

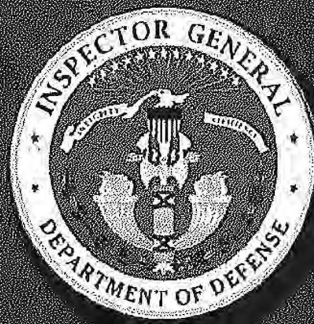
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DODIG-2012-133

September 20, 2012

Inspector General

United States
Department of Defense



(U) DoD Lacks Policy and Strategic Plans for
Terrorists Watchlist Nomination Process

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(U) Acronyms and Abbreviations

COCOM	Combatant Command
CT-AVRS	Combined Theater-Analyst Vetted, Relational Structured database
DIA	Defense Intelligence Agency
HUMINT	Human Intelligence
IG	Inspector General
IIR	Intelligence Information Report
J2	Intelligence Directorate

DLA (b)(3), 10 USC 424

NSA	National Security Agency
SIGINT	Signals Intelligence
TIDE	Terrorist Identities Datamart Environment

September 20, 2012

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
DIRECTOR, NATIONAL SECURITY AGENCY
DIRECTOR, DEFENSE INTELLIGENCE AGENCY
DIRECTOR, JOINT STAFF

SUBJECT: DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination
Process (Report No.DODIG-2012-133) (U)

(U) We are providing this report for information, use, and comment. We considered management comments on the draft report of this report when preparing the final report. The complete texts of the comments are in the Management Comments section of the report. The National Security Agency comments conformed to the requirements of Directive 7650.3; therefore, additional comments are not required. Although the Office of the Under Secretary of Defense (Intelligence) and the Defense Intelligence Agency provided comments that concurred to the recommendations, management did not provide the completion dates of their actions.

(U) The DoD Directive 7650.3 requires that all recommendations be resolved promptly. Also, the draft report transmittal memorandum requested that if management agree with our recommendations, describe what actions management have taken or plan to take to accomplish the completion of those actions and include the completion dates of the actions. Therefore, we request that the Office of the Under Secretary of Defense for Intelligence and the Defense Intelligence Agency, ^{DIA (b)(3) 10 USC 434} [REDACTED] _{DIA (b)(3) 10 USC 434} provide start and completion dates for the agreed upon recommendations by October 5, 2012. This information will facilitate our follow-up procedures on the implementation of the recommendations.

(U) If possible, send your comments in electronic format (Adobe Acrobat file only). Copies of your comments must have the actual signature of the authorizing official for your organization. We are unable to accept the /Signed/ symbol in place of the actual signature. If you arrange to send classified comments electronically, you must send them over the SECRET Internet Protocol Router Network or via Joint Worldwide Intelligence Communications System. Unclassified responses can be sent via classified networks or on the Non-Secure Internet Protocol Router Network. Please contact the numbers below for the proper e-mail address.

(U) We appreciate the courtesies extended to the staff. Please direct questions to me at (703)882-4860, DSN 381-4860, or the Project Manager at (410)854-6995; 963-0027 (s)

James R. Ives
Acting Deputy Inspector General
for Intelligence and Special Program Assessments.

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Results in Brief: DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination Process (U)

(U) What We Did

(U) This review was conducted to determine if the DoD process for nominating persons to national terrorist watchlists complies with applicable U.S. laws and DoD regulations. The National Security Agency (NSA) and the Defense Intelligence Agency (DIA) nominate on behalf of DoD.

(U) What We Found

(U) We found no instances in which the DoD terrorist watchlist nomination process operated in violation of U.S. laws or Presidential directives. However, we could not determine if the DoD process was in compliance with DoD watchlist nomination regulations because no DoD policy or regulation exists. The DoD lacks policy that:

1. clearly defines Departmental roles and responsibilities in watchlist nomination,
2. defines the datasets that DoD nominating agencies will review for watchlisting purposes, and
3. standardizes the interpretation of national watchlisting nomination guidance across the DoD.

lack strategic plans for confronting likely resource shortfalls.

(U) What We Recommend

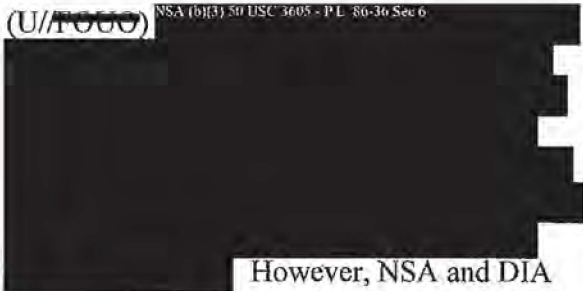
(U) We recommend that Under Secretary of Defense for Intelligence issue a DoD Directive and Instruction that:

1. Assigns watchlist nomination roles and responsibilities to each DoD element, with due consideration of each individual Combatant Command and Service Intelligence element;
2. Clarifies the DoD interpretation of Homeland Security Presidential Directive 6 as it pertains to the DoD datasets that will be reviewed for watchlisting purposes;
3. Standardizes the interpretation of national watchlisting guidance across the DoD.

(U//FOUO) We recommend that Director, NSA and Director, DIA establish strategic plans for each respective Agency's watchlist mission, to include mechanisms for leveraging resources and sharing the burden of the watchlist nomination process.

(U//FOUO)

NSA (b)(3) 50 USC 3605 - PL 86-36 Sec 6



However, NSA and DIA

(U) Management Comments and Our Response

(U) The comments of the Director, National Security Agency were responsive and no further comments are required. The Under Secretary of Defense for Intelligence and the Director, DIA were partially responsive to the recommendations because they did not include

Report No. DODIG-2012-133 (Project No. D2011-DINT02-0232.000)
implementation dates to the agreed-upon
actions. Therefore, we request additional
comments from these organizations regarding
dates of implementation on the next page.

September 20, 2012

Recommendations Table

(U)

Management	Recommendations Requiring Comment	No Additional Comments Required
Under Secretary of Defense for Intelligence	A.1 A.2 A.3	
Director, National Security Agency		B.1 B.2
Director, Defense Intelligence Agency	B.1 B.2	

(U)

Please provide comments by October 5, 2012.

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(U) Introduction

(U) Objective

(U) The objective of this review was to determine if the DoD process for nominating persons to national terrorist watchlists complies with applicable U.S. laws and DoD regulations. See Appendix A for scope and methodology.

(U) Background

(U//FOUO)

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(U) The Defense Intelligence Agency (DIA) and the National Security Agency (NSA) play an important role in the watchlist nomination process.

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

The National Counterterrorism Center reviews the terrorist nominations to determine whether the individuals meet the criteria to be placed in TIDE. The National Counterterrorism Center is also the conduit for passing all international terrorism information to the Federal Bureau of Investigation's Terrorist Screening Center for possible inclusion in the Terrorist Screening Database. The Terrorist Screening Center maintains the Terrorist Screening Database (most commonly referred to as "The Watchlist") for terrorism screening purposes. See Appendix B for more information on TIDE and the Terrorist Screening Database.

(U) This report examines the role played by DoD "nominating" organizations - defined as DoD agencies that nominate an individual to National Counterterrorism Center for inclusion in TIDE and the Terrorist Screening Database. The DIA is the executive agent for the DoD for all non-signals watchlist nominations. This means that DIA nominates known or suspected terrorists to the National Counterterrorism Center on behalf of the entire Department (except for NSA), even though DIA does not originate all of the information.

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

Some DoD organizations from the law enforcement, counterintelligence, and security communities may originate information of possible foreign intelligence value. However, from the data we acquired, this contribution is not significant. Our scope was limited to organizations of the *defense intelligence enterprise* that originate foreign

¹ (U)

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

counterterrorism intelligence information, with a particular emphasis on the two DoD organizations (DIA and NSA) that physically draft watchlist nominations. Policy for DoD intelligence activities is overseen by the Under Secretary of Defense for Intelligence. The Under Secretary of Defense for Intelligence exercises authority, direction, and control over the Defense Agencies and DoD Field Activities that are DoD intelligence, counterintelligence or security components.

~~(U//FOUO)~~ **Defense Intelligence Agency.** The DIA, Directorate ~~(b)(3), 10 USC 424~~ is responsible for DoD all-source intelligence in support of U. S. counterterrorism plans and operations. Particular focus is on providing strategic and tactical warning, exposing and exploiting terrorist vulnerabilities and preventing terrorists from acquiring increased capabilities, particularly in the area of weapons of mass destruction. ~~(b)(3), 10 USC 424~~ manages the agency's combating terrorism intelligence activities and provides support to the Joint Staff and the combatant commands (COCOMs). ~~(b)(3), 10 USC 424~~ products and services also respond to the intelligence needs of the Office of the Secretary of Defense, the Joint Staff, COCOMs, military services, and other U.S. Government agencies.

~~(S)~~ In August 2003, ~~(b)(3), 10 USC 424~~ was tasked by Director, DIA with leading the DoD watchlisting effort, but was never formally resourced. They used the unfunded requirement process, reserve units, and a handful of civilian analysts and managers. Although DIA was tasked to be the conduit of DoD watchlisting information to the National Counterterrorism Center, the Central Intelligence Agency had the mission of reviewing all DoD Intelligence Information Reports (IIRs) for watchlisting purposes, as well as reviewing all serialized intelligence reporting regardless of the originating organization. After a series of meetings with intelligence community partners, ~~(b)(3), 10 USC 424~~ agreed to review the Harmony database² to identify and nominate watchlist candidates to the National Counterterrorism Center. ~~(b)(3), 10 USC 424~~ also agreed to continue working with elements of the DoD to obtain and review DoD unique sources of unreported data likely to contain information on individuals who should be nominated for the watchlist.

~~(S//NF)~~ In response to a May 2007 Central Intelligence Agency Inspector General report, the Central Intelligence Agency ceased reviewing data from other agencies (including DoD IIRs) for watchlisting purposes. On June 25, 2007, the DIA Office of the Inspector General released an evaluation report on DIA watchlisting practices. The report found ~~(b)(3), 10 USC 424~~ was effectively accomplishing its watchlisting mission and that ~~(b)(3), 10 USC 424~~ had been proactive in assisting DoD units in developing reporting processes and procedures. The DIA Inspector General also recommended ~~(b)(3), 10 USC 424~~ take on responsibility for review of DoD serialized field reporting (e.g., IIRs) for watchlisting purposes. The report also acknowledged that DIA would require additional resources to accomplish the mission and that "maintaining adequate resources could prove problematic if funding continues to

² (U) The Harmony database contained the vast majority of documents captured as part of Operation Enduring Freedom and Operation Iraqi Freedom.

be dependent on supplemental requests." DIA subsequently assumed the mission of reviewing the DoD IIRs as well as the Harmony database.

(U//~~FOUO~~) To implement Homeland Security Presidential Directive 6, the ^{DIA (b)(3) 10 USC 424} watchlist mission performs intelligence analysis of DoD datasets resulting in the identification of known or suspected terrorists and the subsequent nomination of the identified known or suspected terrorists into TIDE via the National Counterterrorism Center. The nomination includes specific DoD recommendations for inclusion on the No-Fly, Selectee, or other national terrorist watchlists as appropriate.

~~(S)~~ ^{DIA (b)(1), (b)(3) 10 USC 424} [REDACTED]

(U//~~FOUO~~) ^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

(U//~~FOUO~~) ^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

~~(S//REL TO USA, AUS, CAN, GBR, NZL)~~ ^{NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

~~(S//REL TO USA, AUS, CAN, GBR, NZL)~~ ^{NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

(U) Finding A. DoD Lacks A Comprehensive Watchlist Nomination Policy.

(U) We found no instances in which the DoD's terrorist watchlist nomination process operated in violation of U.S. laws or Presidential directives. However, we could not determine if the DoD process was in compliance with DoD watchlist nomination regulations, because no DoD policy or regulation exists. The DoD lacks policy that (1) clearly defines Departmental roles and responsibilities in the watchlist nomination process, (2) defines the datasets that DoD nominators will review for watchlisting purposes, and (3) standardizes the interpretation of national watchlist nomination guidance across the DoD. The lack of policy limits the DoD's ability to leverage resources to execute the full range of watchlisting responsibilities. Issuing policy could potentially increase the national holdings in TIDE and information available to the Terrorist Screening Center.

(U) COCOM and Service Roles and Responsibilities in Watchlist Nomination Undefined

(S//NF) The DIA Office of the Inspector General, in a June 25, 2007 watchlisting evaluation, found that the DoD had not issued a comprehensive terrorist watchlisting policy. According to the Inspector General, a draft DoD directive, dated May 2006, was under review in the Office of the Under Secretary of Defense for Intelligence. The DIA Inspector General assessed that issuance of an official DoD watchlisting policy would greatly assist DIA (b)(3) 10
USC 424 in its efforts to induce the COCOMs and other DoD field units to establish standardized watchlisting reporting processes and procedures.

(U) Five years later, as of January 2012, the policy was still in draft. We have also been unable to find any tasking from the Office of the Secretary of Defense directing DIA to conduct watchlist nomination on behalf of the defense intelligence enterprise. As a result of the lack of DoD watchlist nomination policy, there is disagreement within the defense intelligence enterprise about watchlist nomination roles and responsibilities, particularly as pertains to the Combatant Commands. There also continues to be a lack of standardized watchlisting reporting processes and procedures among the COCOMs and other DoD field units.

(S) On June 2, 2005, DIA DIA (b)(3) 10
USC 424 issued a message to U.S. Northern Command, U.S. Pacific Command, U.S. Southern Command, U.S. Transportation Command, U.S. European Command, U.S. Joint Forces Command, U.S. Special Operations Command, U.S. Strategic Command and the Military Services. The purpose of the message was to ensure military services and COCOMs were aware of roles and responsibilities for providing watchlist nominations from specific datasets. Military Service and Combatant Command intelligence directorates were asked to ensure that data, which is not held in the Harmony database nor provided in serialized record traffic, is reviewed for potential watchlist candidates. Such datasets could include draft IIRs, spot reports, and other raw

and/or tactical level information collected and held by DoD. The goal was to ensure any data held by DoD is reviewed and reported as required.

(S) ^{DIA (b)(1), 1.4(g), (b)(3), 10 USC 424}
[REDACTED]

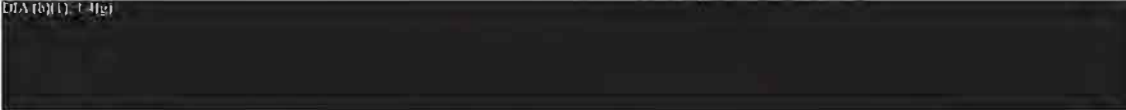
(U//~~FOUO~~) None of the COCOMs draft terrorist identity nominations, a task completed exclusively by the watchlisting divisions at NSA and DIA (and also by the Army National Ground Intelligence Center's Biometrics Division). Ultimately, however, ^{DIA (b) (3), 10} [REDACTED] would like for each COCOM J2 to draft watchlist nominations from the IIRs that the Command originates. ^{DIA (b)(3), 10 USC 424} [REDACTED] would continue to serve as the defense interface with the National Counterterrorism Center on watchlist nominations and issues. In general, the COCOM J2s oppose greater involvement in the watchlist nomination process.

(S) ^{DIA (b)(1), 1.4(g), (b)(3), 10 USC 424}
[REDACTED]

(S) ^{DIA (b)(1), 1.4(g)}
[REDACTED] ^{DIA (b)(1), 1.4(g)}
[REDACTED]

3 (U) ^{DIA (b)(3), 10 USC 424}
[REDACTED]

(S) DIA (b)(1), 1.4(g)



(S) DIA (b)(1), 1.4(g), (b)(3), 10 USC 424



(S) DIA (b)(1), 1.4(g), (b)(3), 10 USC 424

(U//~~FOUO~~) Although the DoD and Federal Bureau of Investigation signed an agreement in February 2012 to establish procedures pursuant to which the parties will share data in the Terrorist Screening Database for use in authorized screening processes, implementation is some time off. While the DoD is *authorized* to conduct screening, it presently does not have the functional and technical capability. The Office of the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs plans to first run a pilot, which will more accurately project costs and illuminate technical issues. Only then can they develop a strategy for the Department to use the Terrorist Screening Database.

(S) DIA (b)(1), 1.4(g), (b)(3), 10 USC 424



(S) DIA (b)(1), 1.4(g), (b)(3), 10 USC 424

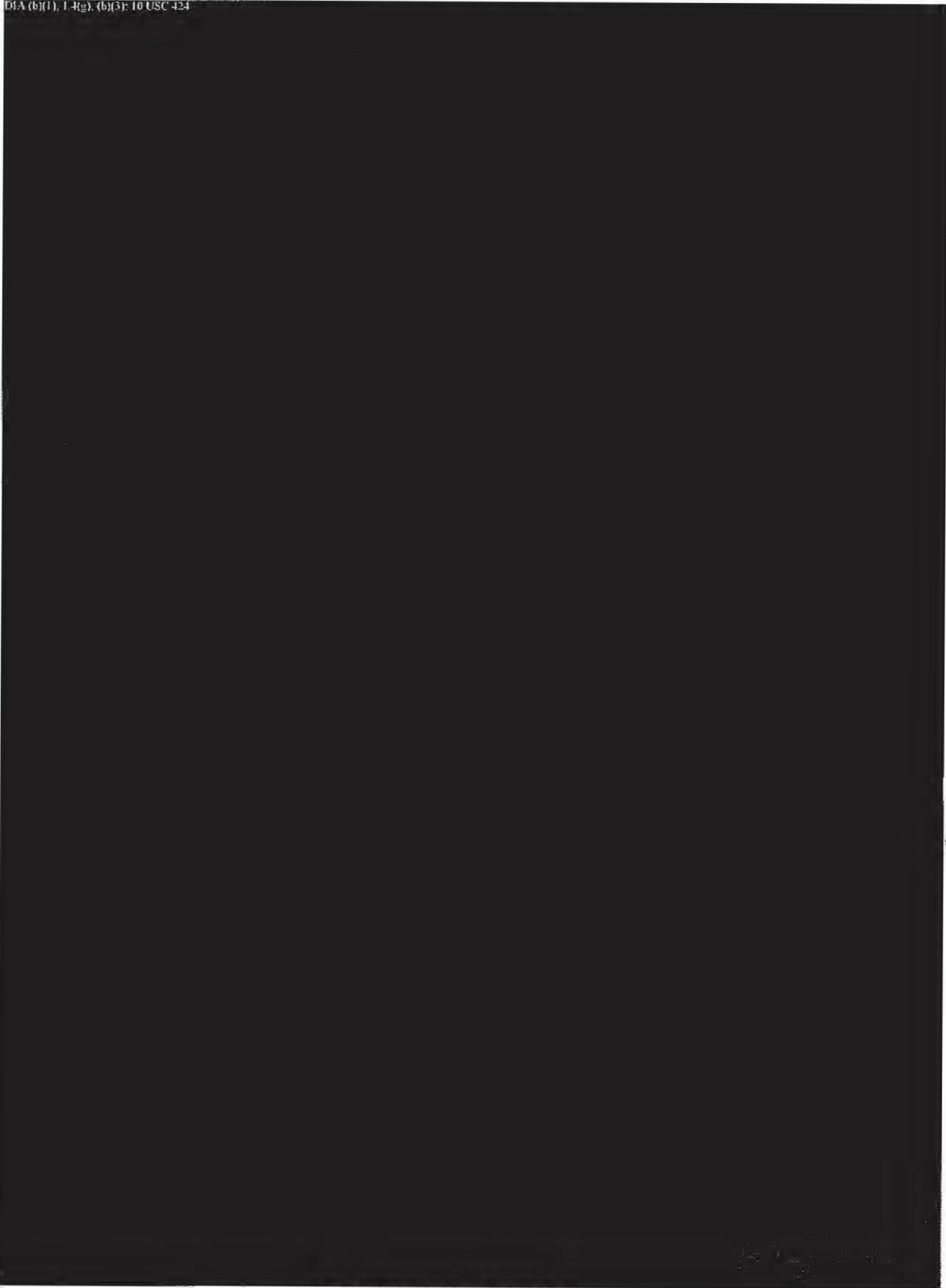


⁴ (U//~~FOUO~~) DIA (b)(1), 1.4(g), (b)(3), 10 USC 424



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DIA (b)(1), 1-4g, (b)(3); 10 USC 424



~~SECRET//SI//NOFORN~~

DIA (b)(1), 1.4(g)



DIA (b)(1), 1.4(g), (b)(3), 10 USC 424



(U) Datasets to be Reviewed for Watchlisting Purposes Undefined

(U//~~FOUO~~) The lack of a DoD watchlist nomination policy has forced DIA and NSA watchlisting divisions to interpret Homeland Security Presidential Directive 6 to fit their intelligence missions. Both have developed interpretations based on valid reasoning, but neither approach has been approved and formalized as a directive at the Agency or Departmental level.

(U) According to Homeland Security Presidential Directive 6, "Heads of executive departments and agencies shall, to the extent permitted by law, provide to the Terrorist Threat Integration Center⁶ on an ongoing basis all appropriate Terrorist Information in their possession, custody, or control."

(U) Section 1016(a)(4), of the Intelligence Reform and Prevention of Terrorism Act of 2004, defines terrorism information as all information, whether collected, produced, or distributed by intelligence, law enforcement, military, homeland security or other activities related to foreign or international terrorist groups or individuals, or domestic groups or individuals involved in transnational terrorism.



DIA (b)(1), 1.4(g), (b)(3), 10 USC 424



⁶ (U) The Intelligence Reform and Terrorism Prevention Act of 2004 renamed the Terrorist Threat Integration Center to the National Counterterrorism Center and placed it under the Director of National Intelligence.

DIA (b)(1), 1.4(g), (b)(3) 10 USC 424

[REDACTED]

(S) DIA (b)(1), 1.4(g), (b)(3) 10 USC 424

[REDACTED]

(S) DIA (b)(1), 1.4(g), (b)(3) 10 USC 424

[REDACTED]

(U//FOUO) NSA Watchlisters Do Not Review Unpublished Holdings. Like DIA, NSA has no record of a decision being made to review ^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED] for watchlisting purposes. The lack of a formal DoD policy or agency decision memorandum/directive has forced NSA's watchlisting division to find a solution to meeting Homeland Security Presidential Directive 6 requirements without DoD guidance. As a result, the watchlisting division has approached the mission without clear guidance as to the future of the activity and it lacks a path forward with regards to the possible inclusion of additional datasets.

~~(S//REL TO USA, AUS, CAN, GBR, NZL)~~ NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[REDACTED]

NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[REDACTED]

(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[REDACTED]

(S//SI//REL TO USA, AUS, CAN, GBR, NZL) NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[REDACTED]

(S//REL TO USA, AUS, CAN, GBR, NZL) DIA (b)(1) 1.4(g) - NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[REDACTED]

(U) Interpretation of National Guidance not Standardized

(U//FOUO) In February 2008, the Office of the Director of National Intelligence Office of the Inspector General published a report entitled, "Intelligence Community-Wide Review of the Terrorist Watchlist Nomination Process: Findings and Recommendations for Action." Among other findings, this report revealed that agencies use different

criteria, standards, and processes when identifying and delivering watchlist data and supporting intelligence reporting to the National Counterterrorism Center. Although many improvements have been made since the report's publication, we found that this statement continues to be true within the Department of Defense. Furthermore, the absence of specific DoD-wide policies in regard to the watchlist nomination process permits agency-by-agency interpretation of national guidance.

(U)

NSA (b)(1) 50 USC 3605 - P.L. 86-36 Sec 6



(U) Inconsistencies Across the Department. Although the publication of the July 2010 Guidance has improved understanding of the thresholds and criteria for nominating individuals to TIDE and the Watchlist (as well as the No Fly/Selectee subset lists), there remain some deficiencies in the clarity and specificity of the July 2010 Guidance. As a result, DIA and NSA have provided amplifying instructions in their respective internal guidance. In some cases, those amplifications are inconsistent across the Department. Types of amplifying information include examples of how to establish a nexus to terrorism, how to handle vague terminology in reporting, and special exceptions to the minimum identifying criteria as established in the July 2010 Guidance. We also noted that DIA and NSA handle the July 2010 Guidance with respect to "labeling"⁷ inconsistently.

(S)

DIA (b)(1), (1)(g)



(U//FOUO)

DIA (b)(3), 10 USC 424



⁷ (U//FOUO) The July 2010 Guidance accepts the nomination of individuals labeled or described as "terrorists", "extremists", "jihadists", "militants", or "insurgents" without specific derogatory information provided certain conditions are met.

DIA (b)(3) 10 USC 424



(U) Additional Observation. Because of the different missions of NSA and DIA, there will necessarily be some variation in the methodologies used to identify known or suspected terrorists. These differences largely stem from unique distinctions in data types and processes employed by the respective agencies. The collection and processing of signals intelligence and human intelligence is carried out in different ways. However, we believe that a common standard across the Department for identifying known or suspected terrorists is desirable.

~~(U//FOUO)~~ Furthermore, it was difficult to compare the processes of the two agencies as DIA has no formal written standard operating procedures. The NSA's "Watchlist Standard Operating Procedures" is a living document that frequently undergoes revision as changes in tools alter the process.

(U) Need for DoD-Wide Guidance. We observed that the absence of specific DoD-wide policies in regard to the watchlist nomination process permits agency-by-agency interpretation of national guidance. Some of this variability is due to the fact that NSA and DIA have different challenges. However, we assessed that some of the differences were a result of either inconsistent interpretations of the July 2010 Guidance or attempts to fill in the gaps resulting from insufficient national guidance. The Office of the Secretary of Defense is best suited to determine which aspects of the nomination process can be independently determined by the DoD components (i.e. the mechanical process of submitting nominations) and which aspects should be consistent across the Department (i.e. the criteria and standards for nominating known or suspected terrorists). Without DoD implementation guidance, the nominating elements will likely continue to chart their own course.

(U) Conclusion

(U) Although we found no instances in which the DoD terrorist watchlist nomination process operated in violation of U.S. laws or presidential directives, we determined that there is a lack of uniformity in how the various DoD elements nominate known or suspected terrorists to the Watchlist. Departmental roles and responsibilities as well as the datasets that will be reviewed for watchlisting purposes are ill-defined. Agencies also

interpret and implement national guidance inconsistently. Clarifying these issues through policy would make the DoD more effective and efficient in the execution of its watchlisting responsibilities.

(U) Recommendation, Management Comments, and Our Response

(U) A. We recommend that the Under Secretary of Defense for Intelligence issue a DoD Directive and Instruction that:

A1. Assigns watchlist nomination roles and responsibilities to each DoD element, with due consideration of each individual Combatant Command and Service Intelligence element;

A2. Clarifies the DoD interpretation Homeland Security Presidential Directive 6 as pertains to the DoD datasets that will be reviewed for watchlist purposes; and

A3. Standardizes the interpretation of national watchlisting guidance across DoD.

Management Comments. The Undersecretary of Defense for Intelligence concurred with the recommendation.

Our Response. Although the Undersecretary of Defense for Intelligence concurred with the recommendation, we consider the comments as partially responsive because they did not include implementation dates to the agreed-upon actions. Therefore, we request additional comments explaining the start and completion dates for implementation of the agreed-upon recommendations.

(U//~~FOUO~~) Finding B. DIA and NSA Lack Strategic Plans for the Watchlisting Mission.

(U//~~FOUO~~) DIA (b)(3), 10 USC 424 - NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U) Current Resource Environment

(~~C//REL TO USA, AUS, CAN, GBR, NZL~~) DIA (b)(3) 10 USC 424 - NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6; DIA (b)(3) 10 USC 424



(S) DIA (b)(1), 1-4(c), (b)(3) 10 USC 424



DIA (b)(1) 1-4(g)



(U) In spite of the difficulty of predicting future resource levels and projecting future mission requirements, we think the Agencies should prepare strategic plans for the watchlisting mission that include technological solutions as well as alternative means of sharing the burden.

(U) Technological Solutions

~~(S//REL TO USA, AUS, CAN, GBR, NZL)~~

DIA (b)(1) 1-4(g) - NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



~~(U//FOUO)~~


DIA (b)(3) 10 USC 424 - NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U) Burden-Sharing Measures

~~(U//FOUO)~~

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

, DIA and NSA need to draft strategic plans that consider techniques for sharing the burden and leveraging resources. Following are some ideas, though by no means all, for

consideration. Although an Under Secretary of Defense for Intelligence policy outlining the nomination roles and responsibilities of the COCOM and Service intelligence elements will affect ^{DIA (b)(3) 10 USC 424} strategic direction, we do not think that DIA should wait to begin consideration of these burden-sharing concepts.

(U//FOUO)

NSA, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6, DIA, (b)(3) 10 USC 424



(U//FOUO)

NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(U//FOUO) NSA and DIA leadership informed us that the creation of watchlisting divisions (in lieu of the use of existing counterterrorism analysts) was warranted. NSA told us that the watchlisting analysts become progressively more proficient at highlighting names and filling out the nomination form for the National Counterterrorism Center, creating an economy of scale. Watchlisters know the specific guidelines and threshold that the National Counterterrorism Center wants, while analysts do not. DIA agreed that nomination is a specialized process in which the contractors can become proficient. They learn the tools for searches and figure out how to work through the largely bureaucratic process.

(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6, DIA (b)(3) 10 USC 424

(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(U) While we understand that resources are scarce and that analysts have competing priorities, we believe that leadership needs to revisit the issue of who is best suited to draft watchlist nominations from a cost-benefit point of view. That decision, when rationalized, should be documented in a strategic plan.

(U) DIA (b)(3) 50 USC 3024(a) - NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(b)(3) 50 USC 3024(a) - NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(S) DIA (b)(1), (b)(3), (b)(3) 10 USC 424

DIA (b)(1), 1-4(e), (b)(3); 19 USC 424



(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



8 (U//FOUO) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



(U) NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6



NSA (b)(3) 50 USC 3605 - PL 86-36 Sec 6



(S) DIA (b)(1) 1.4(g)



(U) Training. In a January 7, 2010 memorandum, entitled "Attempted Terrorist Attack on December 25, 2009: Intelligence, Screening, and Watchlist System Corrective Actions," President Obama ordered Director, NSA to develop and begin implementation of a training course to enhance analysts' awareness of watchlist processes and procedures in partnership with the National Counterterrorism Center and the Terrorist Screening Center.

(U//FOUO) In response to the action assigned by President Obama, NSA developed a watchlist training program targeted at NSA's core analytic workforce. Watchlist awareness training was subsequently expanded and added to the mandatory training requirements list for the entire analytic workforce at the Agency. The goal is that any person with the potential to identify a possible watchlist candidate in the course of performing his mission is familiar with the process of getting that known or suspected terrorist added to the watchlist. Director, NSA pointed out that while they work terrorist targets in defined organizations, the potential for links to emerge in any target area demands that this awareness training be far reaching. Moreover, personnel move in and out of missions, so it is important that this training be part of the basic training toolkit. NSA has found that training the entire analytic workforce has increased awareness and compliance with the policies that require reporters to flag messages of watchlisting value and to include TIDE Person Numbers.

(S) President Obama did not direct DIA, as executive agent for DoD counterterrorism, to develop a watchlist training program. DIA currently only provides watchlisting training to the watchlisting division. However, we believe that other DIA personnel (DIA (b)(1) 1.4(g) (S) [redacted] analysts and other Directorate for Analysis and Directorate for Human Intelligence personnel), as well as Service and COCOM personnel, have the potential to identify

watchlist candidates in the course of performing their missions. One of the Service Intelligence components we queried specifically said that ^{DIA (b)(3) 10}_{USC 424} should be encouraged to educate other elements of the defense intelligence enterprise about watchlisting. A strategic plan for both organizations should include plans for increasing awareness of watchlist criteria and processes.

(U) Conclusion

(U) While both agencies have pursued technological solutions to manage increasing volumes of information, they have not considered all of the possible burden-sharing measures that may be implemented. Although both Agencies are expecting cuts in the near term, neither has a written strategic plan. The DIA watchlisting division is currently drafting an engagement plan to present to DIA senior leaders, but we were told the draft was not ready for our review and that it does not include many of the burden-sharing proposals listed above.

(U) Recommendation, Management Comments, and Our Response

(U//FOUO) ^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED] :

^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

^{NSA (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6} [REDACTED]

Our Response. The Director, National Security Agency comments were responsive and the actions met the intent of the recommendations. Although the Director, Defense Intelligence Agency concurred with the recommendation, we consider the comments as partially responsive because they did not include implementation dates to the agreed-upon actions. Therefore, we request additional comments explaining the start and completion dates for implementation of the agreed-upon recommendations.

(U) Appendix A. Scope and Methodology

(U) We conducted this review from May 2011 through January 2012, in accordance with the Council of the Inspectors General on Integrity and Efficiency Quality Standards for Inspections. We limited our scope to guidance regarding the terrorist watchlist nomination process. We did not review guidance pertaining to encounter management (with a watchlisted known or suspected terrorist), encounter information exploitation, or terrorist watchlist redress procedures. We did not review compliance with biometrics policy. We conducted on-site visits to NSA and DIA to observe the watchlist nomination process, we obtained data from appropriate DoD components, reviewed reports published by government organizations, and interviewed individuals who we determined had information directly bearing on the matter. We also sent a questionnaire to seven COCOMs (U.S. European Command, U.S. Central Command, U.S. Africa Command, U.S. Pacific Command, U.S. Southern Command, U.S. Northern Command, and U.S. Special Operations Command) and six Service elements (Air Force Office of Special Investigations, Naval Criminal Investigative Service, National Ground Intelligence Center, Army Criminal Investigation Command, and the Office of Naval Intelligence). We believe that our analysis of the information obtained provides a reasonable basis for our findings and conclusions based on our review objectives.

(U) Use of Computer-Processed Data

(U) We did not use computer-processed data to perform this review.

(U) Prior Coverage

(U) During the last five years, the General Accounting Office (GAO), White House, Senate Select Committee on Intelligence, Director of National Intelligence and the Defense Intelligence Agency have issued four reports discussing DoD participation in national watchlisting.

(U) Government Accountability Office

GAO Report No. GAO-12-171C, "Routinely Assessing Impacts of Agency Actions since the December 25, 2009, Attempted Attack could Help Inform Future Efforts," December 2011

(U) Office of the Assistant to the President for Homeland Security and Counterterrorism

White House Review of the December 25, 2009 Attempted Terrorist Attack, January 7, 2010

(U) U.S Senate Select Committee on Intelligence

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Senate Select Committee on Intelligence, "Final Report on the Attempted Terrorist Attack on Northwest Airlines Flight 253," March 16, 2010

(U) Inspector General, Office of the Director of National Intelligence

ODNI Report No. Insp-2007-0001, "Intelligence Community (IC)-Wide Review of the Terrorist Watchlist Nomination Process: Findings and Recommendation for Action," February 28, 2008

(U) Inspector General, Defense Intelligence Agency

DIA OIG Report No. S-07-0249/IG, "Watchlisting Evaluation," June 25, 2007

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(U) Appendix B. Terrorist Watchlist

(U) The following background information was taken verbatim from the Senate Select Committee on Intelligence: Final Report on the Attempted Terrorist Attack on Northwest Airlines Flight 253, March 16, 2010, Appendix II.

(U) The Terrorist Watchlist Process

(U//~~FOUO~~) In general, individuals who are known or suspected of being a terrorist are added to a consolidated terrorist watchlist called the "Terrorist Screening Database," which the U.S. government uses for a variety of screening purposes, such as at airports, U.S. embassies, and the U.S. border.

(U//~~FOUO~~) The FBI's Terrorist Screening Center maintains the Terrorist Screening Database, which consolidates information into unclassified records for each name on the list. The Terrorist Screening Database is a sensitive but unclassified database and does not contain any derogatory information describing why individuals are on the watchlist.

(U) The No Fly and Selectee Lists for Air Travel

(U//~~FOUO~~) There are two subsets of the Terrorist Screening Database, the "Selectee List" and the "No Fly List." The Selectee List is a list of individuals who must undergo additional physical security screening before being permitted to board an aircraft. The No Fly List is a list of individuals who are prohibited from boarding an aircraft.

FBI (b)(7)(E)

(U)

ODNI (b)(3) 50 U.S.C. 3024(b)(1)

(U)

ODNI (b)(3) 50 U.S.C. 3024(b)(1)

(U//~~FOUO~~) ODNI (b)(3) 50 U.S.C. 3024(a)(1)

[REDACTED]

(U//~~FOUO~~) ODNI (b)(3) 50 U.S.C. 3024(a)(1)

[REDACTED]

(U//~~FOUO~~) ODNI (b)(3) 50 U.S.C. 3024(a)(1)

[REDACTED]

(U//~~FOUO~~) ODNI (b)(3) 50 U.S.C. 3024(a)(1)

[REDACTED]

(U) The Terrorist Watchlist Standards

(U//~~FOUO~~) On February 25, 2009, the Terrorist Screening Center Director issued a revised interagency watchlist protocol. This protocol contained the "minimum substantive derogatory criteria" for nominating known and suspected terrorists to the Terrorist Screening Database.

(U) The Standard for Terrorist Screening Database

(U//~~FOUO~~) Before an individual may be placed on the Terrorist Screening Database, there must be sufficient information to meet the "minimum substantive derogatory

criteria" and the "minimum identifying biographic criteria." There is a 17-page appendix to the watchlist protocol that describes these criteria. In general, there must be "reasonable suspicion to believe that the individual is a known or suspected terrorist." Specifically, to meet this reasonable suspicion standard, the nominator, based on the totality of the circumstances, must rely upon "articulable" intelligence or information, which taken together with rational inferences from those facts, reasonably warrant a determination that an individual is known or suspected to be or have been knowingly engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or terrorist activities. There must be an objective factual basis for the nominator to believe that the individual is a known or suspected terrorist. Mere guesses or "hunches" are not enough to constitute a reasonable suspicion that an individual is a known or suspected terrorist.

(U//~~FOUO~~) The minimum biographic data necessary for inclusion in the Terrorist Screening Database is at least a full name. Each of the "supported systems" controlled by other agencies has its own biographic requirements. For example, the TSA's Selectee and No Fly lists require a full name and a full date of birth, while others require a full name and year of birth. (Although TIDE may accept records containing less than these minimum biographic data, such records will not be exported to the Terrorist Screening Database or the various screening agencies' supported systems without more biographic information.)

(U) No Fly List Criteria

(U//~~FOUO~~) An individual may be placed on the No Fly List if he represents:

- (1) a threat of committing an act of "international terrorism" or "domestic terrorism" with respect to an aircraft;
- (2) a threat of committing an act of "domestic terrorism" with respect to the homeland;
- (3) a threat of committing an act of "international terrorism" against any U.S. government facility abroad and their associated or supporting personnel, including U.S. embassies, consulates and missions, military installations, U.S. ships, aircraft, or auxiliary craft; or
- (4) a threat of committing an act of "international terrorism" and who is *operationally capable* of conducting or participating in such acts, as determined during a special review by the Terrorist Screening Center.

(U) Selectee List Criteria

(U//~~FOUO~~) An individual may be placed on the Selectee List if he does not meet the criteria for the No Fly List but is: (1) a member of a foreign or domestic terrorist organization; and (2) associated with "terrorist activity."

Under Secretary of Defense for Intelligence Comments



INTELLIGENCE

UNDER SECRETARY OF DEFENSE
5000 DEFENSE PENTAGON
WASHINGTON, DC 20301-5000


DDI 10

MEMORANDUM FOR DEPARTMENT OF DEFENSE INSPECTOR GENERAL (DEPUTY ASSISTANT INSPECTOR GENERAL FOR INTELLIGENCE AUDITS)

SUBJECT: Response To Department Of Defense Inspector General Draft Report "DOD Lacks Policy And Strategic Plans For Terrorist Watchlist Nomination Process (U)"

Reference: (a) Department of Defense Inspector General (Deputy Assistant Inspector General for Intelligence Audits) Memorandum, March 30, 2012

Thank you for the opportunity to respond to the draft report, *DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination Process*. We have reviewed the report and are pleased the Department of Defense Inspector General found no instances in which the DoD's watchlist nomination processes operated in violation of U.S. laws or Presidential directives. The attachment contains our response to the recommendation made in Finding A of the report. Additionally, we have completed a classification review of the draft report and find that the report is classified and marked appropriately. My point of contact is Mr. Steven Cantrell at (703) 604-1568 or steven.cantrell@osd.mil.


Michael G. Vickers

Attachment:
As stated



Department of Defense Inspector General (Deputy Assistant Inspector General for Intelligence Audits) Recommendation and Under Secretary of Defense for Intelligence Response

FINDING A: DoD Lacks a Comprehensive Watchlist Nomination Policy

RECOMMENDATION: That the Under Secretary of Defense for Intelligence issue a DoD Directive and Instruction that:

- A1. Assigns watchlist nomination roles and responsibilities to each DoD element, with due consideration of each individual Combatant Command and Service Intelligence element;
- A2. Clarifies the DoD interpretation of Homeland Security Presidential Directive 6 as pertains to the DoD datasets that will be reviewed for watchlist purposes, and
- A3. Standardizes the interpretation of national watchlisting guidance across DoD.

Under Secretary of Defense for Intelligence Response:

We agree with Finding A and the recommendations of the DoD IG. Accordingly, we will draft DoD policy issuance(s), at the appropriate level, that will define and assign roles and responsibilities to DoD Components (including those non-intelligence elements involved in watchlisting). The policy will address centralized versus federated terrorist nomination processes, the level of effort required of defense Components to meet the requirements of HSPD-6, and will standardize watchlist guidance across the DoD.

Defense Intelligence Agency Comments



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DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340-5100



MAY 24 2012

S-12-1074/CE

To: Mr. Sean Mitchell
Deputy Assistant Inspector General for Intelligence Audits
Department of Defense
4800 Mark Center Drive, Ste 10J25-01
Alexandria, VA 22350-1500

Subject: (U) Response to Department of Defense Office of Inspector General Draft Report,
"DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination Process (U)"

1. (U) The enclosed document provides Defense Intelligence Agency (DIA) comments and recommendations on the subject report. DIA has performed a line-by-line declassification review as requested and has no issues with the classifications in the document.

2. (U) Department of Defense (DoD) Instruction 2000.12 already assigns the ~~DIA (b)(3) TO USC 424~~ as the DoD lead for watchlisting. However, DIA agrees that an overarching directive from the Office of the Under Secretary of Defense for Intelligence would help codify roles and responsibilities for this mission.

3. (U) DIA also agrees it must establish strategic plans for this vital mission area to ensure its efficient satisfaction.

4. (U) The DIA point of contact for this action is ~~DIA (b)(3) TO USC 424~~

David R. Shedd
RONALD L. BURGESS, JR
Lieutenant General, USA
Director

Enclosure:

~~DIA (b)(3) TO USC 424~~ comments to the Department of Defense Office of Inspector General Report Titled, "DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination Process," undated, (Document is ~~SECRET//REL TO USA, FVEY~~)

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DOCUMENT IS UNCLASSIFIED
UPON REMOVAL OF ENCLOSURE

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~~DIA (b)(3) 10 USC 424~~ comments to
the Department of Defense Office of Inspector General Report Titled, "DoD
Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination
Process"

(U) The Department of Defense (DoD) Office of Inspector General (IG) provided the Defense Intelligence Agency (DIA) its draft report, dated March 30, 2012, for review and comment; comments are due back to the DoD IG no later than May 22, 2012. The DoD IG may revise the draft report as a result of comments received and further review by the Department of Defense Office of Inspector General.

(U) Background

1. (U) The review was conducted to determine if the DoD process for nominating known or suspected terrorist (KST) to national terrorist watchlists complies with applicable U.S. laws and DoD regulations.
2. (U) The DoD IG found no instances in which the DoD's terrorist watchlist nomination process operated in violation of U.S. laws or Presidential directives. However, the DoD IG could not determine if the DoD process was in compliance with DoD watchlist nomination regulations because no DoD policy or regulation exists.
3. (U) Comments are provided where appropriate. We have highlighted DoD IG comments in bold by section and broken them out into: Concur with comments; Non-concur; and General comments as requested by the DoD IG.

(U) DIA concurs with comments with the following:

(U) What We Recommend (page i, sub-heading 3, paragraph 1)

1. (U) "We recommend that Under Secretary of Defense for Intelligence issue a DoD Directive and Instruction that:

(U) Assigns watchlist nomination roles and responsibilities to each DoD element, with due consideration of each individual Combatant Command and Service Intelligence element;

(U) Clarifies the DoD Interpretation of Homeland Security Presidential Directive 6 as it pertains to the DoD datasets that will be reviewed for watchlisting purposes;

(U) Standardizes the interpretation of national watchlisting guidance across the DoD." (page i)

(U) Although there is no DoD Directive for Watchlisting roles and responsibilities, there is now a DoD Instruction dated March 1, 2012, DoDI 2000.12, DoD

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Antiterrorism (AT) Program, Enclosure 3, DIA ~~(b)(3), 10 USC 424~~
the Watchlisting effort:

(U) i. Function as the DoD Intelligence lead for the Intelligence community terrorist watchlist effort in support of Homeland Security Presidential Directive (HSPD) 6 (Reference (ba)) and National Security Presidential Directive (NSPD) 59/HSPD 24 (Reference (bb)).

(U) Background (page 1, sub-heading 3, paragraph 3)

1. ~~(S)~~ "The DIA is the executive agent for the DoD for all non-signals watchlist nominations." (page 1, sub-heading 3, paragraph 3)

(U) Although we have been calling ourselves the executive agent for DoD Terrorist Watchlisting, after discussion with the Under Secretary of Defense for Intelligence and the Under Secretary of Defense for Policy, we would like to change this to lead activity for the DoD for all non-signals watchlist nominations; this more accurately captures our role in DoD Terrorist Watchlisting.

2. ~~(S)~~ ~~(b)(1), 1-4(g), (b)(3), 10 USC 424~~
~~(b)(1), 1-4(g), (b)(3), 10 USC 424~~

(U) ~~(b)(3), 10 USC 424~~
~~(b)(3), 10 USC 424~~

(U) COCOM and Service Roles and Responsibilities in Watchlist Nomination Undefined (page 4, sub-heading 2)

1. ~~(S)~~ "None of the COCOMs draft terrorist identity nominations, a task exclusively done by the watchlisting divisions at NSA and DIA" (page 5, paragraph 3)

(U) At the time of this report, the National Ground Intelligence Center (NGIC) did assist ~~(b)(3), 10 USC 424~~ with nominations off the Biometric Enabled Watchlist (BEWL); however, since this report, and due to budget cuts, the NGIC no longer has the ability to assist ~~(b)(3), 10 USC 424~~ WatchListing Division (WLD) and, therefore, has stopped doing the KST nomination portion of the BEWL. ~~(b)(3), 10 USC 424~~ WLD has now incorporated that role into its mission set adhering to NSPD 59/HSPD 24.

2. ~~(S)~~ ~~(b)(1), 1-4(g), (b)(3), 10 USC 424~~
~~(b)(1), 1-4(g), (b)(3), 10 USC 424~~

Revised, Page 3

~~SECRET//REL TO USA, FVEY~~

(U) [REDACTED]

3. (S) [REDACTED]
DIA (b)(1), 1.4(g), (b)(3) 10 USC 424
DIA (b)(1), 1.4(g), (b)(3) 10 USC 424

(U) [REDACTED]
DIA (b)(3) 10 USC 424

(U) Datasets to be Reviewed for Watchlisting Purposes Undefined (page 8, sub-heading 2)

1. (U) "The lack of a DoD watchlist nomination policy has forced DIA and NSA watchlisting division to interpret Homeland Security Presidential Directive 6 to fit their intelligence missions." (page 8, sub-heading 2, paragraph 1)

(U) DIA and the National Security Agency (NSA) do not interpret HSPD 6 to fit "their intelligence missions;" rather, due to the nature of the missions of each agency, each agency handles HSPD specific to the type of intelligence reporting. NSA with signals intelligence reporting and DIA with DoD human intelligence (HUMINT) reporting and other DoD unique datasets.

(S) [REDACTED]
DIA (b)(1), 1.4(g), (b)(3) 10 USC 424
DIA

1. (S) [REDACTED]
DIA (b)(1), 1.4(g), (b)(3) 10 USC 424
DIA (b)(1), 1.4(g), (b)(3) 10 USC 424

(U) At the time of the initial report, we had not completed the detainee mission set; however, since then, [REDACTED] has completed the MILDET mission set. [REDACTED] reviewed and processed [REDACTED] MILDETS, of which [REDACTED] were identified as KSTs and were submitted April 20 to the National Counterterrorism Center for

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inclusion into TIDE including all biometrics; [REDACTED] MILDETs were identified as National Security Threats and have been submitted to the Terrorist Screening Center and NGIC.

2. (S) [REDACTED] DIA (b)(1), 1-4(g)
[REDACTED] DIA (b)(1), 1-4(g)

Revised, Page 9

(U) [REDACTED]

(U//FOUO) Inconsistencies Across the Department. (page 11)

1. (S) [REDACTED] DIA (b)(1), 1-4(g)
[REDACTED] DIA (b)(1), 1-4(g)

Revised, Page 12

(U) This may have been true for the MILDET mission (due to the amount of information); however, it is not true for the [REDACTED]

(U) Technological Solutions (page 15, sub-heading 1)

1. (S//REL) [REDACTED] DIA (b)(1), 1-4(g) - NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6
[REDACTED] DIA (b)(1), 1-4(g) - NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

(U) [REDACTED]

(S//REL) Counterterrorism Analysts (page 16, sub-heading 1)

1. (S//REL) [REDACTED] NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6
[REDACTED] NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

SECRET//REL TO USA, FVEY

NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6

[Redacted]

(U) While true at the time of initial inspection, [Redacted]

2. (S//NF) DIA (b)(3) 10 USC 424 [Redacted]

(U) DIA (b)(3) 10 USC 424 [Redacted]

3. (S) NSA (b)(1) 1.4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6 [Redacted]

(U) [Redacted]

4. (S) "If DIA's watchlisting division wants to ensure that the information they review for watchlisting purposes meets their needs, they need to [Redacted]"

(U) The Watchlisting Division has initiated internal training within [Redacted] for the [Redacted] to make analysts aware of how they can assist with the Nomination process. [Redacted]

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(U//~~FOUO~~) Use of TIDE Person Numbers (page 18, sub-heading 1)

1. (S) "Including the TIDE Person Number in a report about a known or suspected terrorist would reduce the amount of time a watchlister has to spend trying to identify the subject." (page 18, sub-heading 1, paragraph 2)

(U) This would cut down on analytic confusion on subjects.

(U) General comments:

1. (U//~~FOUO~~) "Defense Intelligence Agency. The DIA, Directorate for Analysis, ^{DIA (b)(5) 19 USC 124} [REDACTED] (page 2, sub-heading 1, paragraph 1)

Revised, Page 2

(U) Correct to read, [REDACTED]

2. (U) COCOM and Service Roles and Responsibilities in Watchlist Nomination Undefined (page 4, sub-heading 2)

(U) Correct to read, "nominations" and correct to read "as it"(paragraph 2)

3. (S//~~REL~~) Counterterrorism Analysts (page 16, sub-heading 1)

Revised, Page 16

(U) [REDACTED]
(page 16, paragraph 1)

National Security Agency Comments



~~SECRET//REL TO USN, AOS, CAN, GBR, IRL~~

NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20765-6000

7 May 2012

MEMORANDUM FOR DEPUTY ASSISTANT INSPECTOR GENERAL FOR INTELLIGENCE AUDITS

SUBJECT: (U) NSA Response to DoD IG Draft Report: DoD Lacks Policy and Strategic Plans for Terrorist Watchlist Nomination Process (Project No. D2011-DINT02-02-0232) - INFORMATION MEMORANDUM

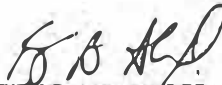
(U) This memorandum provides comments to the DoD Deputy Assistant Inspector General for Intelligence Audits that conform to the requirements of DoD Directive 7650.3.

(U) The National Security Agency has reviewed the above-referenced DoD IG Draft Report and concurs with the proposed recommendations. NSA has begun preparing a strategic plan for the Agency's watchlist mission and will conduct a baseline review to assess technological and resource requirements. Our estimated completion date for these actions is 30 September 2012.

~~(S//REL)~~ NSA (b)(1) 1-4c, (b)(3) 50 USC 3605 - P.L. 86-36 Sec 6
[Redacted]

(U) A classification review of the Draft DoD IG report has been completed for NSA equities. Each paragraph has been portion marked. NSA would be happy to use its redaction tool to make the report releasable to the public when the classification review has been completed by all equity owners.

(U//~~FOUO~~) Please contact ~~NSA (b)(1) 50 USC 3605~~ NSA DoD IG Liaison, on ~~NSA (b)(1) 50 USC~~ if you have questions or require additional information.


KEITH B. ALEXANDER
General, U.S. Army
Director, NSA

Dated and Forw: NSA/GSSM/1.52
Dated: 20090108
Business Op: 8990607

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Inspector General
Department of Defense

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