguist interfered with THT operations, in violation of Army regulations and theater policies.

(c) (U) An Infantry Officer and his linguist conducted unauthorized detention and interrogation operations, in violation of Army regulations and theater policies.

(d) (U) Four officers in the 1/187<sup>th</sup> failed to report and accurately resolve the QIAs reported to them, in violation of AR 381-10.

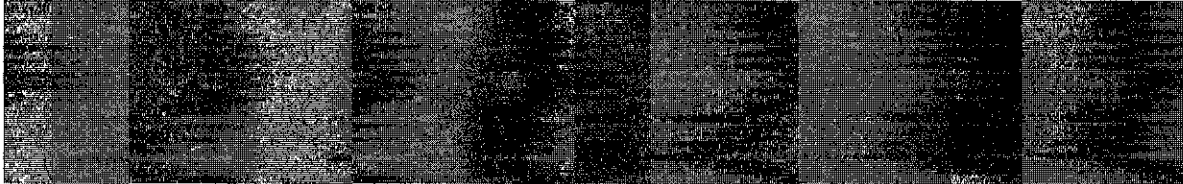
(e) (U) The remaining allegations were determined to be unsubstantiated. As a result of the I/O's substantiated findings, the Commanding General of the 101<sup>st</sup> Abn issued letters of reprimand to four officers. The officers will also publish a "Company and Battalion Commanders Handbook and Guide to HUMINT Operations consistent with the recently published FM 2-22.3, HUMINT Collector Operations, September 2006." The Division G2, who is not a subject in the command investigation, will supervise the handbook project. The Commanding General also directed improvement to training and coordination activities to prevent future incidents.

(8) (U) The 101<sup>st</sup> Abn's command investigation is closed. USASOC's investigative report is in draft and under legal review. STATUS: Open.

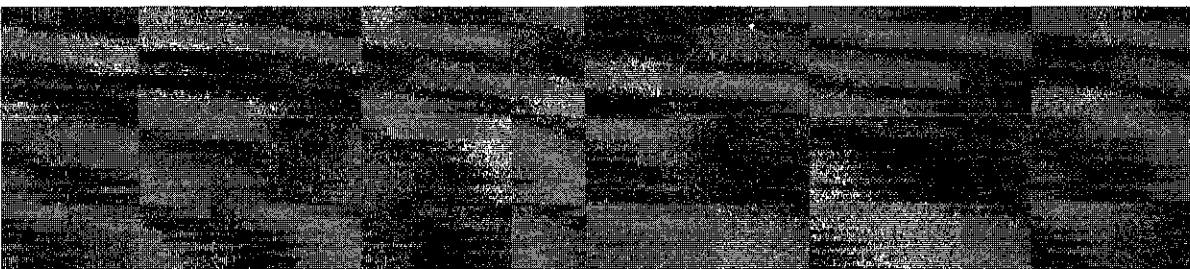
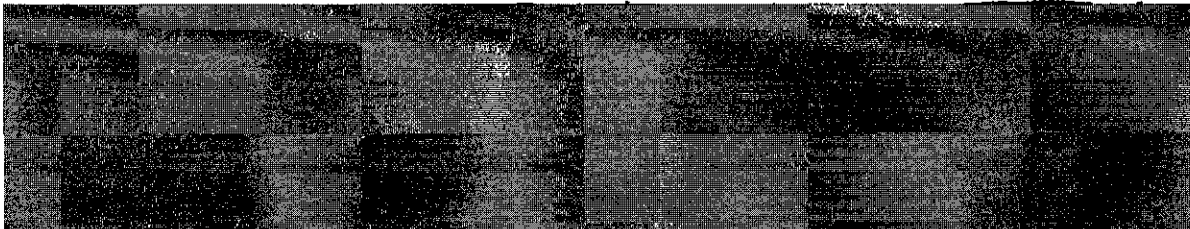
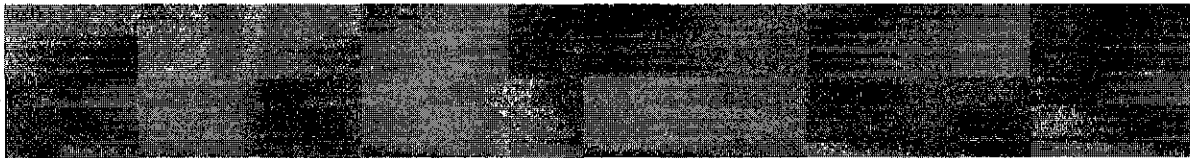


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k. (U) DAIG-06-029: On 23 March 2006, the DoD Inspector General (DoD IG) received an anonymous complaint concerning an MI officer's alleged misconduct in the performance of his intelligence duties while he was assigned to the US Army TF in Kosovo. On 15 June 2006, the DoD IG referred the case to the SAIG-AC. On or about 17 July 2006, after notifying the SAIG-IO, SAIG-AC further referred the case to the TF IG for resolution (SAIG-AC case number: DIH-06-8182). According to the initial report, the officer allegedly misused his position as a TF MI officer and ICF custodian/agent to travel monthly to Headquarters, US Army Europe (USAREUR), Heidelberg, GM, under the possible guise of reconciling the ICF account with USAREUR. It was further alleged that the officer's supervisor would conceal the purpose of the trip(s) as official MI business. The TF's investigation continues and once complete, the TF will report its results to SAIG-AC and SAIG-IO. SAIG-AC will also provide a copy of the investigative results to the DoD IG. STATUS: Open.



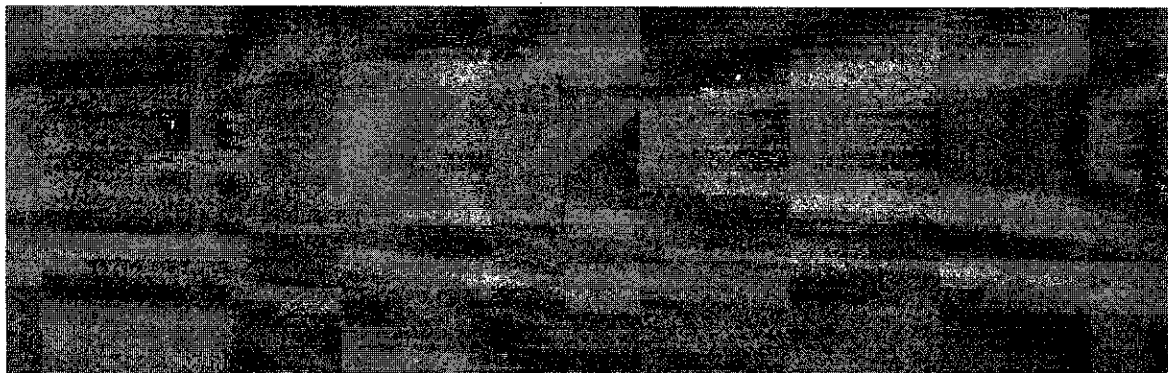
m. (U) DAIG-07-007:

(1) (U) On 28 November 2006, SAIG-IO received an initial report of QIA from the Deputy Inspector General, Multi-National Division-Baghdad (MND-B), Iraq. The allegations concern unauthorized and/or inappropriate source operations by members of 506<sup>th</sup> Regimental Combat Team (RCT), which are possible violations of Army Field Manual (FM) 2-22.3, HUMINT

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Intelligence Collector Operations; MNF-I HUMINT CONOP for the Iraqi theater of Operations; the 4<sup>th</sup> ID's Commanding General's Intelligence Collection Policy dated 7 June 2005; and Procedure 14, AR 381-10.



n. (U) DAIG-07-008:

(1) (U//FOUO) On 28 November 2006, SAIG-IO received an initial QIA report from the Deputy Inspector General, MND-B. The original allegation appeared to have been reported by the G2, MND-B, and concerns an unauthorized investigation of a US-Person by the S2, 506<sup>th</sup> RCT, in possible violation of AR 381-12, AR 381-20 and Procedures 2 and 14 of AR 381-10.

(2) (U//FOUO) On 6 October 2006, the S2 allegedly directed four subordinate personnel to obtain the personnel files of a Category II linguist, a US-Person, who worked on Forward Operating Base-Rustamiyah. Specifically, the S2 directed his people to "gather as much evidence as you can about this *terp*." (Note: The term "*terp*" is military slang for "interpreter.") There is no indication that the investigation was part of an authorized CI investigation. The MND-B initiated a command investigation to resolve the allegations. STATUS: Open

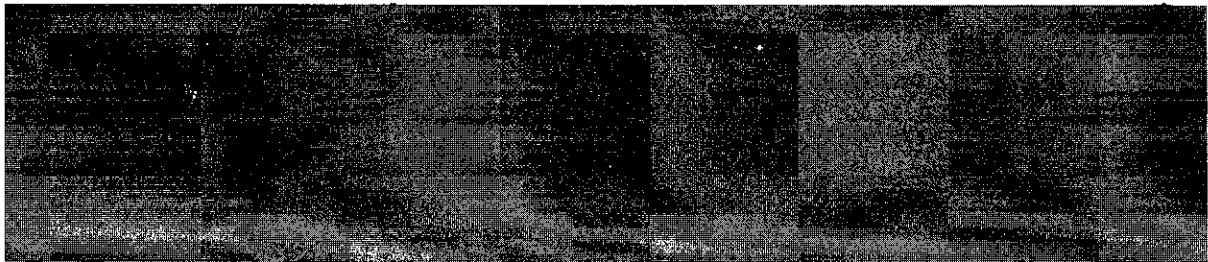
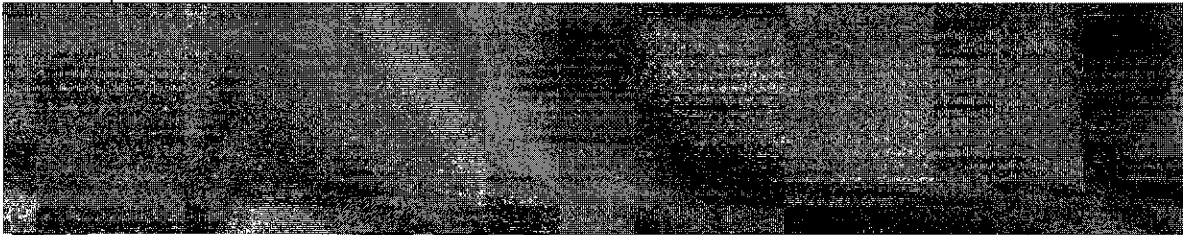
o. (U) DAIG-07-011: On 28 November 2006, INSCOM reported the QIA of the 513<sup>th</sup> MI Brigade's CI elements deployed in the Southwest Asia area of operations. The CI elements routinely submit initial CI investigative reports late, beyond the 72-hour time limit, and may have been conducting investigative activity beyond the "Standing Investigative Authority," in violation of ACICA policies and AR 381-20. The Commander, 513<sup>th</sup> MI Brigade, is conducting a commander's inquiry to determine the scope of the problem, responsible CI elements, and appropriate corrective actions. Key leaders in the 513<sup>th</sup> MI Brigade have opined that unrealistic policies are contributing factors to the incidents. Specifically, some leaders believe that the 72-hour reporting requirement and the "Standing Investigative Authority" policy are often too restrictive in a combat environment. STATUS: Open.

p. (U//FOUO) DAIG-07-012:



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5. (U) **INSPECTIONS:** SAIG-IO conducted a Staff Assistance Visit to the Southwest Border to observe and assist local commanders in support of Operation JUMP START during the period of 14-27 April 2007. The results of the SAV were very positive and have been reported up to the Secretary of the Army.

6. (U) **INSPECTION TRENDS:** Unchanged. Please refer to the inspection trends reported in the 1<sup>st</sup> Quarter, FY07, reference 1.f. above.

7. (U) **IO PROGRAM CHANGES:** AR 381-10 was updated effective 3 May 2007. All future IO inspections will be conducted under the provisions of this newest update.

8. (U) **CHANGES TO MI REGULATIONS / POLICIES:** SAIG-IO is coordinating with Army-G2 to establish a quarterly reporting mechanism to keep abreast of changes to MI regulations and policies. SAIG-IO will submit a separate report to ATSD(IO) if there have been substantive changes to MI regulations and policies during the fourth quarter of FY07.

9. (U) **POINT OF CONTACT:** [redacted] at [redacted] NIPRnet email: [redacted]  
SIPRnet email: [redacted]

Encl  
as

  
ALAN W. THRASHER  
Major General, USA  
Deputy The Inspector General

CF:  
G2  
OTJAG



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DEPARTMENT OF THE ARMY  
OFFICE OF THE INSPECTOR GENERAL  
1700 ARMY PENTAGON  
WASHINGTON DC 20310-1700

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SAIG-IO (381-10b)

APR 21 2008

*Amended 17 Feb 08*

MEMORANDUM THRU GENERAL COUNSEL, ARMY  
FOR OFFICE OF THE ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT) (ATSD(IO))

SUBJECT: Quarterly Intelligence Oversight Activities Report [2<sup>nd</sup> Quarter, Fiscal Year  
(FY) 08] (U)

1. (U) REFERENCES:

- a. (U) Executive Order (EO) 12333, US Intelligence Activities, 4 December 1981, as amended.
- b. (U) Department of Defense (DoD) Publication 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, December 1982.
- c. (U) DoD Directive 5240.1, DoD Intelligence Activities, 27 August 2007.
- d. (U) Army Regulation (AR) 381-10, US Army Intelligence Activities, 3 May 2007.
- e. (U) Unclassified memorandum, Assistant to the Secretary of Defense, 8 December 2006, subject: Annual Intelligence Oversight Report to Congress – New Requirement.
- f. (U) Unclassified//FOUO memorandum, Office of the Director of National Intelligence (ODNI), 23 March 2008, subject: Request for Information and Coordination.
- g. (U) ~~SECRET//NOFORN~~ memorandum, Department of the Army Inspector General (DAIG), 30 January 2008, subject: Quarterly Intelligence Oversight Activities Report (1<sup>st</sup> Quarter, FY 08) (U).
- h. (U) AR 20-1, Inspector General Activities and Procedures, 1 February 2007.

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- i. (U) AR 15-6, Procedures for Investigating Officers and Boards, 30 September 1996.
- j. (U) AR 381-20, The Army Counterintelligence Program, 15 November 1993.

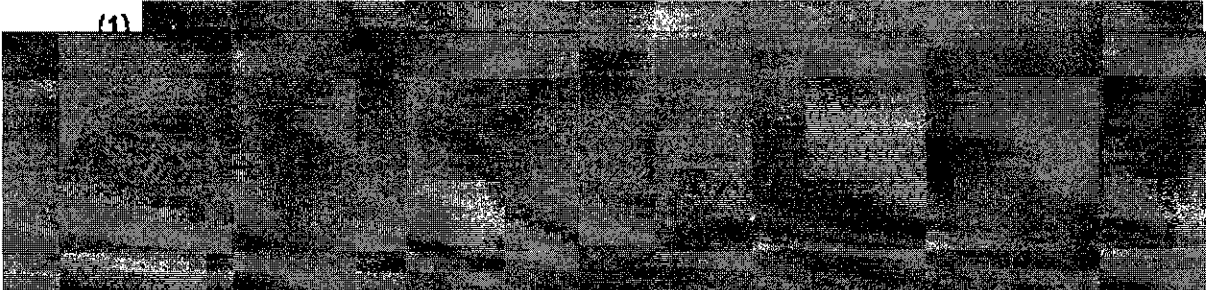
2. (U) **SCOPE OF REPORT:** In accordance with (IAW) the references listed above, this report provides information on:

- a. (U) Questionable Intelligence Activities (QIAs) reported to the Intelligence Oversight Division, US Army Inspector General Agency (DAIG-IO), during 2<sup>nd</sup> Quarter, FY 2008;
- b. (U) Updates to QIAs previously reported;
- c. (U) Results of intelligence oversight (IO) inspections and other actions conducted by DAIG-IO during 2<sup>nd</sup> Quarter, FY 2008;
- d. (U) Summary of substantive changes to the Army IO program during 2<sup>nd</sup> Quarter, FY 2008; and
- e. (U) Summary of any changes to intelligence, counterintelligence (CI), and intelligence-related policies during 2<sup>nd</sup> Quarter, FY 2008.

3. (U) **NEW QIA REPORTS:** This office received six new reports of QIAs during 2<sup>nd</sup> Quarter, FY 2008.

- a. (U) DAIG-08-010:

(1)



(a)





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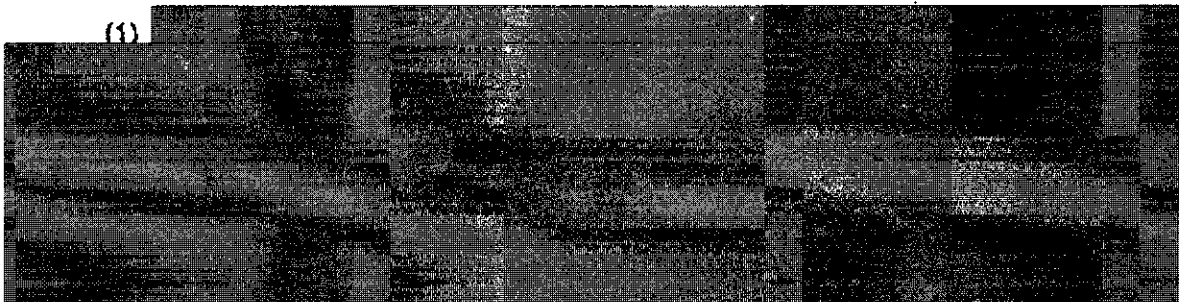
SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

(b) (U) The check of the Crisscross database established that the person was a USP, Department of the Army Civilian (DAC), assigned in Wiesbaden. The CIHOC provided that information to WIRO and directed that WIRO include the information in an initial report of possible Subversion and Espionage Directed against the U.S. Army (SAEDA), under the provisions of (UP) Army Regulation 381-12. INSCOM concludes that a QIA occurred when the database checks were run on a USP without proper investigative authority. Specifically, it concludes that the CIHOC should have been attentive to the possibility that the original identification of the DAC as a USP, although anonymous, was accurate. Further, it concludes that the failure of the CIHOC to more accurately identify the purpose of the request to the HAC caused the HAC to exceed Standing Investigative Authority (SIA) and potentially violate the rights of the USP.

(2) (U) Update – 14 January 2008, INSCOM reported in response to the QIA, desk officers in the CIHOC received tailored instruction concerning the use and limitations of SIA. Also, they received specific instruction on the submission of Requests for Assistance to the HAC, specifically identifying what information is being sought and for what purpose. Also, 66<sup>th</sup> MIG command response to the QIA determined that a critical element of the violation centered on a systemic weakness. Specifically, a provision within the USAREUR Counterespionage Standard Operating Procedure (SOP) was insufficiently developed to clearly communicate the intent and restrictions inherent in actions between 66<sup>th</sup> MIG operational personnel and supporting analysts in the USAREUR ACE. The SOP has been revised to ensure clear and specific communication. Lastly, the Commander, 66<sup>th</sup> MIG confirmed that analysts with access to supporting intelligence data bases had completed Defense Intelligence Agency (DIA) recertification training within six months of the event and are scheduled for formal training in the US in FY 08. STATUS: Closed.

b. (U) DAIG-08-011:

(1)



(2) (U) Update – The Commander, 902d MIG has initiated a command inquiry UP AR 15-6 to ascertain the facts and determine appropriate action concerning the accusations against all three individuals. The inquiry will also explore the continued viability of the FCA Asset. STATUS: Open.

c. (U) DAIG-08-012:

(1) (U) Background – 2 January 2008, the Army's Office of the Deputy Chief of Staff, (ODCS) G2, reported QIA by personnel assigned to the Cyber Counterintelligence Activity

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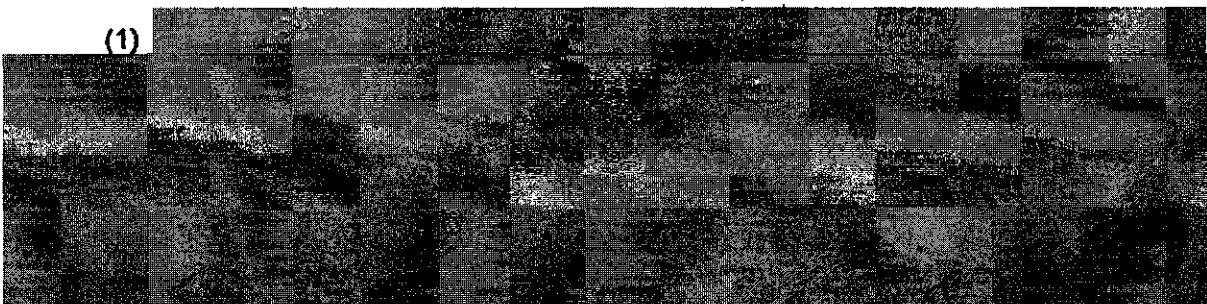
SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

(CCA), 902d MIG. Specifically, In August 2007 CCA personnel attended a commercial defense contractor conference without disclosing their intelligence affiliation. The conference, known as Black Hat, was hosted by various commercial computer security vendors and attended by computer security professionals. The CCA personnel judged the conference to be a training event and registered on-line, using their government credit cards. They did not reveal that they represented a military intelligence (MI) organization. The ODCS G2 determined, after the fact, that it was improper for the CCA personnel to attend Black Hat without either disclosing their MI affiliation or obtaining proper approval for undisclosed participation IAW Chapter 10, AR 381-10.

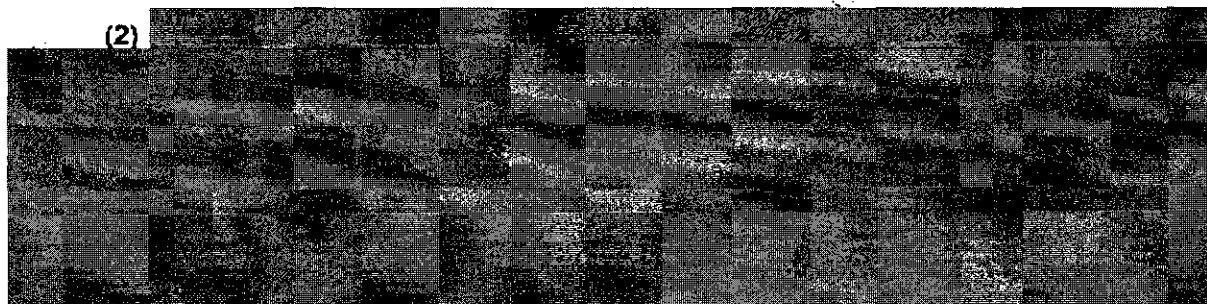
(2) (U) Update – 29 January 2008, the INSCOM Commanding General disapproved a request from the 902d MIG Commander for retroactive approval for CCA personnel to attend Black Hat without disclosing their MI affiliation. The basis for his disapproval was that AR 381-10 grants no authority for such retroactive approval and he believed that such approval would serve no purpose. However, in lieu of the retroactive approval, he tasked his staff to publish appropriate guidance to ensure that similar incidents do not occur in the future. The guidance will be fully vetted with the 902d MIG; the Office of The Judge Advocate General, Headquarters, DA; and the Office of the General Counsel, Headquarters, DA. This office anticipates no further action in response to this retroactive report of QIA. STATUS: Closed.

d. (U) DAIG-08-013:

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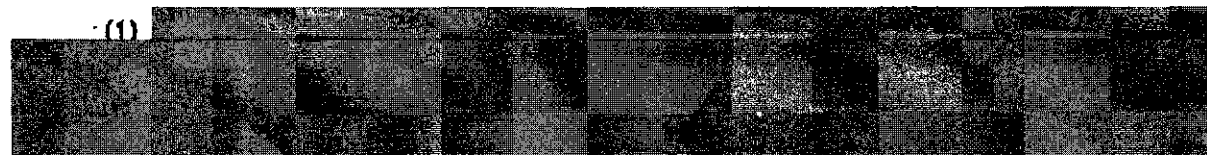


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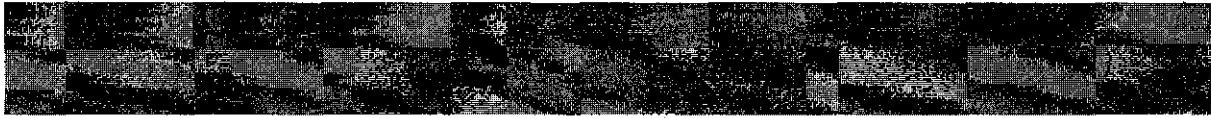
e. (U) DAIG-08-014:

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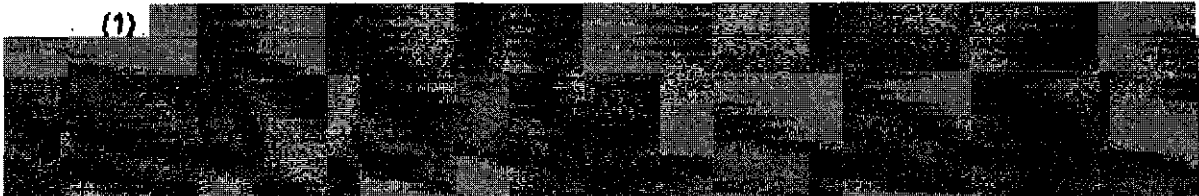
(2)



(3) (U) The Commander directed the following corrective actions. First, the USAOMS IO officer met with the responsible personnel involved in this incident and reinforced current unit policy regarding IO procedures, particularly undisclosed participation. And second, IO procedures, particularly undisclosed participation, will be emphasized to all unit members during annual refresher training. This office anticipates no further action regarding this case.  
STATUS: Closed.

f. (U) DAIG-08-015:

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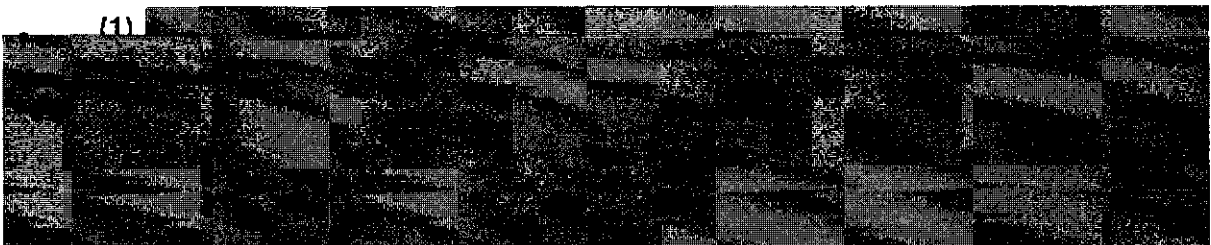


(2) (U) Update - As this matter is being investigated by ACICA, no further updates will be reported until the case either changes status or is closed. STATUS: Open.

4. (U) UPDATES ON PREVIOUSLY REPORTED QIAS:

a. (U) DAIG-05-037:

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(a) (U) The officer allegedly compromised classified defense information to sources and his Category-1 interpreter, even though appropriately cleared Category-2 interpreters were available.

(b) (U) Also, the officer allegedly violated numerous regulations governing Intelligence Contingency Funds (ICF).

(c)



(2) (U) The Army Central Control Office (ACCO) opened and terminated their case, under LCCN: 42ID-G2X-05-016, after determining the allegations were not of CI interest. The ACCO referred the allegations to the officer's unit and the US Army Criminal Investigation Command (CID) for further investigation (RFI 0282-06-CID001).

(3) (U) 18 October 2005, this office completed a review of a 15-6 investigation initiated by the Commanding General of the 42<sup>nd</sup> ID, NYARNG, dated 7 July 2005. The initial Report of Investigative Inquiry (ROI) 216<sup>th</sup> MICO did not clearly address allegation 4.a.(1)(b) mentioned above, but did state that allegations 4.a.(1)(a) and 4.a.(1)(c) were unsubstantiated. (Note: The officer in question did receive a General Officer Memorandum of Reprimand, dated 2 September 2005, for other incidents of unprofessional conduct.)

(4) (U) On 19 December 2005, DAIG-IO referred this case to the National Guard Bureau (NGB) IG office for further investigation into the three allegations addressed in paragraph 4.a.(1) above.

(5) (U) On 20 April and 3 May of 2006 respectively, DAIG-IO took sworn statements from two Soldiers with direct knowledge of the incidents surrounding the above-mentioned allegations. The testimony of these two Soldiers, accompanied with a review of the case by the Army Office of General Counsel (OGC), prompted DAIG-IO to again refer possible criminal allegations to CID for investigation on 1 June 2006 in reference to paragraph 4.a.(1)(c) above.

(6) (U) Upon review of the initial ROI, DAIG-IO noted other issues requiring resolution by NGB:

(a) (U) In the initial ROI, the investigating officer substantiated a previously unknown allegation that the officer's "THT improperly conducted raids without the presence or knowledge of the task force...". DAIG-IO requested NGB confirm the status of the allegation, as the THT was supposedly under the officer's control and raids were presumably in support of intelligence activities.

(b) (U) The officer's company commander (216<sup>th</sup> MICO) and the 116<sup>th</sup> BCT's S2 allegedly sanctioned the THT's unauthorized use of alcoholic beverages during source operation, which violated theater policies.

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(c) (U) The company commander and S2 allegedly prevented a witness from reporting QIAs.

(d) (U) The officer allegedly required THT members to falsify intelligence reports, omitting references to the officer's presence during interrogations.

(e) (U) DAIG-IO requested NGB report the status of these four new allegations as well as all related corrective actions. DAIG-IO received NGB's final Report of Investigation (ROI) dated 12 November 2007 regarding these issues. The ROI substantiates allegations 4.a.(6)(b) and 4.a.(6)(d) above. 11 January 2008, the NGB IG confirmed that the findings from the ROI were referred to the Idaho and California State Joint Force Headquarters with Soldiers involved in this case for action as appropriate under provisions of the Uniform Code of Military Justice (UCMJ).

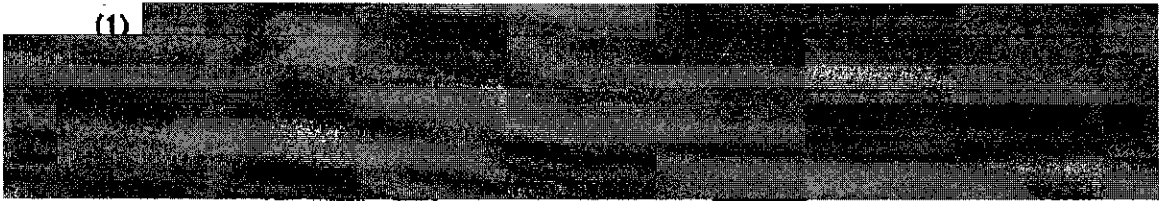
(7) (U) 25 May 2007, CID's Computer Crime Investigative Unit (CCIU) issued its final report (0048-2006-CID221-50109 - 8P3 - 9G2F) regarding this case and determined that unauthorized access to a protected computer [allegation 4.a.(1)(c)] was unfounded. The CCIU made the following determination: *Investigation determined there was no evidence to substantiate the allegations that the officer in question committed any criminal offense. A DIAG source reported the officer in question made comments to the effect he had "hacked" into E-mail accounts and foreign computers. The officer in question was interviewed and denied "hacking" into any computer systems. The DAIG source was re-interviewed and stated he/she had no first hand knowledge of the incident and only the word of the officer in question. Subsequent investigation did not identify any witnesses to the allegations or physical evidence.*

(8) (U) On 11 December 2007, the NGB IG provided this office with a memorandum summarizing the final ROI's findings and noting that the preponderance of evidence suggested allegation 4.a.(1)(b) was unsubstantiated and 4.a.(1)(c) was substantiated. Allegation 4.a.(1)(a) was not definitively addressed in the final ROI.

(9) (U) Update - On 23 January 2008, SAIG-IO IGs met with CCIU investigators to deconflict the results of the NGB's final ROI and their own investigation. As computer subject matter experts (SMEs), CCIU investigators felt the conclusions from the final NGB ROI did not warrant any further criminal investigation in relation to allegation 4.a.(1)(c) above.

(10) (U) During the course of four separate investigations, only one of the original allegations was substantiated and then later refuted by SME's; therefore, DAIG-IO considers this case closed from an IO perspective with no further action anticipated. STATUS: Closed.

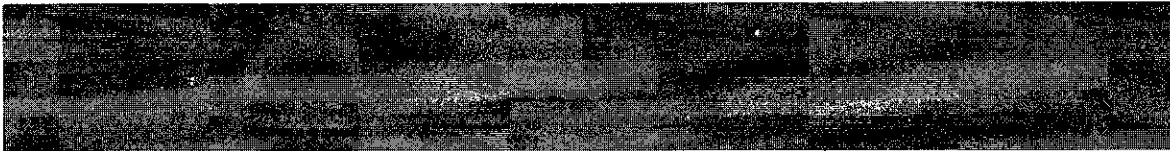
b. (U) DAIG-06-003 & 07-012:



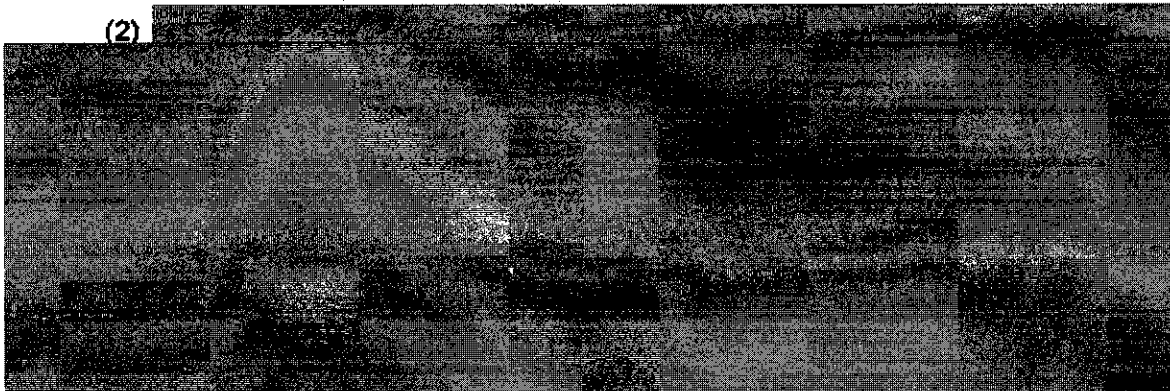
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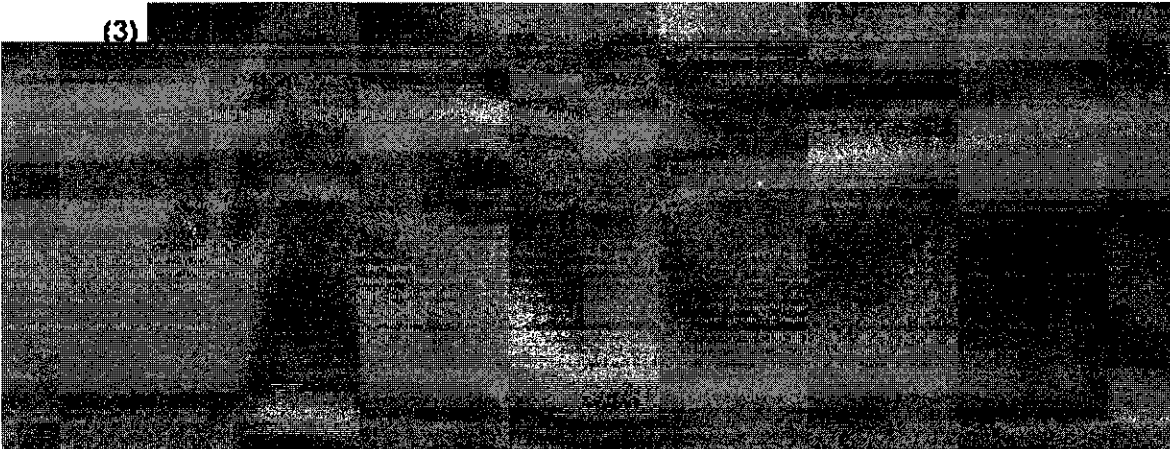
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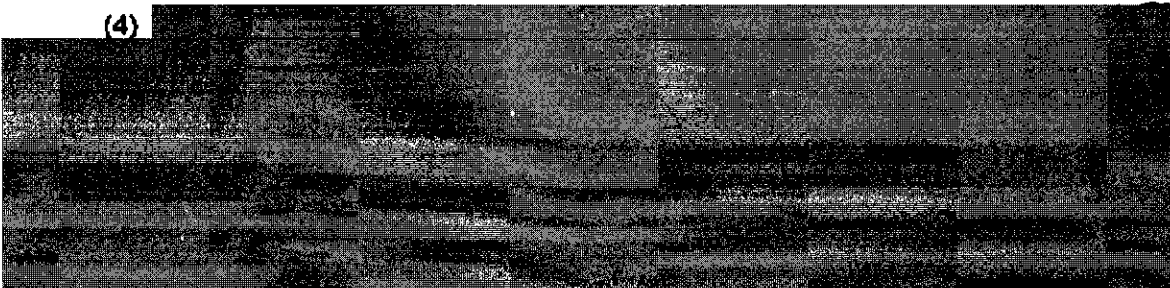
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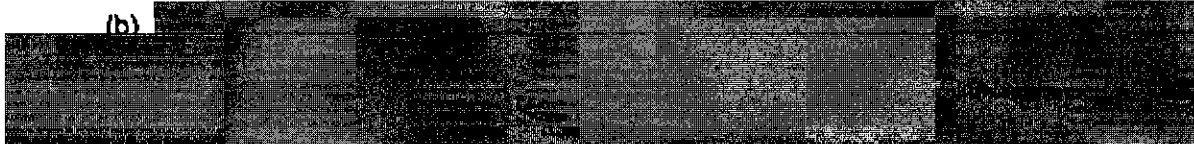
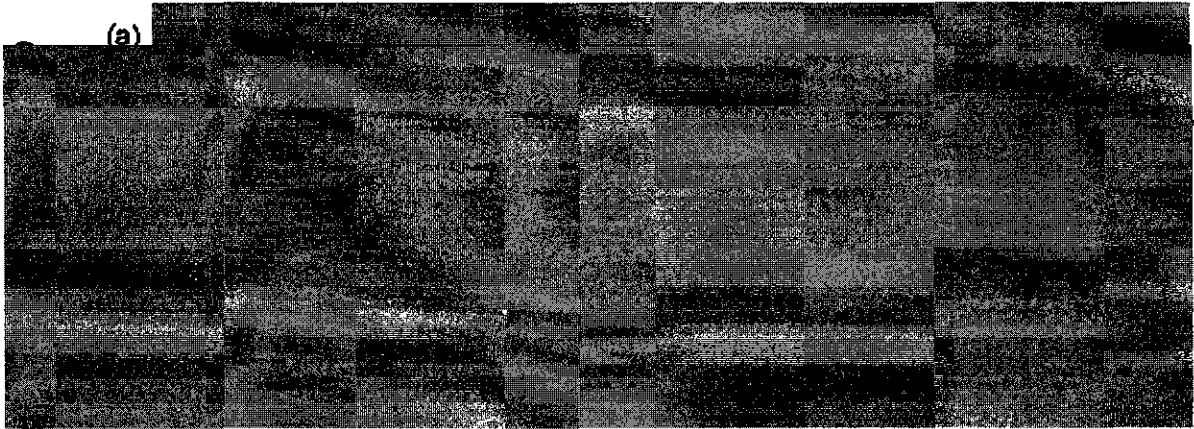
(5) (U) Update – 3 March 2008, INSCOM responded to the concerns raised on 27 October 2007. In summary, their reply offered the following conclusions:

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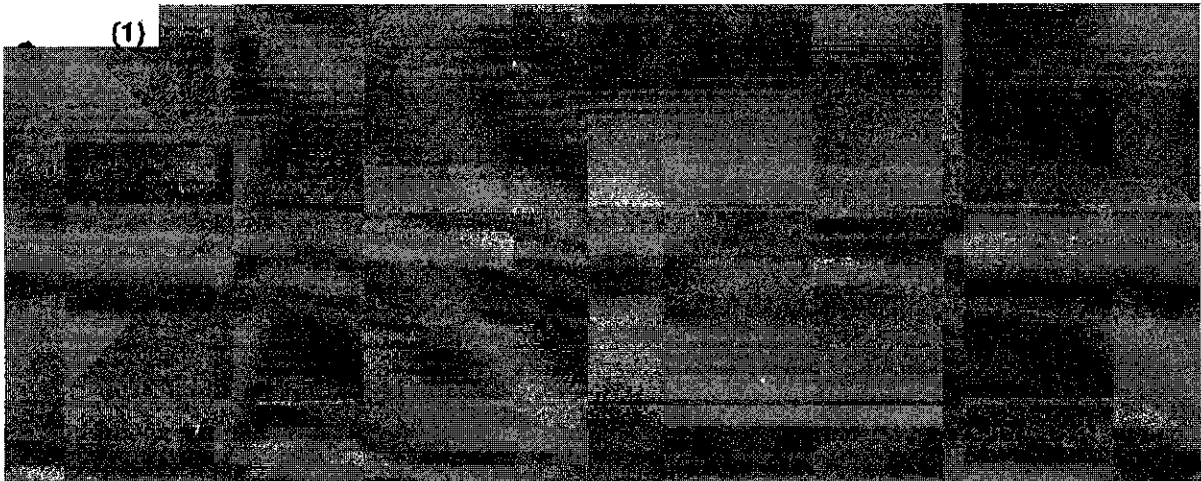
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(c) (U) As a result of the inquiry into the [redacted] operation, the NGIC Commander was tasked to determine appropriate disciplinary action, if any that needed to be taken against the involved [redacted]. The commander determined to handle the matter as a job performance issue. The employee was counseled on his poor performance, received a block 3 rating on his 2006-07 annual evaluation. In addition, his performance objectives were rewritten to cover specific areas of concentration and he continues to attend scheduled performance counseling sessions with his supervisor. In addition, all NGIC FMA Managers were trained on the new FMA procedures and coordination requirements. This office considers this matter closed with no further action anticipated. STATUS: Closed.

c. (U) DAIG-06-004:



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(2) (U) IAW AR 381-20, the 650<sup>th</sup> MIG's Sub-Control Office (SCO) initiated a CI investigation (LCN: 06-TFFCI-003) concerning the deliberate security compromise, which was later transferred to the 66<sup>th</sup> MIG (PI-06-025-TFF) for final resolution, after the unit in question rotated to home station in January 2006. The 66<sup>th</sup> MIG closed their investigation in March 2007. The 66<sup>th</sup> MIG's investigation answered the CI allegations [a violation of Procedure 16 (Federal Crime), AR 381-10], but did not address the Procedure 14 (Employee Conduct) issues.

(3) (U) Update – 13 March 2007, the 66<sup>th</sup> MIG provided the report of investigation to the individual's commander; however, they did not provide any information obtained during the subject interview which could be used by the 7<sup>th</sup> ARCOM's investigating officer to investigate the QIA allegations. Efforts by the USAREUR G2X could not get this information released to the command. The 7<sup>th</sup> ARCOM stated they could not open an AR 15-6 investigation based on what was provided; however, the individual is being processed out of the US Army on other, non-intelligence related violations.

(4) (U) On 21 November 2005, the USAREUR G2X queried the TFF Intelligence Oversight Officer (IOO) regarding their IO training. They discovered that although an IOO had been appointed, no IO training was provided during that rotation. USAREUR G2X provided TFF with 'train the trainer' assistance to include: providing an update on AR 381-10, USAREUR's IO briefing, and advice as how to run an effective IO program. USAREUR G2 ensured the IO was included in their quarterly Staff Assistance Visits (SAV) to Kosovo. IO training was also added to the USAREUR checklist certifying units for deployment to the Balkans. 28 September 2006, USAREUR G2X briefed the incoming KFOR J2 and G2 on their IO responsibilities and specifically addressed these allegations as a teaching point. DAIG-IO considers this issue resolved from an IO perspective and anticipates no further action regarding this case.  
STATUS: Closed

d. (U) DAIG-06-009 & 06-019

(1) (U) Background – 3 February 2006 and 3 May 2006 respectively, this office reported multiple incidents of possible QIA regarding information collected and reported as Threat and Local Observation Notices (TALON) by elements of the 902d MIG, INSCOM. In one instance, a 902d MIG SA with duty at the Joint Terrorism Task Force, Miami, Florida, inappropriately collected and reported as a TALON information about plans for a USP organization to exercise its constitutional freedoms of assembly and speech. The report, which never indicated any foreign nexus, was reported through the 902d MIG to the DoD CI Field Activity (CIFA) for analysis and inclusion in a database. In a second instance, an April 2006 Wall Street Journal article alleged that officials from the 902d MIG collected and disseminated information concerning Quaker Church participants in a March 2005 anti-war protest in Akron, Ohio. Specifically, the article alleged that the 902d MIG had spent weeks downloading information from "activist" web sites, cross-referenced the information with information in police data-bases, and provided a written alert to the Akron Police Department that said, "even though these demonstrations are advertised as peaceful, they are assessed to present a potential force protection threat." The article further alleged that the written alert, "prompted the Akron Police



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to follow the Quaker-organized rally. Also, the article said that the Akron protest was one of seven monitored by the Army that month that turned out to be non-violent, and that the 902d MIG produced reports on the seven other protests and used "data-analysis techniques to look for signs of hidden coordination between the protests." Both references said that the INSCOM Commander had directed a special IG inquiry into the Command's participation in the TALON program.

(2) (U) On 7 September 2007, this office intended to close the QIA reported above. INSCOM had concluded its investigation into both matters. The INSCOM closure of both stated that, "After the INSCOM Inspector General preliminary analysis of the TALON issue IAW AR 20-1, the INSCOM Command Group determined that there were no substantiated allegations of impropriety against individuals in the violations of law, regulation or policy. DoD issued clarifying guidance that INSCOM implemented. Subsequently the Secretary of Defense has announced the cancellation of the report on TALON that concluded, 'the TALON reports were generated for law enforcement and force protection purposes, as permitted under DOD Directive 5200.27.' This case is closed."

(3) (U) Upon conferring with the Army's OGC, this office requested additional information from INSCOM on 19 October 2007 to enable resolution of alleged QIAs. Specifically, INSCOM was requested to provide findings from the special INSCOM IG inspection of TALON reporting and related actions taken to mitigate likelihood of similar future QIAs.

(4) (U) 19 November 2007, INSCOM responded to the request for additional information/clarification.

(a) (U) The memorandum outlined the scope and method for the special inspection. The inspectors were tasked to review TALON reporting in INSCOM to evaluate strengths and weaknesses of the existing program, provide a detailed assessment of 902d MIG compliance with TALON regulations, policies and procedures, and determine if there was a void and/or conflict in TALON guidance from INSCOM or higher headquarters. To conduct the inspection, the INSCOM principal IG and one additional inspector contacted Soldiers and civilians at six locations including Headquarters, INSCOM, Fort Belvoir; 902d MIG headquarters and operational elements, Fort Meade; and the Joint Terrorism Task Forces in Washington, DC, Atlanta and Miami. Individual interviews were conducted with commanders, Soldiers, civilian CI agents, and operations officers. Also, the inspectors reviewed all applicable DoD, Army, INSCOM, and subordinate unit TALON directives, guidance, and policies.

(b) (U) The special inspection team observed that TALON reporting in INSCOM was almost exclusively limited to reporting from the 902d MIG. The TALON system was easy to use and a convenient tool to rapidly report and disseminate information. It was perceived by all users as a useful way to disseminate information to other DoD customers who might be under a particular threat. A weakness in the TALON system was that it had no mechanism for providing feedback to reporters. Also, the team noted that the objective of rapid reporting in the TALON system created a tension between rapid information and accurate information. The team further noted that the 902d MIG was largely in compliance with the TALON reporting system and there was no indication of systemic violation of any Army regulations or TALON policy. There were however, different interpretations of the intent and thrust of DoD level TALON guidance. Finally,

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the inspectors determined that Soldiers and civilians at all levels in the 902d MIG kept TALON reporting guidance readily available at their work stations and all those interviewed felt that they were familiar with intelligence reporting restrictions concerning the collection, retention, and dissemination of USP information.

(c) (U) The 902d MIG commander took the following actions to mitigate future potential QIAs: He issued specific guidance to TALON collection of USPs with regard to anti-war protests/demonstrations. He caused the command to analyze 902d TALON reports used to support a Northern Command threat briefing and determined that all met the basic TALON collection criteria. He also directed the command to conduct specific intelligence oversight training related to USP information tailored to TALON collection and retention. Lastly, in January 2006, the commander directed that the 902d MIG TALON database be taken off-line and any TALON data retained be transferred to CIFA.

(d) (U) Based on the observations of the special inspection team and a 902d MIG commander's inquiry into TALON, INSCOM concluded that no individual improperly violated laws, regulations, or policies while conducting TALON reporting.

(5) (U) TALON reporting was terminated in September 2007 by the Deputy Secretary of Defense. This office considers this matter to be closed from an IO perspective. STATUS: Closed.

e. (U) DAIG-06-022:

(1) (U) Background – 5 June 2006, DAIG-IO received numerous allegations of QIAs concerning unit members of the 101<sup>st</sup> Airborne Division (101<sup>st</sup> Abn Div) and 4<sup>th</sup> Infantry Division (4<sup>th</sup> ID) who were operating in Iraq at that time. [Note: At the time of the alleged incidents, elements of the 4<sup>th</sup> ID were task organized as a subordinate element of the 101<sup>st</sup> Abn Div.] The QIA allegations were described by numerous Soldiers in sworn and un-sworn statements and forwarded to DAIG-IO by a G2 staff officer from the 101<sup>st</sup> Abn Div.

(2) (U) The following allegations were outlined against the [REDACTED] Bravo Company, 1<sup>st</sup> Battalion, 187<sup>th</sup> Infantry Regiment (B/1/187<sup>th</sup>), 101<sup>st</sup> Abn Div, Forward Operating Base (FOB)-Summerall; [REDACTED] B/1/187<sup>th</sup>; the [REDACTED] 1/187<sup>th</sup>; and an unspecified member of B/1/187<sup>th</sup>:

(a) (U) The [REDACTED] and [REDACTED] conducted unauthorized source operations in possible violation of AR 381-172 and the Operation Iraqi Freedom (OIF)-Umbrella Concept for CI Force Protection Source Operations.

(b) (U) The [REDACTED] and [REDACTED] inappropriately detained sources under control of a Tactical HUMINT Team (THT), ordered the sources to cease contact with the THT, and ordered the sources to submit to the [REDACTED] and [REDACTED] control for future intelligence activities, in possible violation of AR 381-172, OIF-Umbrella Concept for CI Force Protection Source Operations, FM 34-52, AR 190-8, Multi-National Forces-Iraq (MNF-I) Policy #05-02 (Interrogation Policy), Multi-National Division-North (MND-N) Concept of Operations (CONOP) for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

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(c) (U) The [redacted] and [redacted] coerced/threatened their unauthorized sources to falsify sworn statements used to justify the apprehension of local/foreign nationals (L/FN), in possible violation of AR 381-172 and OIF-Umbrella Concept for CI Force Protection Source Operations.

(d) (U) An unspecified member of B/1/187<sup>th</sup> stole a passport and identification card of a L/FN and then used it as collateral to coerce the L/FN to serve as an (unauthorized) source, in possible violation of AR 381-172 and OIF-Umbrella Concept for CI Force Protection Source Operations.

(e) (U) The [redacted] and [redacted] conducted unauthorized detention and interrogation operations/activities in possible violation of FM 34-52, AR 190-8, MNF-I Policy 05-02 (Interrogation Policy), MND-N CONOP for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

(f) (U) Unspecified members of B/1/187<sup>th</sup> assaulted persons under US control, while they were being coerced to serve the [redacted] and [redacted] as intelligence sources [see paragraph 4.e.(2)(b) above], in possible violation of AR 190-8, FM 34-52, AR 381-172, OIF-Umbrella concept for CI Force Protection Source Operations, Article 83 (Cruelty and Maltreatment), and Article 128 (Assault), UCMJ.

(g) (U) The [redacted] failed to report and appropriately resolve allegations of QIAs [outlined in 4.e.(2)(a - f) above], in possible violation of procedure 14 (Employee Conduct), AR 381-10.

(3) (U) The following allegations were outlined against the [redacted] 2<sup>nd</sup> Battalion, 9<sup>th</sup> Cavalry Squadron (2/9<sup>th</sup> Cav), 4<sup>th</sup> ID, FOB-Wilson; the [redacted] 2/9<sup>th</sup> Cav; an [redacted] Category-II, Titan Corp, 2/9<sup>th</sup> Cav; the [redacted] THT 676, 3<sup>rd</sup> Brigade Combat Team (BCT), 101<sup>st</sup> Abn Div, in direct support of 2/9<sup>th</sup> Cav on FOB-Wilson; and a Specialist, Team Member, THT 676:

(a) (U) On numerous occasions, an [redacted] interrogated L/FNs in US custody without the presence/participation of a trained US interrogator or MI officer, in possible violation of MNF-I Policy 05-02 (Interrogation Policy), MND-N CONOP for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

(b) (U) On at least one occasion, an [redacted] and an Iraqi Army officer interrogated a L/FN in US custody, without the presence of a US interrogator or MI officer, in possible violation of MNF-I Policy 05-02 (Interrogation Policy), MND-N CONOP for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

(c) (U) The [redacted] directed the [redacted] to interrogate a L/FN in US custody, without the presence of a trained US interrogator or MI officer, in possible violation of MNF-I Policy 05-02 (Interrogation Policy), MND-N CONOP for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

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(d) (U) The [REDACTED] directed the [REDACTED] to interrogate a U/FN in US custody, without the presence of a trained US interrogator or MI officer, in possible violation of MNF-I Policy 05-02 (Interrogation Policy), MND-N CONOP for Combined MNF-I, and Iraqi Intelligence Interrogation Operations.

(e) (U) The [REDACTED] and/or other members of THT676, used unapproved interrogation techniques during interrogations at FOB-Wilson, in possible violation of MNF-I Policy 05-02 (Interrogation Policy).

(f) (U) The [REDACTED] and/or other members of THT676, falsified interrogation reports when they intentionally omitted their use of unapproved interrogation techniques and knowingly reported the wrong interrogation approach (direct versus fear-up approach), in possible violation of procedure 14 (Employee Conduct) of AR 381-10 and Article 107 (False Official Statement), UCMJ.

(g) (U) The [REDACTED] failed to report the QIAs outlined in paragraph 4.e.(3)(e - f) (above), in violation of procedure 14 (Employee Conduct) of AR 381-10.

(4) (U) 20 June 2006, DAIG-IO received the following additional allegations of QIA from the G2-CI, 101<sup>st</sup> Abn Div:

(a) (U) [REDACTED] B/1/187<sup>th</sup> Infantry Regiment, 3<sup>rd</sup> BCT, 101<sup>st</sup> Abn Div., FOB-Summerall, Iraq conducted unauthorized source operations that may have caused the death of one source, in possible violation of AR 381-172 (S//NF), FM 34-5 (S//NF), and OIF Umbrella Concept for CI Force Protection Source Operations (CFSO) (S//NF).

(b) [REDACTED]

(c) (U) A THT, B/1/187<sup>th</sup>, FOB-Summerall, conducted an authorized source operation that may have caused the death of a source, in violation of AR 381-172 (S//NF), FM 34-5 (S//NF), and OIF Umbrella Concept for CI Force Protection Source Operations (CFSO) (S//NF).

(5) (U) The 101<sup>st</sup> Abn Div G2 staff officer also provided these allegations to CID special agents in Iraq. CID did not investigate and referred the allegations to an in-theater IG. On 9 June 2006, DAIG-IO referred the first set of IO allegations to MNC-I IG for resolution. MNC-I IG further referred the IO allegations to the IG, MND-N (Forward) for inquiry/investigation and reporting. On 21 June 2006, DAIG-IO requested The Inspector General (TIG) release the additional allegations to the 101<sup>st</sup> Abn Div IG via the MNC-I IG for further investigation. 29 June 2006, DAIG-IO notified USCINCCENT of the new allegations needing resolution. 11 October 2006, DAIG-IO formally referred the allegations against OD-A 386 to USASOC for their resolution.

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(6) (U) In addition to the allegations of QIA outlined above, the sworn and un-sworn statements contain allegations of criminal activity and/or other non-IO related misconduct by members of the 101<sup>st</sup> Abn and 4<sup>th</sup> ID. The criminal and non-IO related allegations were forwarded to the Assistance Division of the US Army Inspector General Agency (SAIG-AC) for their action, oversight, and/or referral, as appropriate. The 101<sup>st</sup> Abn G2 staff officer also reported the non-IO related allegations to CID in Iraq. CID also referred those allegations to an in-theater IG. The criminal and non-IO related allegations included allegations of reprisal, acts of animal cruelty, and theft.

(7) (U) 19 December 2006, 101<sup>st</sup> Abn Div IG provided DAIG-IO with the results of their 15-6 investigation into the previously mentioned allegations. Only five of the allegations listed above were substantiated in their report, excluding the USASOC related allegation. The substantiated allegations were: 4.e.(2)(a), (b), (f) & (g), and 4.e.(4)(c). As a result of the investigating officer's substantiated findings, the [redacted] of the 101<sup>st</sup> Abn Div issued letters of reprimand to four officers. The officers were then directed to publish a "Company and Battalion Commanders Handbook and Guide to HUMINT Operations consistent with the recently published FM 2-22.3, HUMINT Collector Operations, September 2006." The Division G2, who was not a subject in the command investigation, supervised the handbook project. The [redacted] also directed improvements to training and coordination activities to prevent future incidents.

(8) [redacted]

f. (U) DAIG-06-028:

(1) [redacted]

(2) [redacted]

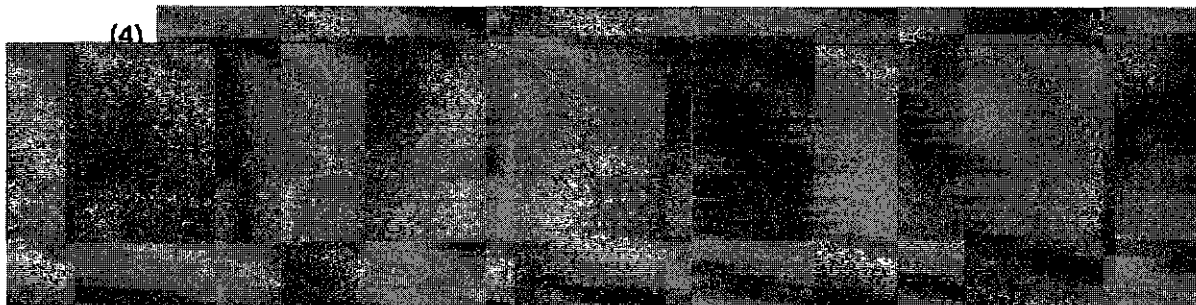
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(3) (U) In early January 2008, a DAIG-IO status inquiry caused the USASOC Army Compartmented Element (ACE) IG to initiate review of the completed investigation.

(4)



(5)



(6) (U) Update – No further action is anticipated. **STATUS: Closed.**

g. (U) DAIG-06-027:

(1)



(2) (U) Update – Per INSCOM's FY 08, 1<sup>st</sup> Quarter IO Activities Report dated 17 January 2008, the unit commander ordered an AR 15-8 investigation which substantiated the majority of the allegations. As a result, the commander issued a memorandum of proposed removal from civilian employment as a MICECP to the individual and submitted a memorandum for security clearance determination to the US Army Central Personnel Security Clearance Facility (CCF). Subsequently, the individual submitted a letter of resignation, and is no longer a federal employee as of 13 October 2007. Case closed. **STATUS: Closed.**

h. (U) DAIG-06-028:

(1) (U) Background – On 23 March 2006, the DoD IG received an anonymous complaint concerning an MI officer's alleged misconduct in the performance of his intelligence duties while he was assigned to the US Army TF in Kosovo. On 15 June 2006, the DoD IG

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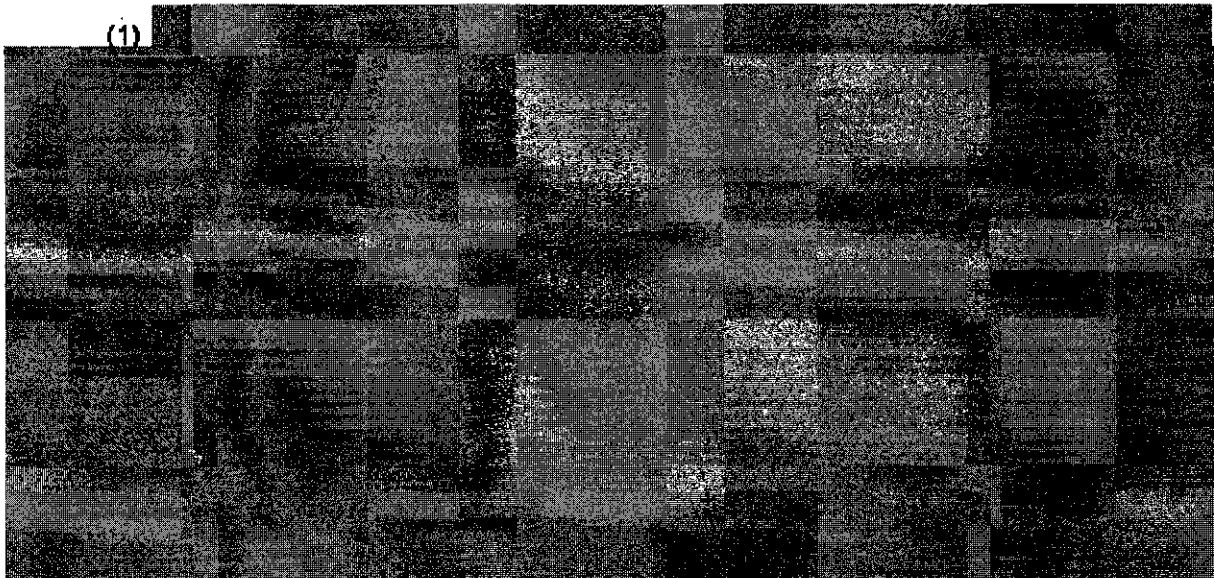
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referred the case to the US Army Inspector General Agency's (USAIGA) Assistance Division (DAIG-AC). On or about 17 July 2008, after notifying the DAIG-IO, DAIG-AC further referred the case to the TF IG for resolution (DAIG-AC case number: DIH-08-8182). According to the initial report, the officer allegedly misused his position as a TF MI officer and ICF custodian/agent to make personal trips monthly to Headquarters, USAREUR, Heidelberg, GM, under the possible guise of reconciling the ICF account with USAREUR. It was further alleged that the officer's supervisor would conceal the purpose of the trip(s) as official MI business.

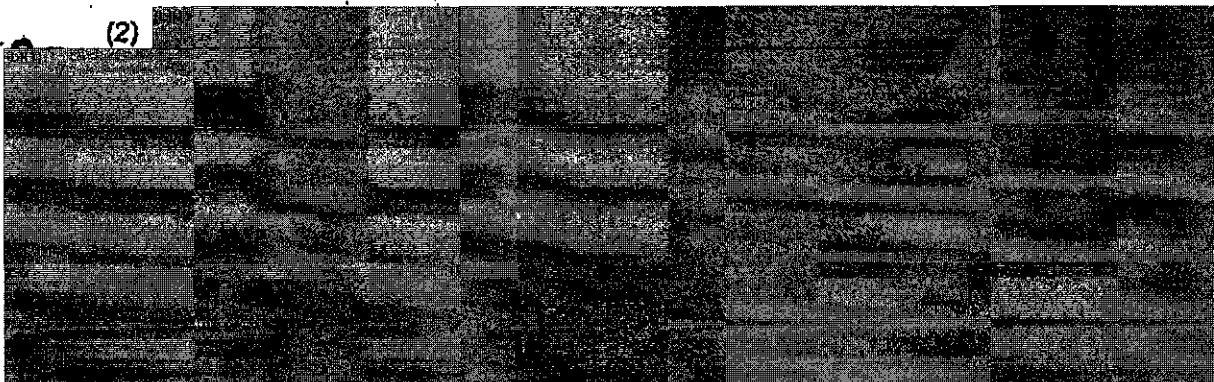
(2) (U) Update – The TF has been directed to report its investigative results to DAIG-AC and DAIG-IO. DAIG-AC will also provide a copy of the investigative results to the DoD IG. A request for further update has been made to USAREUR by DAIG-AC and is expected at any time. STATUS: Open.

i. (U) DAIG-07-007:

(1)



(2)



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j. (U) DAIG-07-020:

(1) (U) **Background** - In April 2007, a CI SA assigned to Task Force (TF) Prowler, TF Falcon, 29<sup>th</sup> Infantry Division allegedly violated chapter 9 (Badge and Credential Program), AR 381-20, The Army Counterintelligence Program, 15 November 1993; and paragraph 15-4b. (Misrepresentation), AR 381-10, U.S. Army Intelligence Activities, 3 May 2007 by the actions outlined below:

(a) (U) The SA used his Installation Access Card (IAC) inappropriately to bring a category Two (CAT II) interpreter onto Camp Bondsteel, Kosovo. The interpreter lost her KFOR badge while previously on leave in Serbia.

(b) (U) It was further alleged that the CI SA tried to assist the interpreter to get a new KFOR Identification Card (ID) the following day without proper approval or authority. Then, the agent misidentified the associated contract company, potentially to avoid detection of the lost KFOR ID and the potential consequences to the contractor by her employer.

(2) (U) **Update** - 19 February 2008, USAREUR G2X reported that TF Falcon had completed its command investigation into this issue and determined the following:

(a) (U) The SA admitted to the TF Falcon CI Coordinating Authority (TFCICA) that he attempted to assist the interpreter gain access without proper authority and assisted the interpreter to fill out paperwork to get a new KFOR identification card.

(b) (U) The CI SA received a written counseling statement regarding failure to follow proper procedures with regards to the use of an IAC. In addition, the CI SA was reassigned alternate covering agent duties that would not allow interaction with either the contract interpreter's company or the place of duty where the interpreter was assigned. DAIG-IO considers this matter closed with no further action is anticipated. **STATUS: Closed.**

k. (U) DAIG-07-025:

(1) (U) **Background** - On 19 July 2007, DAIG-IO received a report of QIA from the USAREUR, G2X, Army Theater CI Coordinating Authority (ATCICA) via the ODCS G2. The report alleged that two Officers, one Warrant Officer, and one NCO assigned to Task Force Falcon's (TFF) CI Team conducted a CI investigation without proper authorization (a violation of paragraph 4-2, AR 381-20). TF Falcon is stationed at Camp Bondsteel, Kosovo. The subjects of this unauthorized investigation were US Citizens interpreters with US Secret Clearances employed by TFF. Sometime during June 2007, the subjects were detained at the border between Serbia and Kosovo on an unauthorized trip to Serbia to purchase a vehicle.

(a) (U) At 2345 Hours on the evening of the interpreters return to TFF, the TFF CI Team proceeded to the subjects' quarters and escorted the interpreters back to their office where the team commenced to interview each of them. All four of the interviews were conducted without approval of the 650<sup>th</sup> MI Group's Sub Control Office (SCO) (their serving entity) and without reading the subjects their rights. Upon completing the investigation, the team's Special Agent In Charge (SAIC) drafted an unclassified memorandum outlining their



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actions and forwarded it to the TFF G2. Once the 650<sup>th</sup> SCO was made aware of the incident, the SCO requested that the team provide a copy of the memorandum for their review. The SCO made the decision that there were no indicators of espionage and did not open this case.

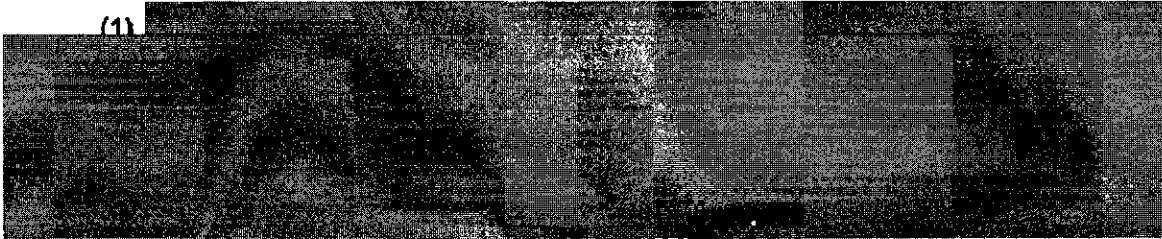
(b) (U) The results were referred back to the contract coordinators office for action. The interpreters that were involved were counseled IAW their contracts and warned that unauthorized travel could cause their employment to be terminated.

(c) (U) The TFCICA visited USAREUR HQ shortly after this incident and was counseled regarding the conduct of the subject interviews without SCO approval and appropriate procedures to open CI investigations. USAREUR G2X also had several telephonic conversations with the TFF G2 on ensuring that they were aware that investigations are required to be forwarded to the SCO for assessment. TFF made a decision not to take action.

(2) (U) Update – The individuals involved in this incident rotated back to home station shortly after this incident occurred. The TFF command took no corrective action with regards to this incident. In light of this, USAREUR ATCICA in conjunction with the 650<sup>th</sup> MIG's SCO developed a weekly activities report, which TFF is required to submit to both offices. In addition, USAREUR G2X now requires incoming Task Forces to copy both the SCO and the ATCICA on all communications to alleviate duplicative efforts as well as to clearly define any and all direction given to the TF. Additionally, the incoming TF drafted new SOPs and Tactics, Techniques, and Procedures (TTPs) covering CI operations in theater to clearly define their roles and reporting procedures. DAIG-IO submits this final report UP AR 381-10 and AR 381-20 and considers this case closed. STATUS: Closed.

I. (U) DAIG-08-001:

(1)



(2) (U) DAIG-IO noted a lack of clarity with regard to approval authority policy and standard operating procedure for US Army Intelligence organizations, other than INSCOM and the 650<sup>th</sup> MIG, to obtain NAIA, as currently outlined IAW AR 381-10 and the classified memo mentioned above. Additionally, there appears to be an ability for Army Intelligence organizations to obtain NAIA through the DNI CIO's browsing service, which may conflict with required approvals in documents referenced above. DAIG-IO recommended that the ODCS G2 examine the existing policy guidance for obtaining NAIA to ensure consistency and clarity and provide a report of findings. This action was completed 17 December 2007.

(3) (U) Update – This office is awaiting the results of the USAREUR 15-8 investigation into this matter in order to close this case. USAREUR plans to take the following corrective actions to resolve the above-mentioned allegations:

SAIG-IO

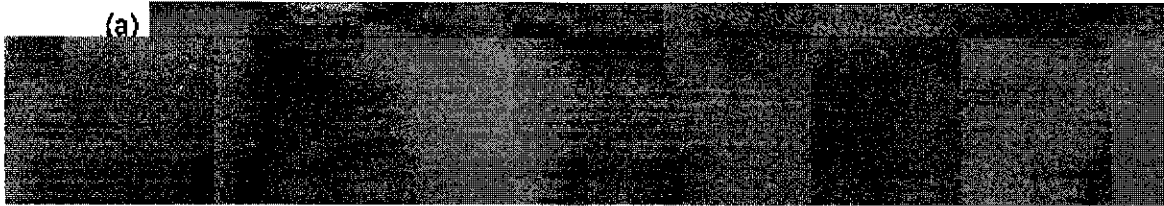
SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

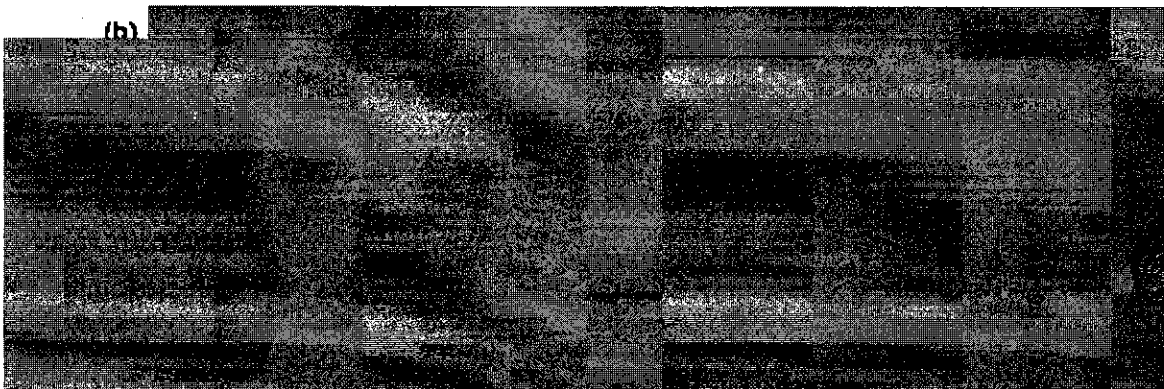
(a) (U) Ascertain the extent of regulatory violations in addition to identifying the shortfalls and shortcomings of the current USAREUR NAIA policy.

(b) (U) Request reinstatement of NAIA approval authority to the USAREUR G2 as the Command's Senior Intelligence Officer (SIO).

(c) (U) No further NAIA access will be granted for USAREUR intelligence personnel unless it is granted IAW AR 381-10.

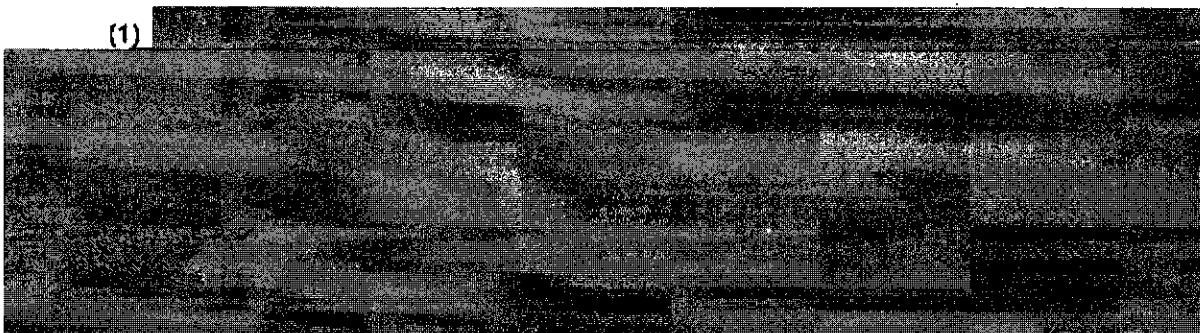
(4) 

(a) 

(b) 

(5) (U) A command investigation under the provisions of AR 15-6 is ongoing. A final report will be provided once the investigation is completed. STATUS: Open.

m. (U) DAIG-08-008:

(1) 

SAIG-IO

SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

(2) (U) Update – On 16 January 2008, DAIG-IO referred this issue to INSCOM to take appropriate action in order to facilitate an Army response to the Member of Congress. INSCOM is currently conducting a command investigation into this issue. STATUS: Open.

n. (U) DAIG-08-008:

(1) (U) Background – 30 November 2007, Third Army / U.S. Army Central – Area Support Group Qatar (ASG-QA) reported allegations of QIA by a CI SA assigned to the CI Resident Office (RO), ASG-QA. DAIG-IO in a Confidential//NOFORN memorandum, subject: Initial/Final Report of Questionable Intelligence Activity, Procedure 15, AR 381-10 (DAIG-07-019) (U), 12 July 2007, reported earlier allegations against the same SA which were investigated by ASG-QA under the provisions of AR 15-6 and found to be unsubstantiated. 30 November 2007, the Commander ASG-QA initiated a second investigation to address new allegations of QIA UP AR 15-6.

(2) (U) On 28 January 2008, only 8 of 19 allegations made against the SA and two of her subordinates were substantiated. The substantiated allegations are as follows:

(a) (U) Improper handling of classified and sensitive information in violation of chapters 4, 6, and 7 of AR 380-5.

(b) (U) Improper use of badge and credentials in violation of chapter 9, AR 381-20.

(c) (U) Unauthorized use of personal media/storage devices on government computers in violation of paragraphs 4 and 5 of AR 25-2.

(d) (U) Improper collection and retention of US person information in violation of chapters 2 and 3 of AR 381-10.

(e) (U) Improper conduct of CI investigations in violation of chapter 4 of AR 381-20.

(f) (U) Potential compromise of ongoing investigations in violation of chapter 4 of AR 381-20.

(g) (U) Improperly confiscated and/or searched US mail in violation of chapter 8 of AR 381-10.

(h) (U) Management controls for the proper administration of Intelligence Contingency Funds (ICF) were not established or employed in accordance with paragraph 3-1 of AR 381-141.

(3) (U) On 18 March 2008, the following corrective actions were directed by ARCENT:

(a) (U) The SA received an Article 15 and Punitive Reprimand from the Deputy Commanding General, was removed from access to classified information and her security clearance was suspended, and she was also relieved of duties and sent out of theater.

SAIG-IO

SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

(b) (U) The findings directed against the former NCOIC of ASG-QA's CI section were forwarded to that Soldier's chain of command with recommendations for action as appropriate.

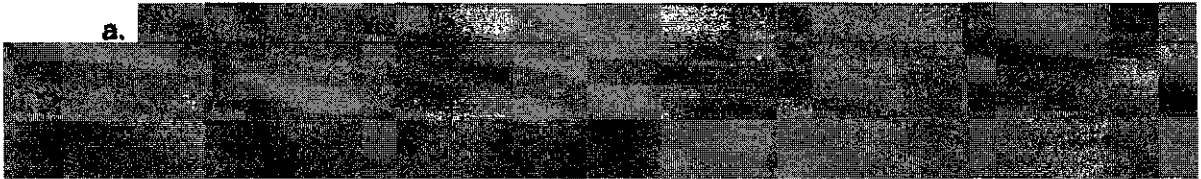
(c) (U) The current NCOIC was counseled on his duty to recognize, report, and correct QIAs; and the following privileges were temporarily revoked for all CI personnel assigned to ASG-QA: traveling off-post, use of tactical vehicles, wear of civilian clothes, and access to off-post housing.

(d) (U) An S2X position has been created to provide: intelligence oversight, accounting, and training to the ASG-QA CI section; current revision of CI Standard Operating Procedures (SOPs); and development of training covering ARs 381-10, 12, and 20 is in process in conjunction with ARCENT G2X and consistent with the 15-6 investigation's findings and recommendations.

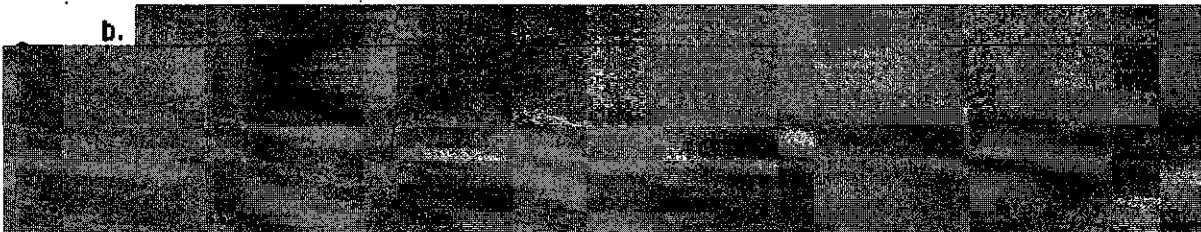
(4) (U) Update – The matter is considered resolved with no further action is anticipated. STATUS: Closed.

5. (U) OTHER INVESTIGATIONS: The below listed QIAs are part of CI or Criminal investigations by Army Counterintelligence Coordinating Activity (ACICA) or the Criminal Investigation Division (CID), respectively. IAW paragraph 15-2.e., AR 381-10, DAIG-IO will provide updates on the following cases once they are closed.

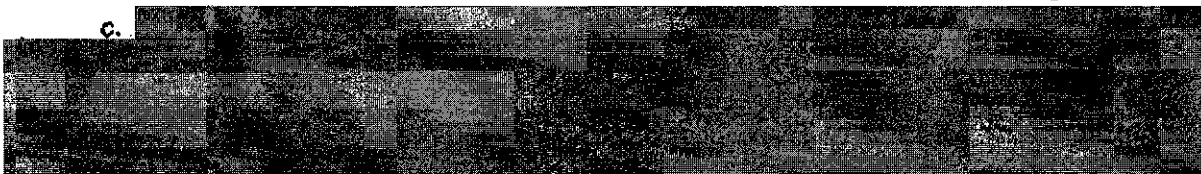
a.



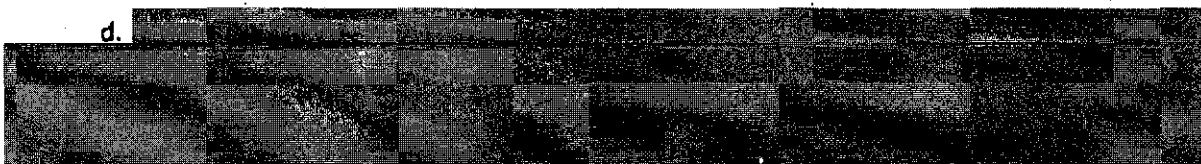
b.



c.



d.



SAIG-IO

SUBJECT: Quarterly Intelligence Oversight Activities Report (2<sup>nd</sup> Quarter, FY 08) (U)

[REDACTED]

e. (U) DAIG-08-002: On 12 October 2007, DAIG-IO received a report of QIA from the INSCOM IG. The INSCOM report provided information with regard to alleged federal criminal activity by an Intelligence Soldier (97E-Interrogator) assigned to Force Protection Detachment - Columbia. On or about 7 September 2007, a female Colombian citizen reportedly filed an official complaint of statutory rape against the Soldier. The 470<sup>th</sup> MIB opened an AR 15-6 investigation on 6 October 2007 and informed the Fort Sam Houston Criminal Investigation Division (CID) of the alleged incident. CID opened an investigation (# 0344-2007-CID044) on 11 October 2007. The 470<sup>th</sup> suspended its AR 15-6 investigation pending the results of the CID investigation. The Soldier was recalled to Fort Sam Houston, TX by the 470<sup>th</sup> MIB. Upon review of the initial 470<sup>th</sup> MIB report, INSCOM Staff Judge Advocate determined that allegations may violate UCMJ Articles 120 (Carnal Knowledge) and 134 (Indecent Assault). ODCS G2 and INSCOM will submit a final report upon completion of the CID investigation and the Command's review of those findings. STATUS: Open.

6. (U) INSPECTIONS: During the 2<sup>nd</sup> Quarter, DAIG-IO conducted inspections of Army elements located in North Carolina during the period of 2-12 February 2008. No significant IO violations were discovered; inspection results have been forwarded to the ACOM IG offices of the units that were inspected.

7. (U) IO PROGRAM CHANGES: Nothing Significant to Report (NSTR).

8. (U) ITEMS OF INTEREST: NSTR.

9. (U) POINTS OF CONTACT: [REDACTED] NIPRNET:  
[REDACTED] or SIPRNET: [REDACTED]  
and [REDACTED] NIPRNET: [REDACTED] or  
SIPRNET: [REDACTED]

  
ALAN W. THRASHER  
Major General, USA  
Deputy The Inspector General

Encl  
as

CF:  
DCS G2  
OTJAG



DEPARTMENT OF THE AIR FORCE  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON, DC

FEB 15 2002

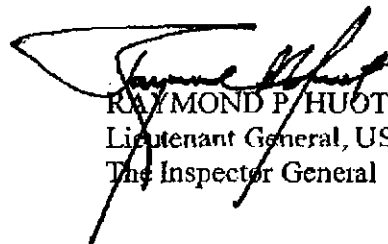
MEMORANDUM FOR ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT)

FROM: SAF/IG  
1140 Air Force Pentagon  
Washington DC 20330-1140

SUBJECT: USAF Quarterly Report on Intelligence Oversight (IO), 1st Quarter, FY02

Between 1 Oct 01 and 31 Dec 01, Air Education and Training Command, Air Force Space Command, and Pacific Air Forces conducted a total of three reviews of USAF activities as outlined in the USAF IO report (Atch 1). No units were rated "Unsatisfactory". There were no illegal activities or violations of IO policy discovered during these inspections/reviews.

In addition, all MAJCOM, FOA, and DRUs reported end of year inspection status for all units and staffs for which they have intelligence oversight and inspection requirements. All MAJCOM, FOA, and DRU IO units accomplished either a formal IO inspection or accomplished a self-inspection per attachment 3 of AFI 13-104, *Oversight of Intelligence Activities*. There were no illegal activities or violations of IO policy discovered during these inspections/reviews.

  
RAYMOND P. HUOT  
Lieutenant General, USAF  
The Inspector General

Attachment:  
IO Report

EFF

982

UNITED STATES AIR FORCE REPORT

TO THE

INTELLIGENCE OVERSIGHT BOARD

(For the Period 1 Oct 01 - 31 Dec 01)

1. There was no significant intelligence oversight activity in the reporting period other than the inspections reported below.
2. No questionable activity was reported during the quarter warranting a report under the criteria of E.O. 12333 and DoD 5240.1-R.
3. Three USAF Intelligence Oversight (IO) inspections were conducted during this quarter. Inspection results follow:

a. Headquarters Air Combat Command Inspector General (HQ ACC) conducted no intelligence oversight inspections this quarter. NOTE: Headquarters Air Intelligence Agency (HQ AIA) now reports results under HQ ACC.

b. Headquarters Air Education and Training Command (HQ AETC) conducted one intelligence oversight inspection this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
162 FW (ANG), Tucson, AZ	SAT

c. Headquarters Air Force Materiel Command (HQ AFMC) conducted no intelligence oversight inspections this quarter.

d. Headquarters Air Force Reserve Command (HQ AFRC) conducted no intelligence oversight inspections this quarter.

e. Headquarters Air Force Special Operations Command (HQ AFSOC) conducted no intelligence oversight inspections this quarter.

f. Headquarters Air Force Office of Special Investigations (HQ AFOSI) conducted no intelligence oversight inspections this quarter.

g. Headquarters Air Force Space Command (HQ AFSPC) conducted one intelligence oversight inspection this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
30 SW, Vandenberg AFB, CA	SAT

h. Headquarters Air Mobility Command (HQ AMC) conducted no intelligence oversight inspections this quarter.

i. Headquarters Pacific Air Forces (HQ PACAF) conducted one intelligence oversight inspection this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
154 WG, Hickam AFB, HI	SAT

j. Headquarters United States Air Forces in Europe (HQ USAFE) conducted no intelligence oversight inspections this quarter.

4. The following is a list by MAJCOM/FOA/DRU of Air Force units that are scheduled for inspection for compliance with IO during the Jan - Mar 02 period:

a. HQ ACC plans to conduct one inspection:

<u>UNIT/LOCATION</u>
49 FW, Holloman AFB, NM

b. HQ AETC plans to conduct two inspections:

<u>UNIT/LOCATION</u>
97 AMW, Altus AFB, OK
17 TRW, Goodfellow AFB, TX

c. HQ AFMC plans to conduct one inspection this quarter:

<u>UNIT/LOCATION</u>
OC-ALC, Tinker AFB, OK

d. HQ AFOSI: no inspections planned.

e. HQ AFRC: no inspections planned.

f. HQ AFSOC: no inspections planned.

g. HQ AFSPC plans to conduct one inspection this quarter:

<u>UNIT/LOCATION</u>
91 SW, Minot AFB, ND

h. HQ AMC plans to conduct one inspection.

<u>UNIT/LOCATION</u>
126 ARW, Scott AFB, IL

i. HQ PACAF: no inspections planned.

j. HQ USAFE: no inspections planned.



5. All MAJCOM, FOA, and DRUs reported positive accomplishment of an IO self-inspection for all units that did not receive either an IG or functional staff inspection during calendar year 2001. No violations were discovered during the self-inspections.

//signed//

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SAF/IG

//signed//

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HQ USAF/XOI

//signed//

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SAF/GC



DEPARTMENT OF THE AIR FORCE  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON DC

MAY 24 2001

MEMORANDUM FOR ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT)

FROM: SAF/IG  
1140 Air Force Pentagon  
Washington DC 20330-1140

SUBJECT: USAF Quarterly Report to the Intelligence Oversight (IO) Board, 2nd Quarter, FY01

Between 1 Jan 01 and 31 Mar 01, Air Combat Command, Air Force Materiel Command, AFOSI, Air Force Reserve Command, Air Force Space Command, and Air Intelligence Agency conducted a total of 54 reviews of USAF activities as outlined in the USAF IO report (Atch 1). No units were rated "Unsatisfactory". There were no illegal activities or violation of IO policy discovered during these inspections/reviews.

*//Signed//*

RAYMOND P. HUOT  
Lieutenant General, USAF  
The Inspector General

Attachment:  
IO Report

EFF

986

UNITED STATES AIR FORCE REPORT  
TO THE  
INTELLIGENCE OVERSIGHT BOARD

(For the Period 1 Jan 01- 31 Mar 01)

1. There were no significant intelligence oversight activities in the reporting period other than the inspections reported below.
2. No questionable activity was reported during the quarter warranting a report under the criteria of E.O. 12333 and DoD 5240.1-R.
3. Fifty-four USAF Intelligence Oversight (IO) inspections were conducted during this quarter. Inspection results follow:

a. Headquarters Air Combat Command Inspector General (HQ ACC) conducted three inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
SEADS, Tyndall AFB, FL	SAT
144 FW, Fresno, CA	SAT
110 FW, Battle Creek, MI	SAT

b. Headquarters Air Education and Training Command (HQ AETC) conducted no intelligence oversight inspections this quarter.

c. Headquarters Air Force Materiel Command (HQ AFMC) conducted two intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
SMC/IN, Los Angeles AFB, CA	SAT
OC-ALC/IN, Tinker AFB, OK	SAT

d. Headquarters Air Force Office of Special Investigations (HQ AFOSI) conducted forty-three intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
AFOSI Region 4, Randolph AFB, TX	SAT
AFOSI Det 405, Maxwell AFB, AL	SAT
AFOSI Det 407 Kessler AFB, MS	SAT
AFOSI Det 409, Lackland AFB, TX	SAT
AFOSI Det 411, Sheppard AFB, TX	SAT
AFOSI Det 419, Tyndall AFB, FL	SAT
AFOSI Det 426, New York, NY	SAT
AFOSI Det 427, Little Rock AFB, AR	SAT

AFOSI Det 252 (AST), Lackland AFB, TX	SAT
AFOSI Det 401, Randolph AFB, TX	SAT
AFOSI Det 406, Columbus AFB, MS	SAT
AFOSI Det 408, Goodfellow AFB, TX	SAT
AFOSI Det 410, Laughlin AFB, TX	SAT
AFOSI Det 411 OLA, Vance AFB, OK	SAT
AFOSI Det 421, Luke AFB, AZ	SAT
AFOSI Det 422, Altus AFB, OK	SAT
AFOSI Det 428, HQ AIA, TX	SAT
AFOSI Region 5, Ramstein AB, GE	SAT
AFOSI Det 502, Sembach AB, GE	SAT
AFOSI 51 FIS OL-A, Bonn, GE	SAT
AFOSI 51 FIS OL-D, Berlin, GE	SAT
AFOSI Det 512 OLA, Mildenhall, UK	SAT
AFOSI Det 515, Ramstein AB, GE	SAT
AFOSI Det 517, Vaihingen, GE	SAT
AFOSI Det 518, OL-A, Cheves, BE	SAT
AFOSI Det 521, Ankara, TU	SAT
AFOSI 53 FIS, Naples, IT	SAT
AFOSI 53 FIS OL-A, Moron AB, SP	SAT
AFOSI Det 531, Aviano AB, IT	SAT
AFOSI Det 501, PSD Ramstein AB, GE	SAT
AFOSI 51 FIS, RAF Mildenhall, UK	SAT
AFOSI 51 FIS, OL-C, London, UK	SAT
AFOSI Det 512, Lakenheath, UK	SAT
AFOSI Det 514, Alconbury, UK	SAT
AFOSI Det 515 OL-A, Rhein Main AB, GE	SAT
AFOSI Det 518, Spangdahlem AB, GE	SAT
AFOSI Det 522, Incirlik AB, TU	SAT
AFOSI Det 523, Izmir, TU	SAT
AFOSI Det 535, Rome IT	SAT
AFOSI Det 536, Athens GR	SAT
AFOSI 53 FIS OL-B, Naples, IT	SAT
AFOSI Det 538, Paris, FR	SAT

e. Headquarters Air Force Reserve Command (HQ AFRC) conducted two intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
940 <sup>th</sup> ARW, Beale AFB	SAT
315 <sup>th</sup> AW, Charleston AFB	SAT

f. Headquarters Air Force Special Operations Command (HQ AFSOC) conducted no intelligence oversight inspections this quarter.

g. Headquarters Air Force Space Command (HQ AFSPC) conducted one intelligence oversight inspection this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
50 Space Wing, Schriever AFB, CO	SAT

h. Headquarters Air Intelligence Agency (HQ AIA) conducted three intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
690 <sup>th</sup> Intel Sq, Kadena AB, Japan	SAT
315 <sup>th</sup> Intel Sq, Yokota AB, Japan	SAT
20 <sup>th</sup> Intel Sq, Offutt AFB, NE	SAT

i. Headquarters Air Mobility Command (HQ AMC) conducted no intelligence oversight inspection this quarter.

j. Headquarters Pacific Air Forces (HQ PACAF) conducted no intelligence oversight inspections this quarter.

k. Headquarters United States Air Forces in Europe (HQ USAFE) conducted no intelligence oversight this quarter.

4. The following is a list by MAJCOM of Air Force units that are scheduled for inspection for compliance with IO during the Apr 01- Jun 01 period:

a. HQ ACC plans to conduct six inspections:

<u>UNIT/LOCATION</u>
102 FW, Cape Cod, MA
552 ACW, Tinker AFB, OK
111 ASOC, Tacoma, WA
142 FW, Portland, OR
106 RQW, Gabreski, NY
104 FW, Westfield, MA

b. HQ AETC: no inspections planned.

c. HQ AFMC plans to conduct one inspection:

<u>UNIT/LOCATION</u>
AEDC/IN, Arnold AFB, TN

d. HQ OSI: no inspections planned.

e. HQ AFRC plans to conduct four inspections.

UNIT/LOCATION

419<sup>th</sup> FW, Hill AFB

944<sup>th</sup> FW, Luke AFB

434<sup>th</sup> ARW, Grissom ARB

919<sup>th</sup> SOW, Eglin Aux 3

f. HQ AFSOC: no inspections planned.

g. HQ AFSPC plans to conduct two inspections:

UNIT/LOCATION

90 Space Wing, FE Warren AFB, WY

341<sup>st</sup> Space Wing, Malmstrom AFB, MT

h. HQ AIA plans to conduct eleven inspections

UNIT/LOCATION

480<sup>th</sup> Intel Group

27<sup>th</sup> Intel Squadron

36<sup>th</sup> Intel Squadron

690<sup>th</sup> Information Operations Group

690<sup>th</sup> Intelligence Support Squadron

690<sup>th</sup> Communications Support Squadron

690<sup>th</sup> Support Squadron

668<sup>th</sup> Logistics Squadron

485<sup>th</sup> Intelligence Squadron

Det 2, 26<sup>th</sup> Information Operations Group

39<sup>th</sup> Information Operations Squadron

i. HQ AMC plans to conduct two inspections.

UNIT/LOCATION

186<sup>th</sup> ARW, Key Field (Meridian, MS)

121<sup>st</sup> ARW Rickenbacker ANGB, OH

j. HQ PACAF plans to conduct four inspections.

UNIT/LOCATION

168<sup>th</sup> Wing (Guard), Alaska

154<sup>th</sup> Wing (Guard), Hawaii

36<sup>th</sup> ABW, Anderson AFB, Guam

486<sup>th</sup> CTS, Singapore

k. HQ USAFE: no inspections planned.

*//Signed//*

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SAF/JG

*//Signed//*

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HQ USAF/XOI

*//Signed//*

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SAF/GC



DEPARTMENT OF THE AIR FORCE  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON DC

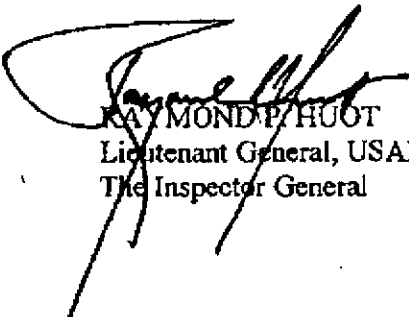
AUG 07 2001

MEMORANDUM FOR ASSISTANT TO THE SECRETARY OF DEFENSE  
(INTELLIGENCE OVERSIGHT)

FROM: SAF/IG  
1140 Air Force Pentagon  
Washington DC 20330-1140

SUBJECT: USAF Quarterly Report to the Intelligence Oversight (IO) Board, 3rd Quarter, FY01

Between 1 Apr 01 and 30 Jun 01, Air Combat Command, Air Force Reserve Command, Air Force Space Command, Air Intelligence Agency, and Air Mobility Command conducted a total of 23 reviews of USAF activities as outlined in the USAF IO report (Atch 1). No units were rated "Unsatisfactory". There were no illegal activities or violation of IO policy discovered during these inspections/reviews.

  
RAYMOND P. HUOT  
Lieutenant General, USAF  
The Inspector General

Attachment:  
IO Report



UNITED STATES AIR FORCE REPORT  
TO THE  
INTELLIGENCE OVERSIGHT BOARD

(For the Period 1 Apr 01- 30 Jun 01)

1. There were no significant intelligence oversight activities in the reporting period other than the inspections reported below.
2. No questionable activity was reported during the quarter warranting a report under the criteria of E.O. 12333 and DoD 5240.1-R.
3. Twenty-three USAF Intelligence Oversight (IO) inspections were conducted during this quarter. Inspection results follow:

a. Headquarters Air Combat Command Inspector General (HQ ACC) conducted six inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
102 FW, Cape Cod, MA	SAT
552 ACW, Tinker AFB, OK	SAT
111 ASOC, Tacoma, WA	SAT
142 FW, Portland, OR	SAT
106 RQW, Gabreski, NY	SAT
104 FW, Westfield, MA	SAT

b. Headquarters Air Education and Training Command (HQ AETC) conducted no intelligence oversight inspections this quarter.

c. Headquarters Air Force Materiel Command (HQ AFMC) conducted no intelligence oversight inspections this quarter.

d. Headquarters Air Force Office of Special Investigations (HQ AFOSI) conducted no intelligence oversight inspections this quarter.

e. Headquarters Air Force Reserve Command (HQ AFRC) conducted four intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
419 <sup>th</sup> FW, Hill AFB, UT	SAT
944 <sup>th</sup> FW, Luke AFB, AZ	SAT
434 <sup>th</sup> ARW, Grissom ARB, IN	SAT
919 <sup>th</sup> SOW, Eglin Aux 3, FL	SAT

f. Headquarters Air Force Special Operations Command (HQ AFSOC) conducted no intelligence oversight inspections this quarter.

g. Headquarters Air Force Space Command (HQ AFSPC) conducted two intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
90 <sup>th</sup> Space Wing, F. E. Warren AFB, WY	SAT
341 <sup>st</sup> Space Wing, Malmstrom AFB, MT	SAT

h. Headquarters Air Intelligence Agency (HQ AIA) conducted nine intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
480 <sup>th</sup> IG, Langley AFB, VA	SAT
27 <sup>th</sup> IS, Langley AFB, VA	SAT
36 <sup>th</sup> IS, Langley AFB, VA	SAT
690 <sup>th</sup> IOG, Kelly AFB, TX	SAT
690 <sup>th</sup> ISS, Kelly AFB, TX	SAT
690 <sup>th</sup> CSS, Kelly AFB, TX	SAT
690 <sup>th</sup> SS, Kelly AFB, TX	SAT
668 <sup>th</sup> LS, Kelly AFB, TX	SAT
485 <sup>th</sup> IS, Mainz-Kastel, GE	SAT

i. Headquarters Air Mobility Command (HQ AMC) conducted two intelligence oversight inspections this quarter.

<u>UNIT/LOCATION</u>	<u>RATING</u>
186 <sup>th</sup> ARW, Key Field, MS	SAT
121 <sup>st</sup> ARW, Rickenbacker ANGB, OH	SAT

j. Headquarters Pacific Air Forces (HQ PACAF) conducted no intelligence oversight inspections this quarter.

k. Headquarters United States Air Forces in Europe (HQ USAFE) conducted no intelligence oversight this quarter.

4. The following is a list by MAJCOM of Air Force units that are scheduled for inspection for compliance with IO during the Jun 01- Sep 01 period:

a. HQ ACC plans to conduct three inspections:

<u>UNIT/LOCATION</u>
2 <sup>nd</sup> BW, Barksdale AFB, LA
366 <sup>th</sup> WG, Mountain Home, ID
49 <sup>th</sup> FW, Holloman AFB, NM

- b. HQ AETC: no inspections planned.
- c. HQ AFMC: no inspections planned.
- d. HQ OSI: no inspections planned.
- e. HQ AFRC plans to conduct three inspections.

UNIT/LOCATION

452<sup>nd</sup> AMW, March AFB, CA  
932<sup>nd</sup> AW, Scott AFB, IL  
910<sup>th</sup> AW, Youngstown ARB, OH

- f. HQ AFSOC plans to conduct one inspection.

UNIT/LOCATION

353<sup>rd</sup> Special Ops Group, Kadena AB, JA

- g. HQ AFSPC plans to conduct one inspection.

UNIT/LOCATION

21<sup>st</sup> Space Wing, Peterson AFB, CO

- h. HQ AIA plans to conduct three inspections.

UNIT/LOCATION

Det 2, 26<sup>th</sup> Intelligence Group  
31<sup>st</sup> Intelligence Group  
39<sup>th</sup> Intelligence Squadron

- i. HQ AMC: no inspections planned.
- j. HQ PACAF plans to conduct three inspections.

UNIT/LOCATION

154<sup>th</sup> Wing (Guard), Hawaii  
36<sup>th</sup> ABW, Anderson AFB, Guam  
486<sup>th</sup> CTS, Singapore

- k. HQ USAFE: no inspections planned.

*James M. ... 2 Aug 01*  
SAF/G

Dan R. Goodrich, Brig Gen  
HQ USAF/XOI

*W. Kopley ... 4 Sep 01*  
SAF/GC