INSPECTOR GENERAL

U.S. Department of Defense

April 25, 2016

(U) Evaluation of U.S. Intelligence and Information Sharing With Coaltion Partners in Support of Operation Inherent Resolve

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(U) Results in Brief

(U) Evaluation of U.S. Intelligence and Information Sharing With Coalition Partners in Support of Operation Inherent Resolve

April 25, 2016

(U) Objective

(U) Our objective was to evaluate the effectiveness of DoD's policies, governance, procedures, and guidelines for sharing classified military information (CMI) and terrorism information with coalition Partner Nations (PN) in support of Operation Inherent Resolve (OIR).

(U) Findings

(FOUO) Although National and DoD Foreign Disclosure (FD) policies, governance, procedures, and guidelines allow DoD to share information (CMI and terrorism) with OIR PN, we found:

- (FOUO) Outdated DoD policy, a complex governance structure, and inadequate application of FD policies, procedures, and guidelines for marking classified information delayed sharing information with OIR PN.

- (FOUO) The DoD Foreign Disclosure Officer (FDO) Program lacks a tracking management system, professionalization structure, and standardized training, which inhibits sharing information with OIR PN.

(U) Recommendations

(FOUO) We recommend that the Office of the Under Secretary of Defense for Policy (OUSD(P)):

- (FOUO) update DoDD 5230.11 to reflect the establishment of the Military Intelligence Disclosure Policy Committee (MIDPC) to address the realignment of disclosure authorities within the DoD FD governance structure.

- (FOUO) develop a plan to determine the viability of a DoD-wide FDO career field, skill identifier and management and tracking system; and

- (FOUO) develop a standardized DoD-wide FDO training and certification program and codify it within DoDD 5230.11.

(FOUO) We recommend that the Office of the Office of the Under Secretary of Defense for Intelligence (OUSD(I)):

- (FOUO) issue policy for the MIDPC in accordance with the Secretary of Defense memorandum;

- (FOUO) mandate annual training for DoD personnel which includes the application of NOFORN and write-for-release;

(U) Management Comments and Our Response

(U) The OUSD(P) concurred with and addressed all specifics for Recommendation A.1. The OUSD(P) did not concur that we direct Recommendation A.3 to OUSD(P) and Recommendations B.1 and B.2 to OUSD(I). OUSD(P) recommended that we redirect Recommendation A.3 from OUSD(P) to OUSD(I) and Recommendations B.1 and B.2 from OUSD(I) to OUSD(P). OUSD(P) addressed all specifics within B.1 and B.2 in their Management Comments.

(U) Results in Brief

(U) Evaluation of U.S. Intelligence and Information Sharing With Coaltion Partners in Support of Operation Inherent Resolve

(U) The OUSD(I) concurred with and addressed all specifics of Recommendation A.2. We request additional comments from OUSD(I) on Recommendation A.3 by May 26, 2016. Please see the recommendations table on the next page.

(U) Recommendations Table

(U) Management	(U) Recommendations Requiring Comment	(U) No Additional Comments Required
Office of the Under Secretary of Defense for Policy	None	A.1, B.1, and B.2
Office of the Under Secretary of Defense for Intelligence	A.3	A.2.

(U) Please provide Management Comments by May 26, 2016.

INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
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ALEXANDRIA, VIRGINIA 22350-1500
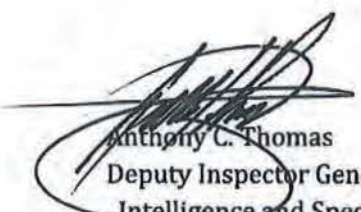
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MEMORANDUM FOR DISTRIBUTION

SUBJECT: (U) Evaluation of U.S. Intelligence and Information Sharing With Coalition
Partners in Support of Operation Inherent Resolve
(Report No. DoDIG-2016-081)

(U) We are providing this final report for your information and use. This report relates
to the overseas contingency operation, Operation Inherent Resolve (OIR), and was
completed in accordance with the OIG's oversight responsibilities, as described in
Section 8L of the Inspector General Act of 1978, as amended. We conducted this
evaluation in accordance with Quality Standards for Inspection and Evaluation.

(U) We evaluated the effectiveness of DoD's policies, governance, procedures, and
guidelines for sharing classified military information and terrorism information with
coalition partner nations in support of the contingency operation OIR.

(U) We considered management comments on the draft of this report. The OUSD(P)
concurred with and addressed all specifics for Recommendation A.1. The OUSD(P) did
not concur that we direct Recommendation A.3 to OUSD(P) and Recommendations B.1
and B.2 to OUSD(I). The OUSD(P) recommended that we redirect Recommendation A.3
from OUSD(P) to OUSD(I) and Recommendations B.1 and B.2 from OUSD(I) to OUSD(P).
OUSD(P) addressed all specifics within B.1 and B.2 in their Management Comments.
The OUSD(I) concurred with and addressed all specifics of Recommendation A.2. We
request additional comments from OUSD(I) on Recommendation A.3 by May 26, 2016.

(U) We appreciate the courtesies extended to our staff. Please direct questions to
me at ⬛⬛⬛⬛ PER DoD OIG (b) (6) or ⬛⬛⬛⬛ PER DoD OIG (b) (6)

Anthony C. Thomas
Deputy Inspector General for
Intelligence and Special
Program Assessments

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(U) Contents

(U) Introduction

(U) Objective

~~(FOUO)~~ Our objective was to evaluate the effectiveness of DoD's policies, governance, procedures, and guidelines for sharing classified military information (CMI)[1] and terrorism information[2] with coalition partners in support of the contingency operation, Operation Inherent Resolve (OIR). Specifically, we:

- (U) determined whether the policies, guidelines, and procedures exist and are sufficient to enable DoD to share CMI and terrorism information with OIR partner nations (PN);

- (U) evaluated the impact of DoD information sharing policies, governance, guidance, procedures, and capabilities (manning, organizational structure, training, and standards) on the ability to share intelligence with OIR PN; and,

- (U) identified opportunities for improvement, lessons learned, and best practices for sharing information with PN in a contingency operational environment.

(U) Background

(U) On August 7, 2014, President Barack Obama authorized[3] the U.S. military to take targeted action against the Islamic State of Iraq and Levant (ISIL). The President announced that America would lead a broad coalition to counter the terrorist threats with a comprehensive strategy[4] developed to defeat ISIL and deny it a safe-haven.

(U) In accordance with Chairman of the Joint Chiefs of Staff (CJCS) Execution Order (EXORD), Operation Inherent Resolve (OIR),[5] on October 15, 2014, U.S. Central Command (CENTCOM) announced that U.S. military operations in Iraq and Syria against

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[1] (U) Classified Military Information: Defined by DoD 5230.11 "Disclosure of Classified Military Information to Foreign Governments and International Organizations," June 16, 1992, as information originated by or for the Department of Defense or its Agencies or is under their jurisdiction or control and that requires protection in the interests of national security. It is designated TOP SECRET, SECRET, and CONFIDENTIAL, as described in E.O. 12356 (reference (q)). Classified military information may be in oral, visual, or material form.

[2] (U) Terrorism Information: Defined in Section 1016(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-408) as information concerning persons who are known or suspected to be, or have links to, terrorists, as well as information concerning actual or potential terrorist activities and threats.

[3] (U) The White House, Statement by the President, August 7, 2014.

[4] (S//NF) PER OSD JS: (b)(1), 1.4(b), 1.4(c), 1.4(d)

[5] (S) CJCS, EXORD Operation INHERENT RESOLVE, October 15, 2014.

(U) ISIL were designated as OIR. On October 17, 2014, the Secretary of Defense designated OIR a contingency operation with CENTCOM as the lead U.S. element for coalition operations to counter, prevent, and deter ISIL terrorist actions.

(~~FOUO~~) On October 2, 2014, Office of the Director of National Intelligence (ODNI) issued ODNI Memorandum, PE 14-0049, "Sharing National Intelligence in Support of the Comprehensive U.S. Government Counter-Islamic State of Iraq and the Levant Strategy and Related U.S.–led Military Coalition Operations," which states:

(~~S//NF~~) PER ODNI (b)(1) 1.4(a) 1.4(c) (b)(5), PER USSOCOM (b)(1) 1.4c; PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)

(~~S//NF~~) PER USSOCOM (b)(1) 1.4(a) PER OSD/JS (b)(1) 1.4(b), 1.4(c), 1.4(d)

(U) Applicable Criteria

- (U) National Security Decision Memorandum 119, "Disclosure of Classified United States Military Information to Foreign Governments and International Organizations," July 20, 1971

- (U) National Military Information Disclosure Policy Committee, "National Disclosure Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations," (Short Title: National Disclosure Policy (NDP-1)) October 2, 2000, as amended

- (U) DoDD 5230.11, "Disclosure of Classified Military Information to Foreign Governments and International Organizations," June 16, 1992

(U) DoD Foreign Disclosure Policies Enable Sharing Classified Military Information

(FOUO) The National Security Decision Memorandum 119 sets forth the basic authority governing the disclosure of U.S. CMI to foreign governments. This document assigns responsibility for the disclosure of U.S. CMI jointly to the Secretaries of State and Defense.

(FOUO) The NDP-1 executes National Security Decision Memorandum 119. The NDP-1 also designates the National Disclosure Policy Committee (NDPC) as the central inter-agency responsible for implementing and monitoring the NDP-1. The primary function of the NDPC is to delegate disclosure authority for specific international organizations and most foreign governments. The NDPC is chaired by the Director, Defense Technology Security Administration, Office of the Under Secretary of Defense for Policy (OUSD(P)). It is composed of FD representatives from DoD and IC organizations (see Appendix D for NDPC member listing). The NDP-1 and DoDD 5230.11 both stipulate that disclosures authorized by the NDPC are published through the issuance of Records of Action in accordance with NDPC operating procedures. Together, NDP-1 and the Records of Actions dictate how to share with foreign partners.

(FOUO) Intelligence sharing policies and authorities in support of OIR are active works-in-progress among the members of the NDPC (see Appendix C for Authorities, Policies, and Guidance Related to Intelligence Sharing). NDPC members coordinate to update and amend existing FD authorities and develop new FD authorities to address OIR information sharing.

(U) Exception to National Disclosure Policy Governance and Procedures Allow DoD to Share Information with OIR PN

(FOUO) OUSD(P) and OUSD(I) FD leadership stated that sharing information with an OIR PN is based on the type of coalition membership the PN has and the level of access to information a PN is granted in accordance with the NDP-1 and DoD guidance. The NDP-1 identifies specific disclosure criteria and limitations, and predetermines authorizations for sharing U.S. CMI (to include counterterrorism and terrorist organization information) with coalition PN. The NDP-1 also identifies which PN are eligible to receive CMI. Though the OIR PN may be eligible under NDP-1 to receive CMI, the OIR PN must also adhere to all requirements of DoDD 5230.11 and any necessary memoranda of agreement prior to U.S. disclosure of CMI to that PN.

(FOUO) According to the NDP-1, [PER USCENTCOM (b)(3) 50 USC § 3024(i)] However, the NDP-1 further states that if a PN does not have sufficient eligibilities to receive CMI to support mission requirements, the Secretary or Deputy Secretary of Defense has the authority to grant an Exception to NDP-1 (ENDP). Furthermore, the Secretary of Defense has delegated authority to the NDPC to consider and grant requests for ENDPs. DoDD 5230.11 requires a unanimous NDPC members' vote to grant ENDPs. (see Appendix D for NDPC member listing.)

(S//NF) CENTCOM FD leadership explained that although CENTCOM Guidance Memorandum, "CENTCOM list of Military Countries," October 9, 2014, identified OIR coalition PN membership, [PER USCENTCOM (b)(1) 1.4(d) 1.4(g); PER USSOCOM (b)(1) 1.4(d); PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)]

(S//NF) [PER USCENTCOM (b)(1) 1.4(c) 1.4(d); PER USSOCOM (b)(1) 1.4(d); PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)]

(S//NF) [PER USCENTCOM (b)(1) 1.4(c) 1.4(d); PER USSOCOM (b)(1) 1.4(d); PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)]

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[6] (U) Category 8- Military Intelligence: Information of military nature pertaining to foreign nations; does not include national intelligence or sensitive compartmented information under Director of Central Intelligence authority.

[7] (U) DoD Directive, "International Agreements," June 11, 1987; and DoD Directive 5230.20, "Visits, Assignments and Exchanges of Foreign Nationals," August 12, 1998.

[8] (S) CENTCOM, [PER USCENTCOM (b)(1) 1.4(c) 1.4(d); PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)]

[9] (U) CENTCOM, "Request for an Exception to National Disclosure Policy – Operation Inherent Resolve," November 5, 2014.

[10] (U) DOD NDPC, Record of Action, "RA-059/14: Request for an Exception to the National Disclosure Policy-Multiple-(NDPC Case No. 6008.14), December 19, 2014.

[11] (U) "Tetragraphs" as defined by DoDM 5200.01, v2, February 24, 2012: A sequence of four letters used to represent an international organization, alliance, or other groups of countries and international organizations.

[12] (FOUO) CENTCOM, [PER DoD OIG (b)(1) 1.7(e)]

[13] (S//RELIDO) According to the CJCS EXORD, [PER USCENTCOM (b)(1) 1.4(c) 1.4(d); PER OSD/JS (b)(1) 1.4(b) 1.4(c) 1.4(d)]

(S//NF) PER USCENTCOM: (b) (1), 1.4(a), 1.4(d); PER USSOCOM: (b) (1), 1.4(d); PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

(SECRET//REL TO USA, FVEY) PER USCENTCOM: (b) (1), 1.4(a), 1.4(d); PER USSOCOM: (b)(1), 1.4(d); PER OSD/JS: (b)(1), 1.4(b), 1.4(c), 1.4(d)

PER USCENTCOM: (b) (1), 1.4(a), 1.4(d); PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

PER USCENTCOM: (b) (1), 1.4(a), 1.4(d); PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

NATO

ALBANIA	BULGARIA	CROATIA
CZECH REPUBLIC	ESTONIA	GERMANY
GREECE	HUNGARY	ICELAND
LATVIA	LITHUANIA	NORWAY
LUXEMBOURG	POLAND	ROMANIA
SLOVAKIA	SLOVENIA	SPAIN
TURKEY		

FVEY

	CANADA
AUSTRALIA	UNITED STATES
NEW ZEALAND	UNITED KINGDOM

BELGIUM
DENMARK
FRANCE
ITALY
NETHERLANDS

FVEY – "Five Eyes" Commonwealth

NATO – North Atlantic Treaty Organization

PER USCENTCOM: (b) (3), 50 USC § 3024(i)

(U) Finding A

(FOUO) Outdated DoD Policy, a Complex Governance Structure, and Inadequate Application of Foreign Disclosure Policies, Procedures and Guidelines Delayed Sharing Information With OIR Partner Nations

(FOUO) Although National and DoD FD policies and governance structure allow the DoD Intelligence Community (IC) to share CMI and terrorism information with coalition PN in support of OIR, impediments with DoD intelligence sharing policies and governance structures exist. Specifically, we found:

- (FOUO) Existing DoD OIR foreign disclosure policies did not adequately support the rapid pace of the OIR mission.

- (FOUO) The National Disclosure Policy Committee's (NDPC) complex governance structure and FD procedures delayed sharing information with OIR PN.

- (FOUO) Inconsistent application of FD policies, guidelines, and procedures for marking classified information did not allow OIR PN to receive CMI in a timely manner.

(U) Discussion

(U) Existing DoD OIR Foreign Disclosure Policies Did Not Adequately Support the Rapid Pace of the OIR Mission and Delayed Information Sharing With PN

(S//NF) Although OUSD(P), OUSD(I), and DIA FD leadership explained ▮PER OSD/JS (b)(1),▮
▮1 4(b), 1 4(c), 1 4(d)▮

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(S//NF) Our evaluation included a review of OUSD(I) and CENTCOM reporting of intelligence sharing authorities from June 2014 through June 2015. We identified multiple gaps in time between the initiation of CJCS and CENTCOM directed operations and the establishment of the corresponding policies for sharing U.S. counterterrorism and terrorism CMI with PN. (See Appendix C for Authorities, Policies, and Guidance Related to Intelligence Sharing) We also interviewed FD leadership from OUSD(I), CENTCOM, and SOCOM, who concurred that there were multiple delays in establishing new policies for sharing CMI with OIR PN from June 2014 through June 2015. For example, ▮PER OSD/JS (b)(1), 1 4(b), 1 4(c), 1 4(d). PER USSOCOM (b)(1), 1 4(a) PER USCENTCOM (b)(1), 1 4(c), 1 4(d)▮

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[14] (S//RELIDO) CENTCOM Memorandum, "CENTCOM List of Military Coalition Countries," October 9, 2014.

(S//NF) PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d), PER USSOCOM: (b)(1), 1.4(a), PER USCENTCOM: (b)(1), 1.4(c), 1.4(d)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

(S//NF) We also reviewed the United States Air Forces Central Command (USAFCENT) lessons learned report[19], which also reached the conclusion that a lag-time in

PER OSD/JS: (b) (1), 1.4(c), 1.4(d), PER USCENTCOM: (b)(1), 1.4(c), 1.4(d)

[REDACTED] According to the USAFCENT report, PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d), PER USCENTCOM: (b)(1), 1.4(c), 1.4(d)

[REDACTED]

[REDACTED] Specifically, USAFCENT reported PER USSOCOM: (b)(1), 1.4(c), PER OSD/JS: (b)(1), 1.4(b), 1.4(c), 1.4(d)

[REDACTED]

[REDACTED] Additionally, the USAFCENT report determined that the lag-time between

PER USSOCOM: (b) (1), 1.4(c), PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

[REDACTED]. OUSD(I), OUSD(P), CENTCOM, SOCOM and DIA FD leadership all stated that, considering the speed of operations during wartime, lag-time to update existing policies PER OSD/JS: (b)(1), 1.4(b), 1.4(c), 1.4(d) [REDACTED] timely sharing of CMI with OIR PN.

(S) We noted that CENTCOM and SOCOM FD leadership implemented, and USAFCENT lessons learned reporting identified temporary actions to mitigate the lag-time to update information sharing policies. The temporary actions identified included

PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d), PER USCENTCOM: (b)(1), 1.4(d)

[REDACTED]

[REDACTED] We concluded that if the temporary changes to the FD processes are deemed as viable solutions for sharing CMI

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15 (S//NF) ODNI Memorandum PE 14-0049, "Sharing National Intelligence in Support of Comprehensive U.S. Government Counter-Islamic State of Iraq and the Levant Strategy and Related U.S.- led Military Coalition Operations," October 2, 2014.

16 (S//RELIDO) CJCS EXORD, PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d) [REDACTED]

17 (S) CJCS EXORD, PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d) [REDACTED]

18 (FOUO) CENTCOM, PER USCENTCOM: (b) (3), 50 USC § 3024(i) [REDACTED]

19 (S) United States Air Forces Central Command (USAFCENT) Coalition Information Sharing Interim Lessons Learned Report for August 2014 – January 2015.

~~SECRET//NOFORN~~

Finding A

(S) with PN, the DoD FD capability ██████████████████ ██

████████████████ .

(U) The NDPC Governance Structure is Complex and Its Procedures Inhibited Information Sharing With OIR PN

(S//NF) FD leadership from Defense Analysis and Partner Engagement, OUSD(I), reported that ███

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(S//NF) NDPC members from OUSD(I) and DIA said that the NDPC process ██████████ ██

████████████████████████████████████ For example, the NDPC members stated NDPC decisions require ██████████████████████████ ██

████████████ The NDPC members further explained that on occasion, some NDPC voting members ███████████████████████████████████████ ██████████ The NDPC members from OUSD(I) and DIA stated that ████████████ ██

██████████████████ However, FD leadership from OUSD(P) stated that the ██ FD leadership from OUSD(P) added that ██████████████████████████████████████

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(FOUO) Because of those governance issues and challenges the NDPC encountered when making PER OSD/JS: (b)(5) to NDP-1, the Secretary of Defense coordinated[20] with the Director of National Intelligence, Deputy Secretary of State, and DoD NDPC members to update NDPC processes and procedures. As a result, the Secretary of Defense memorandum, "Military Intelligence Foreign Disclosure Policy Realignment," January 25, 2013, authorized PER OSD/JS: (b)(5) from the NDPC decision process and the establishment of the Military Intelligence Disclosure Policy Committee (MIDPC) (see Appendix D for NDPC and MIDPC Membership) with the Under Secretary of Defense for Intelligence as chairman. Specifically, the memorandum states, OUSD(I), in consultation with OUSD(P), is responsible for implementing and overseeing the policy for PER OSD/JS: (b)(7)(E) . The objective of the creation of the MIDPC was to ensure the proper alignment and synchronization of military intelligence with national intelligence disclosure policy, within the framework of NDP-1; and to ensure that military intelligence disclosure policy would be developed and implemented by intelligence professionals.

(U) The DoD Application of FD Procedures and Guidelines for Marking Classified Information is Inadequate

(FOUO) Although the DoD IC has national, DoD, and theater-level guidance which emphasizes "write-for-release, need-to-share, and responsibility-to-provide" (see Appendix C for Authorities, Policies, and Guidance Related to Intelligence Sharing which include FD and classification marking policies), OUSD(P), OUSD(I), DIA, CENTCOM, SOCOM, and FD leadership stated that the DoD IC's application of FD classification markings does not comply with DoD FD policies, guidelines, and procedures.[21] Specifically, FD leadership explained that DoD IC's misuse of the NOFORN caveat continues to be a hindrance to sharing intelligence with coalition PN.

(FOUO) FD leadership stated that the DoD IC created the PER USCENTCOM: (b)(3) 50 USC § 3024(i) tetragraphs in order to provide a classification marking label to facilitate information sharing among OIR PN. However, according to FD leadership, the tetragraphs are effective only if they

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[20] (U) Director of National Intelligence memorandum," Secretary of State Letter to Director of National Intelligence, September 29, 2014; Secretary of Defense Memorandum, "Realignment of Military Intelligence Foreign Disclosure Policy Realignment," January 8, 2015.

[21] Intelligence Community Directive (ICD) 710, "Classification and Control Markings System," September 11, 2009; ICD 403, "Foreign Disclosure and Release of Classified National Intelligence," March 13, 2013. ICD 403.1, "Criteria for Foreign Disclosure Guidance and Release of Classified National Intelligence," March 13, 2013; DoD Manual 5200.01, Volume 2, "DoD Information Security Program: Marking of Classified Information," February 24, 2012 Incorporating Change 2, March 19, 2013;

(FOUO) are used appropriately. For instance, the FD leadership explained that many DoD IC personnel use the NOFORN caveat as a default instead of applying the guidelines to properly classify information. In this way, data is improperly classified and requires additional time to obtain the authority to release to PN.

(C) In February 2014, OUSD(I) issued a staff assistance visit report that outlined the challenges of DoD's intelligence sharing practices with foreign governments and coalitions. That report states:

(C) PER OSD/JS (b)(1) 1.4(b), 1.4(c), 1.4(d)

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(FOUO) The OUSD(I) staff assistance report, along with OUSD (P), OUSD(I), DIA CENTCOM, and SOCOM FD leadership, cited reasons for these information sharing issues, including the DoD IC's culture, lack of training on FD policies, and the improper application of the NOFORN caveat. According to the OUSD(I) staff assistance report, the continued lack of an overarching DoD IC training program in the application of NOFORN and overall FD policies is the cause.

(FOUO) Furthermore, during our evaluation, OUSD(P), and OUSD(I) FD leadership stated that there is no standardized DoD IC training on the application of FD policies, and the use of NOFORN and other restrictive caveats for classified information. The FD leadership added that non-compliance with established standards, such as over classifying or using improper classification markings and metadata tagging, inhibited the flow of information between OIR PN.

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[22] (FOUO) Office of the Under Secretary of Defense for Intelligence (OUSD(I)) 2013 Joint Intelligence Operations Center Staff Assistance Visit Report," February 2014.

(U) Conclusion

(S) CENTCOM, as the lead U.S. element for OIR operations, issued guidance in accordance with National and DoD policies to make OIR information sharing as inclusive as possible. We conclude that the actions DoD FD policymakers and FD leadership within OUSD(P), OUSD(I), DIA, and CENTCOM developed to improve information sharing are noteworthy. The U.S. national and theater level FD policies, procedures, and guidelines meet national and DoD requirements and also incorporate experiences of the DoD IC from lessons learned during other counter-terrorism and counter- insurgency operations. (See Appendix B for OIR Lessons Learned and Best Practices.)

(S) However, impediments to information sharing with OIR PN still exist. For example, because of the increased use of intelligence in joint operations with PN, ███████████ ███ FD leadership from OUSD(P), OUSD(I) and DIA stated that this resulted in ██████████████████ ████████████████████ and updates to DoD intelligence sharing policies in support of OIR. FD leadership also said that the speed of the OIR coalition development, along with ██████████████████████████, outpaced efforts to establish new policies for CMI sharing. Furthermore, according to FD leadership, portion marking for classified information and FD policy training was non-standard and not enforced properly throughout the DoD IC. Our evaluation, along with FD leadership statements and reporting, determined that these issues inhibited sharing U.S. counterterrorism and terrorism information with OIR PN, ████████████████████████████████ ██

(FOUO) We acknowledge that the DoD FD community is implementing solutions to address the information sharing issues identified during our evaluation. However, because of the ongoing development and realignment of the DoD FD program, we did not evaluate the impact of the DoD FD governance structure and policy changes or determine if the establishment of the MIDPC are optimal solutions for addressing DoD information sharing issues. We believe highlighting the importance of DoD information sharing issues that have been disparately reported across DoD will strengthen the overall DoD effort to resolve reoccurring DoD information sharing issues and assist DoD FD leadership in advancing recommendations and actions that address the overall effectiveness of DoD information sharing programs and initiatives.

(U) Management Comments on the Finding and Our Response

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, Defense Technology Security Administration (DTSA), responding for OUSD(P), expressed disappointment that she was not interviewed or asked to validate the information concerning disclosure policies or procedures provided by other organizations. The Director, additionally commented that there were a number of errors related to the interpretation or application of current policy documents and use of incorrect references. For the full text of the Director's comments, see the Management Comments:

(U) Our Response

(FOUO) During our evaluation an announcement letter and data call request were provided to OUSD(P). The Executive Director, Interagency National Disclosure Policy Committee OUSD(P) and Director, International Security Programs, OUSD(P) and the Deputy Director, International Security Programs, OUSD(P) were identified as points of contact for our evaluation.

(FOUO) On March 16, 2016, the Director provided comments to our draft report and requested a meeting to discuss the issues and discrepancies OUSD(P) had with the draft report findings and recommendations. Subsequently, on March 22, 2016 we met with the Director, The Executive Director, and the Deputy Director, DTSA responding for OUSD(P). We discussed OUSD(P)'s issues and discrepancies and reviewed the additional information OUSD(P) provided after our meeting.

(FOUO) We partially agree with the Director's comments on Finding A:

- (FOUO) The Director commented on page 9 of the Draft Report (currently page 10) that the characterization of the creation of the MIDPC is not accurate. The Director added that the decision of the Secretary of Defense was predicated by a letter from the Director of National intelligence to the Secretary of Defense in 2012. This letter was not submitted in the initial data call request. Following the meeting, OUSD(P) provided the letter and subsequent memorandum and the report was changed to reflect the authorization to realign of intelligence disclosure policy and creation of a separate committee.

- (S//NF) The Director commented on page 9 of the Draft Report (currently page 10) that the numbers provided by USD(I) concerning the number of NDPC actions is not accurate. Following the meeting, OUSD(P) provided documentation; however, it did not adequately reflect the details of how the information was collected. We removed the section regarding the number of NDPC decisions as it is historical information that does not affect the outcome of the finding or recommendation.

- (S//NF) PER OSD/JS (b) (1), 1-4(b), 1-4(c), 1-4(d), (b)(5), PER USSOCOM (b) (1), 1-4(c)

- (S//NF) The Director commented on Page 9 of the Draft Report PER OSD/JS (b) (1), 1-4(c), (b)(5) ████████████████ During our evaluation, we obtained information from interviews and data calls that PER OSD/JS (b)(1), 1-4(c), (b)(5) ████████. Specifically, the FD leadership from OUSD(I) and DIA stated that the NDPC committee PER OSD/JS (b) (1), 1-4(c), (b)(5) ████████ We added the Director's comments from our interview and the language provided in the Management comments to the report in order to accurately reflect OUSD(P)'s opinion of the negotiations for NDPC decisions.

(U) Recommendations, Management Comments and Our Response

(U) Recommendation A.1

(FOUO) We recommend that the Office of the Under Secretary of Defense for Policy update DoDD 5230.11 to reflect the establishment of the Military Intelligence Disclosure Policy Committee to address the realignment of disclosure authorities within the DoD FD governance structure.

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, Defense Technology Security Administration (DTSA), responding for OUSD(P), concurred with the recommendation.

(U) Our Response

(U) OUSD(P) addressed the specifics of our recommendation. We request that OUSD(P) update the DoD OIG on status of the formal coordination of the draft DoDD 5230.11.

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(FOUO) The Senior Intelligence Officer, Defense Analysis & Partner Engagement (DA&PE), responding for OUSD(I), concurred with the recommendation. OUSD(I) commented that they are reviewing the draft DoDD 5230.11, which is currently in formal, DoD-wide, coordination.

(U) Our Response

(U) OUSD(I) addressed the specifics of our recommendation and no further comments are required.

(U) Recommendation A.2

(FOUO) We recommend that the Office of the Under Secretary of Defense for Intelligence:

   a) (FOUO) issue policy for the Military Intelligence Disclosure Policy Committee in accordance with the Secretary of Defense memorandum.

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(FOUO) The Senior Intelligence Officer, DA&PE responding for OUSD(I), concurred with our recommendation. The following actions are being taken:

- (FOUO) PER OSD/JS: (b) (5) ▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇
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- (FOUO) PER OSD/JS: (b) (5) ▇▇▇▇▇▇▇▇▇▇▇▇
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- (FOUO) PER OSD/JS: (b) (5) ▇▇▇▇▇▇▇▇▇▇▇▇
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b) (FOUO) **update the DoD IG with a plan of action and milestones until the program is fully operational.**

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(FOUO) The Senior Intelligence Officer, DA&PE responding for OUSD(I), concurred with our recommendation and will provide updated plan of action and milestones, until the MIDPC is fully operational.

(U) Our Response

(U) OUSD(I) addressed the specifics of our recommendation and no further comments are required.

(U) Redirected Recommendation

(FOUO) As a result of the comments from the Director, International Security Programs, DTSA responding for OUSD(P), we redirected Recommendation A.3 from the OUSD(P) to OUSD(I) because OUSD(I) has the authority, in accordance with DoDD 5230.11, to implement the recommendation.

(U) Recommendation A.3

(FOUO) **We recommend that the Office of the Under Secretary of Defense for Intelligence mandate annual training which includes the application of NOFORN and write-for-release.**

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, DTSA, responding for OUSD(P), commented that OUSD(P) is responsible for foreign disclosure policy functions and establishing and overseeing DoD compliance of foreign disclosure training and education. The Director commented that the training of the application of NOFORN and write-for-release are not foreign disclosure functions and should be addressed by OUSD(I) in accordance with DoDD 5230.11. Therefore, OUSD(P) recommended we redirect the recommendation for annual training on the application of NOFORN and write-for-release from OUSD(P) to OUSD(I).

(U) Our Response

(FOUO) Our review of DoDD 5230.11 concluded that OUSD(P) is responsible for foreign disclosure policy and establishing and overseeing DoD compliance of foreign disclosure training and education. We agree that the training of the application of NOFORN and write-for-release are not foreign disclosure functions and should be addressed by OUSD(I) in accordance with DoDD 5230.11. Additionally, although the directives include a requirement for foreign disclosure training, they do not address the training requirement for the application of NOFORN and write-for-release. Therefore, we redirected the recommendation for annual training on the application of NOFORN and write-for-release from OUSD(P) to OUSD(I). OUSD(P) satisfied the specifics of our recommendation and no further comment is required.

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(FOUO) The Senior Intelligence Officer, Defense Analysis & Partner Engagement Directorate, responding for OUSD(I), concurred with the recommendation. OUSD(I) commented that they coordinated with OUSD(P) and the Defense Security Service to develop an introductory-level foreign disclosure course which is currently available for all DoD personnel. The course was developed to familiarize DoD personnel with the foreign disclosure function and will serve as the first required training block for DoD foreign disclosure official certification. OUSD(I) added that they are working with DIA to establish DoD FDO intermediate and advanced training, certification requirements, and courseware which will specifically address disclosure of intelligence information. OUSD(I) stated that the updated draft DoDD 5230.11 will address the current DoD FDO training and certification requirements.

(U) Our Response

(FOUO) OUSD(I)'s comments partially satisfy the specifics of our recommendation. We are aware OUSD(I) is establishing DoD FDO certification course that will address disclosure of intelligence information. The draft DoDD 5230.11 includes a requirement for foreign disclosure training, but does not address the training requirement for the application of NOFORN and write-for-release. We redirected Recommendation A.3 as a result of OUSD(P) management comments and request that OUSD(I) provide additional comments.

(U) Finding B

(FOUO) The DoD Foreign Disclosure Officer Program Lacks a Tracking Management System, professionalization structure, and standardized training, which inhibits sharing information with OIR PN

(FOUO) Although the DoD Foreign Disclosure Officer (FDO) program allows sharing of CMI and terrorism information with coalition OIR PN, the FDO program:

- (FOUO) lacks a DoD-wide management system to track FDOs;

- (FOUO) does not have a professional structure to establish and identify the various expertise levels throughout DoD; and,

- (FOUO) does not have a standardized training program with consistent formats, information, and levels of instruction.

(U) Discussion

(FOUO) The DoD FDO Program Lacks a Management System to Track FDOs

(FOUO) NDP-1 and DoDD 5230.11 allow for a wide range of authority, responsibility, and discretion for DoD FD program implementation and management.

(FOUO) In accordance with NDP-1 and DoDD 5230.11, the heads of DoD components must:

> (FOUO) Designate a principal disclosure authority who shall be responsible for the direction and administration of the department or agency foreign disclosure program. These officials may delegate to other officials under their jurisdiction authority to disclose or deny classified military information in accordance with policy...Heads of all departments and agencies which have need to disclose classified military information shall establish procedures and channels to assure that disclosures are considered, authorized, and handled.

(FOUO) OUSD(I), DIA, CENTCOM, and SOCOM FD leadership stated that each DoD component independently manages their FDO staff. However, the FD leadership told us that FD management practices and procedures at the CCMDs are becoming increasingly overwhelmed in a resource-constrained environment. The FD leadership explained that due to a lack of a DoD-wide management system to track FDOs, the DoD FD community has to rely on informal knowledge of where FDOs are assigned. The CENTCOM and SOCOM FD leadership stated that this makes it difficult to locate, track, and manage DoD FDO resources and efforts during contingency operations.

(S) FD leadership at OUSD(I), DIA, and CENTCOM conducted staff assistance visits to their forward-deployed units to assess the status of FDO support to OIR. The FD leadership stated that the overall FDO resources and capabilities to conduct OIR intelligence sharing activities is adequate. PER USSOCOM: (b) (1). 1.4(c); PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

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███████████ Specifically, FD leadership from CENTCOM and SOCOM explained that
PER USSOCOM: (b) (1), 1.4(c); PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d)

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███████████████████████████████████ As a result, CENTCOM FD leadership implemented 24/7 operations, which allowed the CENTCOM headquarters FDOs in CONUS to provide reach back support to its forward-deployed FDOs.

(S) SOCOM FD leadership stated that they needed a robust FDO team to support the information sharing process during the initial stages of OIR. SOCOM FD leadership specifically explained that, ██ As a result, SOCOM FD leadership stated that ████████████████████████████████████

(FOUO) Although OUSD(I), DIA, CENTCOM, and SOCOM FD leadership stated that a DoD-wide management system to locate and track DoD FDO resources and efforts would be beneficial, they have not initiated any plans to develop such a system to track FDOs. Instead, FD leadership and AFCENT lessons learned reporting recommended and implemented the following actions to mitigate the issues encountered with their respective OIR FDO cadre: (1) coordinating early with FDOs; (2) deploying more FDOs forward; and, (3) educating staff on sharing information with coalition forces during the planning process. The FD leadership stated that the recommendations were made in order to temporarily mitigate the FDO resource issues in an effort to make the FDO decision process quicker, provide OIR FDOs shorter reach-back support, more responsive policy support, and more consistent disclosure decisions.

(U) The DoD Foreign Disclosure Officer Program Lacks a Professionalization Structure

(FOUO) In accordance with NDP-1 and DoDD 5230.11, there is a wide range of authority, responsibility, and discretion for how DoD FD programs are implemented and how FDOs are employed throughout DoD. OUSD(I), OUSD(P), DIA, CENTCOM, and SOCOM FD leadership explained that, although disclosure procedures are similar across organizations, implementation differs among agencies and military units. FD leadership told us that an FDO is often assigned as an "additional duty" instead of a job series, skill, or career field within an established professionalization structure. FD leadership also said that most civilian FDOs are primarily security officers, and most military FDOs are primarily intelligence professionals. Therefore, their FDO tasks are secondary to their main jobs. Furthermore, because of deployments and job rotations, sometimes there are significant gaps in time (i.e. months or years) between when an FDO is trained and when he or she is assigned to an FDO position. However, this report reflects data and interviews a from a small sample of foreign disclosure subject matter experts whose opinions may or may not be represented of the entire DoD foreign disclosure workforce.

(FOUO) In accordance with, "Combined Joint Task Force (CJTF)-OIR CJ-2 FOREIGN DISCLOSURE OFFICE Standard Operating Procedures," February 28, 2015, CJTF-OIR FDOs have the following responsibilities: (1) approving or denying requests for information and products generated from within their assigned organization and attached units or entities; (2) reviewing all products and documents before release or disclosure to foreign government officials; (3) approving or denying requests for information and products generated from within CJTF-OIR and its assigned and attached units; (4) coordinating with outside entities for the release and disclosure of requested products or information not owned by CJTF; and (5) advising the command and staff on disclosure guidance and recommendations.

(FOUO) Additionally, OUSD(I), DIA, and the CCMDs FD leadership stated that because there is no DoD FDO job series or skill identifier, the DoD FD community has to rely on informal expertise of members of its small cadre. During our evaluation, OUSD(I) FD leadership recommended that instead of requesting FDOs as needed, the DoD FD community should maintain a permanent staff of FDOs with a professionalized FD occupational structure.

(U) The DoD Foreign Disclosure Officer Training Program is Inadequate

(FOUO) In accordance with DoDD 5230.20, "Visits and Assignments of Foreign Nationals," June 22, 2005, OUSD(P) oversees international security training and foreign disclosure. Specifically, DoDD 5230.20 states, "All DoD personnel responsible for negotiating, overseeing, managing, executing or otherwise participating in international activities shall successfully complete one or more of the courses required by the Deputy Secretary of Defense Memorandum, 'Training in International Security and Foreign Disclosure Support to International Programs,' October 22, 1999." The Deputy Secretary of Defense Memorandum stated the requirement to complete either the International Security Requirement Course by OUSD(P) or the International Programs Security and Technology Course taught by Defense Systems Management College applies to DoD personnel working in the following areas: security assistance, cooperative research, foreign disclosure, specific country relationships and other international policy activities. However, these courses are no longer offered by OUSD(P) or the Defense Management College.

(S//NF) OUSD(I), DIA, CENTCOM, and SOCOM FD leadership stated that there is no DoD standardized basic level foreign disclosure training to provide DoD personnel with the practical application of relevant foreign disclosure laws, policies and procedures. OUSD(I), DIA, CENTCOM, and SOCOM FD leadership identified recurring FDO training program issues through OIR, OEF, and OIF lessons learned and staff assistance visit reporting,[23] (see Appendix B for OIR Lessons Learned reporting). ▮▮▮▮▮▮▮▮▮▮

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(FOUO) As a result, OUSD(I) FD leadership commissioned an independent think tank, Global Skills X-change, to conduct assessments of the DOD FDO program.[24] The assessment evaluated DoD FD standards and performance measures. The assessment concluded that: (1) FDO training throughout DoD had inconsistent course formats (computer based and classroom); (2) levels of instruction depended on the host organization without a DoD consensus; (3) lack of a codified standardized fundamentals course creates knowledge gaps which increase the need for more on-the-job training; and, (4) there was a lag-time between policy changes and training updates which is critical considering the speed of operations during wartime.

(FOUO) We reviewed the DoD FDO training curriculums and interviewed DoD FD training leadership from DIA and CENTCOM. As a result of our review and interviews, we also identified inconsistent course formats, a lack of standardized course procedures, and gaps in time between the policy changes and updates to the training materials. We determined that these issues contributed to DoD FDOs with knowledge gaps that left them unequipped to develop and maintain the fundamental concepts necessary to effectively adjudicate FD requests. This resulted in the need for more FDO on-the-job training, and FDOs with varying proficiency levels.

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[23] (U) OUSD(I), "2013 Joint Intelligence Operations Center Staff Assistance Visit Report," February 2014; SOCOM, Multinational SOF Planning Insights OIR, SOF Lessons Learned Network, April 23, 2015; DIA "2010 COMBAT SUPPORT AGENCY REVIEW TEAM ASSESSMENT OF THE DEFENSE INTELLIGENCE AGENCY," October 19, 2011; Joint USCENTCOM/ISR Task Force Foreign Disclosure Assessment Team, "Information Sharing between U.S. and Coalition Forces in Afghanistan," March 2010.

[24] (U) DoD Workforce Certification and Accreditation for the Office of Secretary of Defense Assessments: Task 3.3.1: Foreign Disclosure Officer Essential Body of Work (EBW) and Essential Body of Knowledge (EBK), August 21, 2012; Task 3.3.2: Foreign Disclosure Officer Training Needs Analysis, February 13, 2013; and Task 3.3.3: Course Validation Process.

(FOUO) OUSD(P) and OUSD(I) FD leadership stated that as a result of the intelligence sharing and lessons learned during OIR, OEF, and OIF and the series of DOD FD program assessments, they are advocating for standardized FDO basic level training. Specifically, FD leadership from OUSD(P) and Defense Analysis and Partner Engagement Directorate, OUSD(I) PER OSD/JS: (b) (5)

(U) Conclusion

(FOUO) Our evaluation determined that the growing demand for intelligence sharing among OIR PN increased the need for FDO resources. Because the FDO program lacks a DoD-wide FDO management system to track FDOs, it was difficult for CENTCOM and SOCOM FD leadership to locate trained and experienced FDOs during contingency operations. CENTCOM and SOCOM had to utilize reach back support and increase operation hours to provide OIR FDO support.

(FOUO) Furthermore, FDOs did not have a skill identifier or professionalization structure. FDO tasks are secondary to their main jobs. Because of deployments and job rotations, there could be significant gaps in time (i.e. months or years) between FDO trainings and subsequent FDO assignments. We determined that FDO training was inadequate due to inconsistent instructional formats and the lag-time between policy changes and training updates. We also found that PER DoD OIG: (b) (1), | 7(e)

(FOUO) During our evaluation, OUSD(I) FD leadership was reviewing DoD FDO standards and performance measures. We expect these reviews will help identify the level of training FDOs need to securely share CMI and terrorism information with PN. OUSD(P), OUSD(I), CENTCOM, and SOCOM FD leadership stated that they are advocating the development of an FDO basic level training program. PER OSD/JS: (b) (5) . However, the current DoDD 5230.20 and DoDD 5230.11 does not reflect the changes to international security and foreign disclosure training. Furthermore, FD leadership has not implemented and mandated a DoD-wide FDO professional structure, or a training program for the FDO certification

(FOUO) competencies and skills from fundamental through expertise levels. Because of the ongoing assessment of the DoD FDO training program standards and performance measures, we did not evaluate the impact of the assessment results and recommendations or determine if the FDO basic level training course will adequately address DoD FDO training issues. However, we believe our report will strengthen the overall DoD effort to resolve reoccurring DoD FDO program issues and assist DoD FD leadership in advancing recommendations and actions that address overall DoD FDO program effectiveness.

(U) Management Comments on the Finding and Our Response

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, DTSA, responding for OUSD(P), commented that there were a number of errors related to the interpretation or application of current policy documents and use of incorrect references. For the full text of the Director's comments, see the Management Comments.

(U) Our Response

(FOUO) We partially agree with the comments the Director made with regard to Finding B. Our response to Director's specific comments are as follows:

- (FOUO) The Director commented on page 16 of the draft report (currently page 21) that the characterization that foreign disclosure is "often" assigned as an additional duty and that "most civilian FDO's" are security officers and "most military FDO's" are intelligence professionals is not accurate. During our discussion with OUSD(P), we stated that we obtained information from stakeholder interviews and data calls. Specifically, OUSD(P) provided a report from the DoD Workforce Certification and Accreditation for the Office of Secretary of Defense, Task 3.3.1: Foreign Disclosure Officer Essential Body of Work and Essential Body of Knowledge (EBK), August 12, 2012, that stated, "FDO's are often tasked to work on Foreign Disclosure as an "additional duty" over and above other work," and that "Many FDOs are 080 Security Officers many FDOs are assigned with an intelligence unit." The Director commented that the surveys and interviews are from a small sample of foreign disclosure subject matter experts and it may or may not be representative of the entire DoD foreign disclosure workforce. We agreed and included that disclaimer on page 21 of the report.

- (FOUO) The Director commented on page 22 of the draft report (currently page 33) that the identification of the NGA best practice PER OSD JS (b)(5) ████████████████████████████████████ We agreed and changed the subtitle to, "Information Sharing Process" on page 33 of the report.

- (FOUO) The Director commented on page 27 of the draft report (currently page 38) that many of the documents listed in Appendix C and identified as Foreign Disclosure and Intelligence Sharing Authorities do not authorize information sharing. We agreed and changed the title to read, "Authorities, Policies, and Guidance related to Foreign Disclosure and Intelligence Sharing" on page 38 of the report.

(U) Recommendations, Management Comments and Our Response

(U) Redirected Recommendation

(U) As a result of the comments from the Director, International Security Programs, DTSA responding for OUSD(P), we redirected Recommendation B.1 from the Office of the Under Secretary of Defense for Intelligence to the Office of the Under Secretary of Defense for Policy.

(U) Recommendation B.1

(U) We recommend that the Office of the Under Secretary of Defense for Policy develop a plan to determine the viability of a DoD-wide Foreign Disclosure Officer career field with a skill identifier to properly align with evolving information sharing missions as well as a management system to track and conduct oversight of the DoD Foreign Disclosure workforce.

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, DTSA, responding for OUSD(P), did not agree that the OUSD(I) was the appropriate agency to implement the recommendation. OUSD(P) recommended we redirect the recommendation from OUSD(I) to OUSD(P). The Director commented that, in accordance with DoDD 5230.11 and DoDD 5111.1, OUSD(P) has the authority to determine and implement foreign disclosure requirements. OUSD(P) also explained that the independent assessment conducted in 2012 by Global Skills X-change addressed the potential for an FDO specific career series which concluded that a skill identifier would be more appropriate than a separate career field or job series. The Director commented that OUSD(P) agreed with

(U) the assessment and did not take any further action to pursue a creation of a separate FDO career field. Additionally, no actions are currently being undertaken to create a management system to track and conduct oversight of the DoD FDO workforce due to [PER OSD/JS (b) (5)]. The Director added that the Under Secretary for Defense for Intelligence is welcome to investigate the potential for and FDO intelligence specific career series if so desired.

(U) Our Response

(U) We agree that in accordance with DoDD 5230.11 OUSD(P) has the authority to determine and implement foreign disclosure requirements. Therefore, we redirected Recommendation B.1 from OUSD(I) to OUSD(P). Our report acknowledges the findings and results of Global X-change study. During our evaluation, we did not receive the decision from OUSD(P) and OUSD(I) that the FDO specific career series was not a viable option. After a review of OUSD(P)'s comments and meeting on March 22, 2016 we conclude that OUSD(P) assessed the viability of the DoD-wide FDO management system, which cannot be implemented at this time due to [PER OSD/JS (b) (5)]. However, OUSD(P) has coordinated with OUSD(I) on a DoD-wide foreign disclosure baseline fundamentals training course and DoD FDO certification program will provide OUSD(P) an opportunity to conduct oversight of DoD the DoD FDO workforce in accordance with DoD 5230.11. OUSD(P) addressed the specifics of our recommendation and no further comments are required.

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(U) The Senior Intelligence Officer, DA&PE, responding for OUSD(I), partially concurred with the recommendation. OUSD(I) agreed that a personnel management system to track qualified DoD FDO's is needed. The Global Skills Exchange study concluded that due to the variation of FD functions, a DoD FDO special skill identifier would be more appropriate than a separate DoD FDO career field or job series. OUSD(I) added that they are responsible for overseeing only DoD FDOs with the intelligence specialization.

(U) Our Response

(U) OUSD(I) addressed the specifics of our recommendation and no further comments are required.

(U) Redirected Recommendation

(U) As a result of the comments from the Director, International Security Programs, DTSA responding for OUSD(P), we redirected Recommendation B.2 from the Office of the Under Secretary of Defense for Intelligence to the Office of the Under Secretary of Defense for Policy.

(U) Recommendation B.2

(U) We recommend that the Office of the Under Secretary of Defense for Policy complete evaluations of the DoD Foreign Disclosure Officer Training Program and develop standardized procedures for Foreign Disclosure Officer training and certification competencies and skills. Additionally, we recommend they codify the training program within DoDD 5230.11"Disclosure of Classified Military Information to Foreign Governments and International Organizations," June 16, 1992 and any other DoD foreign disclosure policy being developed to address foreign disclosure training.

(U) The Office of the Under Secretary of Defense for Policy Comments

(U) The Director, International Security Programs, DTSA, responding for OUSD(P), did not agree that the OUSD(I) was the appropriate agency to implement the recommendation. OUSD(P) recommended we redirect the recommendation from OUSD(I) to OUSD(P). OUSD(P) commented that, in accordance with DoDD 5230.11 and DoDD 5111.1, OUSD(P) has the authority to determine and implement foreign disclosure requirements. OUSD(P) stated that the draft DoDD 5230.11 and the current DoDD 5230.20 include the requirement for foreign disclosure training. OUSD(P) commented that the DoD-wide foreign disclosure baseline fundamentals course, developed by the OUSD(P) and OUSD(I), is now available at the Center for Development of Security Excellence Website.

(U) Our Response

(U) As a result of our review of DoDD 5230.11 and DoDD 5111.11, we agree with OUSD(P)'s comments. Specifically, our review of the draft DoDD 5230.11 concluded that OUSD(P) PER OSD/JS (b)(5) ███████████████████ ███████████████████████████ ███████████████████████ ███████████████████████ ███████████████████ ███████████████ Therefore, we redirected Recommendation B.2 from OUSD(I)

(U) to OUSD(P). We acknowledge that OUSD(P) and OUSD(I) FD leadership coordinated to develop an introductory-level foreign disclosure course. We also reviewed Center for Development of Security Excellence Website which is available for DoD-wide foreign disclosure baseline fundamentals training. OUSD(P) addressed the specifics of our recommendation and no further comments are required.

(U) The Office of the Under Secretary of Defense for Intelligence Comments

(FOUO) The Senior Intelligence Officer, DA&PE, responding for OUSD(I), partially concurred with the recommendation. OUSD(I) stated that they are responsible for overseeing only DoD FDOs with the intelligence specialization and the training and certification programs for operations and acquisition specialties of foreign disclosure are the responsibility of other DoD staff elements. OUSD(I) commented that they collaborated with OUSD(P) and Defense Security Service to launch a standardized, DoD-wide, computer-based FD fundamentals course that will be the required prerequisite for DoD personnel seeking FDO certification. OUSD(I) stated that this requirement will be established in the revised DoDD 5230.11. OUSD(I) added that they are working with DIA to develop intermediate and advanced training requirements, courseware, and competencies in order to establish a standardized, DoD-wide training and certification program for the intelligence specialty of foreign disclosure. OUSD(I) commented that, once the certification program is fully developed, the program will be codified in a separate DoD Directive or DoD Instruction.

(U) Our Response

(U) OUSD(I) addressed our recommendation and no further comments are required.

(U) Appendix A

(U) Scope and Methodology

(U) This evaluation was conducted from March 3, 2015, through August 21, 2015, in accordance with Quality Standards for Inspection and Evaluation issued by the Council of the Inspectors General on Integrity and Efficiency. Those standards require that we plan and perform the evaluation to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our evaluation objectives.

(U) To accomplish our objective, we:

- (U) Reviewed applicable National and DoD policies regarding sharing classified military intelligence and terrorism information with foreign partners;

- (U) Reviewed applicable CJCS, CENTCOM, and Combined Joint Task Force – OIR (CJIATF-OIR) plans, operational directives, guidance and policies;

- (U) Reviewed applicable DoD information sharing with foreign partners reporting to include lessons learned, after action, and assessment reporting;

- (U) Interviewed FD leadership, policymakers, senior officials, and staff members from the following offices:

    o (U) Office of the Secretary of Defense:

        - (U) Office of Under Secretary of Defense for Policy: International Security Programs, Defense Technology Security Administration;

        - (U) Office of the Under Secretary of Defense for Intelligence: Deputy Under Secretary of Defense Warfighter Support, Deputy Under Secretary of Defense for Intelligence and Security, U.S. Battlefield, Information Collection and Exploitation System (BICES), Program Office;

o   (U) Defense Intelligence Agency: Office for Partner Engagement;

o   (U) Combatant Commands:

- (U) Headquarters, U.S. Central Command: Foreign Disclosure Office, Judge Advocate Office, Intelligence Directorate (CCJ2), Operations Directorate (CCJ3), Strategy, Plans, and Policy Directorate (CCJ5), Command and Control, Communications and Computers Directorate (CCJ6), and Combined Joint Interagency Task Force OIR supporting staff in the National Capital region and other CONUS locations;

- (U) Headquarters, U.S. Special Operations Command: Foreign Disclosure Office, Public Affairs Office, Joint Intelligence Center, Intelligence Directorate (J2), International Operations Office, Operations Directorate (J3), Plans, Policy, Operations Office, Strategic Plans Directorate (J5), Communications Systems Directorate (J6).

(U) Prior Coverage

(U) During the last five years, the DoD intelligence community has issued the following reports discussing intelligence information sharing with coalition partners in support of contingency operations:

(U) U.S. Special Operations Command

(U) "Multinational SOF Planning Insights Operation Inherent Resolve," April 23, 2015

(U) DoD IG

(U) Report No. 11-INTEL-13, "Improvements Needed in Sharing Tactical Intelligence With the International Security Assistance Force-Afghanistan," July 18, 2011

(U) U.S. Central Command

(U) Joint USCENTCOM/ISR Task Force Foreign Disclosure Assessment Team, "Information Sharing Between U.S. and Coalition Forces in Afghanistan," March 2010

(U) Appendix B

(U) OIR Lessons Learned and Best Practices

(U) Information Sharing Process

(S//NF) **Best Practice:** FD leadership at CENTCOM commended the National Geospatial-Intelligence Agency's (NGA's) role in OIR. NGA used ▉▉▉▉▉▉▉▉▉▉▉

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▉▉▉▉▉▉▉▉▉▉▉▉▉▉▉▉▉ For example, early on during OIR, NGA ▉▉▉▉▉
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CENTCOM FD representatives view these actions as forward-leaning. Also, NGA
PER OSD/JS: (b) (1), 1.4(c)

▉▉▉

(U) OIR Command and Control Structure

(U) **Lessons Learned:** The SOCOM report, "Multinational SOF Planning Insights OIR, SOF Lessons Learned Network," April 23, 2015, explained that the OIR command and control structure is confusing. SOCOM stated the organization of the Combined Joint Interagency Task Force – Syria, and the Combined Forces Special Operations Component Commander are not governed by doctrine, and is confusing to PN's leadership. SOCOM recommended ensuring that the OIR command and control structure is clearly articulated throughout the organization at all levels.

(U) Additionally, SOCOM reported that PN billets are not being filled through any particular international authority. Because no international authority exists, such as North Atlantic Treaty Organization (NATO), to govern the operations in Iraq and Syria, there is no structure to align PN contributions. While Special Operations Command - Central (SOCCENT) is coordinating the fill of PN billets at task force HQs, they are staffed by a government-to-government agreement without an existing framework. SOCOM recommends identifying a procedure to facilitate Memoranda of Agreement to institute PN staffing of task force billets.

(U) The DoD Foreign Disclosure Officer

(U) **Lessons Learned:** FD representatives from the CCMDs stressed the importance of FDO support when working with foreign partners. USAFCENT instituted the Coalition Intelligence Fusion Cell. PER DoD OIG (b) (1), 1.7(e) ▉▉▉▉▉▉▉▉▉▉▉▉▉

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(U) ▓PER DoD OIG (b)(1) 1.7(e)▓ . USAFCENT, "Coalition Information Sharing Interim
Lessons Learned Report for Aug 2014 - Jan 2015 Reporting," June 9, 2015, determined
that ▓PER DoD OIG (b)(1) 1.7(e)▓

▓▓▓▓▓▓▓▓▓▓▓ . According to AFCENT lessons learned reporting, the
following actions help the information sharing process and make quicker FD decisions:
▓PER DoD OIG (b)(1) 1.7(e)▓

▓▓▓▓▓▓▓▓▓▓▓▓▓ . Because
of OIR lessons learned, USAFCENT made changes to their FDO processes in order to
▓PER DoD OIG (b)(1) 1.7(e)▓

▓▓▓▓▓▓▓▓▓▓▓ . If successfully implemented, the FDOs potential
outcome of lessons learned is improvement in FD capability across the OIR area
of operations.

(U) OIR Intelligence Sharing Systems and Capabilities

~~(S//NF)~~ **Best Practice:** The SOCOM report, "Multinational SOF Planning Insights OIR,
SOF Lessons Learned Network," April 23, 2015, ▓PER USSOCOM (b)(1) 1.4(d); PER OSD/JS (b)(1) 1.4(b), 1.4(c) 1.4(d)▓

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▓▓▓▓▓▓ During past contingency operations, CENTCOM stated they would
first build a coalition, and then build a network. According to FD leadership at
CENTCOM, this is not very efficient and makes a lot of requests for information.
For example, building the OEF IT architecture took more than three years and was
expensive. CENTCOM representatives mentioned one of the primary information
sharing networks used during OEF and OIF, the Afghan Mission Network. They said the
Afghan Mission Network took many years to develop and ▓PER OSD/JS (b)(5)▓ .

~~(FOUO)~~ A best practice learned from OEF and OIF that was implemented during OIR
was the ability to equip forces with communication tools early in the contingency. The
CCMDs reported that soon after the commencement of OIR, they established training for
the BICES network capabilities, built BICES systems in the forward operating bases, and
deployed BICES subject matter experts to assist with connectivity. According to DoD
leadership, this connectivity and access gave the coalition the ability to communicate
and share OIR information much quicker than during previous contingencies.

(U) Importance of Collaborative Partner Nation Workspace

(S//NF) **Lessons Learned:** Before the establishment of J3-I, SOCOM had challenges with information sharing among PN. Even though they were working at the same command, U.S. and PN representatives were physically separated from each other.

PN representatives had restricted access to common work spaces. Therefore, working and meeting together was cumbersome and difficult. Furthermore, Australia, Canada, Great Britain, New Zealand, and the U.S. (commonly referred to as "FIVE EYES"), used

PER USSOCOM, AND OSD/JS: (b) (1). 1.4(d)

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▬▬▬▬▬▬▬▬▬▬ SOCOM's report reiterated this point, noting that operational collaboration was hindered by the separation of U.S. and PN representatives. Furthermore, PER USSOCOM: (b) (1). 1.4(d)

▬▬▬▬▬▬

(S//NF) USAFCENT "Coalition Information Sharing Interim Lessons Learned Report for Aug 2014 - Jan 2015 Reporting," June 9, 2015, PER USSOCOM: (b) (1). 1.4(a); PER OSD/JS: (b) (1). 1.4(b). 1.4(c). 1.4(d)

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▬▬▬▬▬▬▬▬▬▬▬ Therefore, USAFCENT cites PER OSD/JS: (b) (1). 1.4(b). 1.4(c). 1.4(d)

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(S//NF) **Best Practice:** PER OSD/JS: (b) (1). 1.4(b). 1.4(c). 1.4(d); PER USSOCOM: (b) (1). 1.4(d)

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(U) Benefit of Information Sharing Working Groups, Collaborative Meetings, and Assisted Visits

(U) *Best Practices:* Before OIR, SOCOM identified several key problems in information sharing with coalition partners that hindered operational collaboration. For example, SOCOM's issues included lack of Memoranda of Agreement with foreign partners. Therefore, SOCOM created a security mitigation working group that resulted in a standard operating procedure to capture the mitigation issues. SOCOM also initiated a Coalition Joint Planning Group (JPG), citing it as beneficial to the SOCCENT planning process. SOCOM frequently used the group for communications, relationship-building, and points of contact. This way, SOCOM could use existing relationships when the battle rhythm increases. SOCOM remarked that it is worth the investment to keep the network alive.

(U) Additionally, during OIR, USAFCENT noted that establishing a coalition Operations Planning Group ███████████████████████ PER DoD OIG (b)(1) 1.7(e) ████

████████████████ . The group hosted a forum to address common issues. USAFCENT also observed the value of regular meetings among coalition members, especially early on in the coalition integration process. Clear direction, rapid coalition integration into the planning and execution processes, the ability to raise integration issues early, and the ability to rapidly explore and implement courses of action to mitigate problems were cited as some of the benefits. ██ PER DoD OIG (b)(1) 1.7(e) ████

████████████████████████████

███████████ .

(U) Leadership from Deputy Under Secretary of Defense Warfighter Support (Plans and Combatant Command Intelligence Support Directorate), Deputy Under Secretary of Defense for Intelligence and Security (Defense Analysis and Partnership Engagement Directorate, and Intelligence Sharing and Partner Engagement) OUSD(I) stated that

PER OSD JS (b)(5)
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(U) PER OSD/JS: (b) (5)

(U) Role of Public Affairs in Information Sharing

(U) *Lessons Learned:* USAFCENT, "Coalition Information Sharing Interim Lessons Learned Report for Aug 2014 - Jan 2015 Reporting," June 9, 2015, identified the importance of using Public Affairs (PA) for coalition coordination efforts. In the beginning of OIR, PA professionals often needed to coordinate at the last minute to determine how to describe that country's air operations and updates in routine public releases or replies to questions. Acknowledging some partners by name early in the contingency meant that PA staff later had to use generic descriptions of partner sorties or delay acknowledging partner participation. This was caused by discrepancies among coalition communication preferences. As a result, news media staff complained about operations being less transparent. In addition, coalition partners often were unaware of coalition requirements for either: (1) the review and release of information products; or (2) the availability of support from PA staff.

(U) *Best Practice:* Most PN's senior leaders did not know how their governments intended to release information about operations. In response to this issue, AFCENT noted that coordinated and consistent communication among coalition members is the best way to preserve perceptions of unity. PA staff should determine what their postures for each nation's contributions will be before military operations begin. These decisions should be coordinated at the CCMD and national level. In the early stages of a multinational operation, PA staff should share information about contributions from coalition members with as few people as possible until agreements are in place. Furthermore, senior leaders could benefit from PA training. Not only could this training describe PA support and products, it could also familiarize senior leaders with typically released information about PN operations.

(U) Appendix C

(U) Authorities, Policies, and Guidance related to Intelligence Sharing

(a) (U) National Security Decision Memorandum 119, "Disclosure of Classified United States Military Information to Foreign Governments and International Organizations," July 20, 1971

(b) (U) Executive order 12333, "United Stated Intelligence Activities," December 4, 1981, as amended

(c) (U) DoD Directive C-5230.23, "Intelligence Disclosure Policy", November 18, 1983

(d) (U) DoD Directive 5530.3, "International Agreements," June 11, 1987, as amended

(e) (U) DoD Directive 5230. 11 , "Disclosure of Classified Military Information to Foreign Governments and International Organizations," June 16, 1992

(f) (U) Director of Central Intelligence Directive 6/7, "Intelligence Disclosure Policy," June 30, 1998

(g) (U) Director of Central Intelligence Directive 6/6, "Security Controls on the Dissemination of Intelligence Information," July 11, 2001 (Administratively Updated June 6, 2003)

(h) (U) National Military Information Disclosure Policy Committee, "National Disclosure Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations," (Short Title: National Disclosure Policy (NDP-1)) October 2, 2000, as amended

(i) (U) DoD Directive 5230.20, "Visits, Assignments and Exchanges of Foreign Nationals," June 22, 2005

(j) (U) DoD Directive 5132.03 "DoD Policy and Responsibilities Relating to Security Cooperation," October 24, 2008

(k) ~~(FOUO)~~ "Foreign Intelligence Relationships: Guidance on Intelligence Sharing Guidance on Intelligence Sharing 'Friends on Friends,'" November 18, 2008

(l) (U) Intelligence Community Directive (ICD) 710, "Classification and Control Markings System," September 11, 2009

(m) (U) Executive Order 13526, "Classified National Security Information," January 5, 2010

(n)   ~~(FOUO)~~ DoD Manual 5200.01 , Volume 3, "DoD Information Security Program: Protection of Classified Information," February 24, 2012, as amended

(o)   (U) USCENTCOM Regulation 380-5, "Disclosure of U.S. Classified Military Information to Foreign Governments and International Organizations," August 15, 2012

(p)   (U) DoD Manual 5200.01, Volume 2, "DoD Information Security Program: Marking of Classified Information," February 24, 2012 (Incorporating Change 2, March 19, 2013)

(q)   (U) ICD 403.1, "Criteria for Foreign Disclosure Guidance and Release of Classified National Intelligence," March 13, 2013

(r)   ~~(S)~~ CJCS EXORD, PER OSD/JS: (b) (1), 1.4(c), 1.4(d) ███████████████████████

(s)   ~~(S)~~ CJCS EXORD, PER OSD/JS: (b) (1), 1.4(c), 1.4(d) ████████

(t)   ~~(S//RELIDO)~~ CJCS EXORD, PER OSD/JS: (b) (1), 1.4(c), 1.4(d) ████████████

(u)   ~~(S)~~ ODNI "Guidance for Sharing National Intelligence in Support of Comprehensive U.S. Government C-ISIL Strategy and Related U.S.- led Military Coalition Operations (PE14-0049)," October 2, 2014

(v)   (U) CENTCOM Memorandum, "CENTCOM List of Military Coalition Countries, " October, 9, 2014

(w)   ~~(S)~~ CENTCOM, PER USCENTCOM: (b) (1), 1.4(c), 1.4(d), PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d) ███████████████████████

(x)   (U) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I))," October 24, 2014

(y)   (U) National Disclosure Policy Committee, Record of Action-058/14, "Request for an Exception to the National Disclosure Policy – Multiple (NDPC Case No. 6007- 14)," December 18, 2014

(z)   ~~(S)~~ CENTCOM, PER USCENTCOM, AND OSD/JS: (b) (1), 1.4(c), 1.4(d) ██████████████

(aa) (U) DoD Manual 3115.11, "DoD Intelligence and Security Training Standards," March 24, 2015

(U) Appendix D

(U) NDPC and MIDPC Membership

Organizations	NDPC	MIDPC
The Secretary of State	*X	X
The Secretary of Defense	*X	X
The Secretary of Energy	**X	
The Director of National Intelligence	**X	X
The Secretary of the Army	*X	X
The Secretary of the Navy	*X	X
The Secretary of the Air Force	*X	X
The Under Secretary of Defense for Policy	**X	X
The Chairman of the Joint Chiefs of Staff	*X	X
The Under Secretary of Defense for Acquisition, Technology and Logistics	**X	
The Under Secretary of Defense for Intelligence	**X	X
The Department of Defense Chief Information Officer	**X	
The Director, Missile Defense Agency	**X	
The Director, Central Intelligence Agency	**X	X
The Director, National Security Agency/Central Security Service	**X	X
The Director, Defense Intelligence Agency	**X	X
The Director, National Geospatial Intelligence Agency	**X	X

*General Members serve as representatives of these agencies

**Special Members serve as representatives of these agencies

(FOUO) NDPC General Members are those who have a broad interest in all aspects of Committee operations, while Special Members are those who have a significant interest in some, but not all, aspects of Committee operations.

Management Comments

Office of the Under Secretary of Defense for Policy

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DEFENSE TECHNOLOGY SECURITY ADMINISTRATION
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-1600

MAR 3 1 2016

MEMORANDUM FOR DEPUTY ASSISTANT INSPECTOR GENERAL FOR
INTELLIGENCE AND SPECIAL PROGRAM ASSESSMENTS –
EVALUATIONS

SUBJECT: (U) Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners
in Support of Operation Inherent Resolve (Project No. D2015-DISPA2-0139.000)

Reference: My memorandum of 16 March 2016, same subject (U)

(U) Thank you for taking time to meet with me and my team on March 22, 2016 in
response to my original memorandum referenced above. As we discussed, the original data call
for this effort was intentionally narrow in scope, and as a result, the information my office
provided last year was solely focused on Operation Inherent Resolve. I believe additional
documents are also relevant to this evaluation and am providing them for your review at this
time. I would also like to provide some additional information on my previous comments in
light of the draft responses **(TAB A)** your office provided during our meeting.

(U) As we discussed, the NDPC Policy Statement on Transnational Issues **(TAB B)** and
the Record of Action **(TAB C)** instituted at the conclusion of Operation Enduring Freedom in
December, 2014 to address continued sharing of information related to combating terrorism
worldwide are critical policy documents that address sharing with partner nations. The following
information is intended to supplement my original response to your draft report in the following
areas:

(U) **Recommendation A.1** – Based on your draft response, I understand the updates to
DoDD 5230.11 that are currently undergoing formal coordination, will satisfy this requirement
and no other policies require updates as originally stated in your draft report.

(U) **Recommendation A.3** – My original response non-concurred with this
recommendation as written and requested additional details as to the specific DoD Foreign
Disclosure policies requiring updates. I stand by my original response on this recommendation.
The draft update for DoDD 5230.11 **(TAB D)** includes the following language concerning the
requirement for foreign disclosure training: PER OSD/JS (b) (5)

I maintain my original position that annual training on the application of NOFORN and write-

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Office of the Under Secretary of Defense for Policy (cont'd)

for-release should be addressed by the Office of the Under Secretary of Defense for Intelligence (USD(I)) since these are not foreign disclosure policy functions.

(U) **Recommendation B.1** – As you note in your draft response, the GSX study concluded that "due to variation of FD functions, a DoD FDO special skill identifier would be more appropriate than a separate DoD FDO career field or job series." We concurred with that assessment and did not take any additional action to pursue to creation of a separate career field for FDO. No actions are currently being undertaken to create a management system to track and conduct oversight of the DoD Foreign Disclosure workforce due to ▮PER OSD/JS: (b) (5)▮ ▮PER OSD/JS: (b) (5)▮

(U) **Recommendation B.2** – As I stated previously, the Draft DoDD 5230.11 includes language requiring foreign disclosure training for personnel involved in international programs. The DoD-wide foreign disclosure baseline fundamentals course was created with this requirement in mind; however, it may not be the only course that satisfies this requirement.

(U) Additional comments on other portions of your draft response are as follows:

- (FOUO) **Page 9 - The characterization of the creation of the MIDPC is not accurate.** A copy of the letter from the Director of National Intelligence to the Secretary of Defense in April 2012 is attached as requested. **(TAB E)**

- (U) **Page 9 - The numbers provided by USD(I) concerning the number of NDPC actions is not accurate.** A spreadsheet with the breakout of NDPC cases is provided. **(TAB F)**

- (S//NF) Page 9 - ▮PER OSD/JS: (b) (1), 1.4(b), 1.4(c), 1.4(d), (b) (5)▮

- (S//NF) Page 9 - ▮PER OSD/JS: (b) (1), 1.4(c), (b) (5)▮
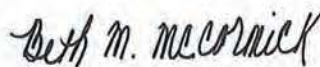
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Office of the Under Secretary of Defense for Policy (cont'd)

- (FOUO) **Page 16** - Characterizations that foreign disclosure is "often" assigned as an additional duty and that "most civilian FDO's" are security officers and "most military FDOs" are intelligence professionals are not accurate. I appreciate your willingness to accurately reflect the language included in the GSX report. It is also important to note that surveys and interviews of a small sample of foreign disclosure subject matter experts were used to generate this data and that it may or may not be representative of the entire DoD foreign disclosure workforce.

- (U) **Page 29** - The NDPC and MIDPC Membership Chart in Appendix D is **not accurate.** A document outlining the current NDPC Membership and proposed MIDPC Membership is attached. **(TAB G)**

(U) My point of contact on this matter is ▓PER DoD OIG (b) (6)▓ If you have any questions, she may be reached at ▓PER DoD OIG (b)(6)▓ or email at: ▓PER DoD OIG (b) (6)▓ ▓PER DoD OIG (b) (6)▓

Beth M. McCormick

Beth M. McCormick
Director and Chair
National Disclosure Policy Committee

Attachments:
TAB A - DODIG Draft Response to DTSA Response dated March 16, 2016
   TAB 1 -DTSA Response dated 12 March 16, 2016 to DODIG Draft Report
TAB B - NDPC Policy Statement 01-15, Foreign Disclosure Policy for Transnational Issues, dated September 3, 2015
TAB C - NDPC RA-058/14 and Amendment 1
TAB D - Draft DoDD 5230.11, currently in formal coordination
TAB E - DNI Letter, dated April 7, 2012
TAB F - NDPC Case Spreadsheet 2007 – 2012
TAB G - Committee Membership List

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Office of the Under Secretary of Defense for Policy (cont'd)

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DEFENSE TECHNOLOGY SECURITY ADMINISTRATION
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-1600

MAR 16 2016

MEMORANDUM FOR DEPUTY ASSISTANT INSPECTOR GENERAL FOR
INTELLIGENCE AND SPECIAL PROGRAM ASSESSMENTS –
EVALUATIONS

SUBJECT: (U) Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners
in Support of Operation Inherent Resolve (Project No. D2015-DISPA2-0139.000)

Reference: Your memorandum of 17 February 2016, same subject (U)

(U) As requested in your memorandum, I am providing the following comments on the
draft report. I am disappointed that as Chair of the interagency National Disclosure Policy
Committee (NDPC) and Principal Disclosure Authority for the Office of the Secretary of
Defense, I wasn't interviewed for this effort or asked to validate any of the information
concerning disclosure policies or procedures provided by other organizations. I understand two
members of my staff were contacted briefly and that documentation concerning foreign
disclosure governance/policy, implementation process and foreign disclosure personnel and
training were provided during the original data call. In addition to my below comments on the
recommendations, there are a number of errors related to the interpretation or application of
current policy documents. Additionally, there are multiple instances where incorrect references
are used. I have highlighted some of those errors below and would like to discuss the report in
greater detail with you or your staff.

(U) As a general comment, I am interested in receiving additional information on the
basis for your overall findings. The draft report fails to identify the specific facts that
contributed to both findings. Specifically, what policies are considered outdated; which specific
aspects of the NDPC's governance structure are complex; what specific foreign disclosure
procedures inhibited information sharing; and what specific information sharing initiatives were
delayed or inhibited. I welcome the opportunity to make process and policy improvements, but I
am unable to so without the specific information that was used to justify these findings.

(U) Recommendation A.1 – I concur with this recommendation and have taken the
necessary steps to update DoDD 5230.11. ▇▇▇ PER OSD/JS (b) (5) ▇▇▇▇▇▇▇▇▇▇▇▇
▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇▇ The report makes several references to outdated policies and antiquated
procedures as causes for delays in information sharing. However, it is surprising that no other
recommendations for necessary policy updates other than documentation of the establishment of
the MIDPC are provided in this report.

(U) Recommendation A.2 – I concur with this recommendation.

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Office of the Under Secretary of Defense for Policy (cont'd)

(U) **Recommendation A.3** – I non-concur with this recommendation as written. I need additional details as to the specific DoD Foreign Disclosure policies requiring updates. The draft update for DoDD 5230.11 includes the requirement for all personnel involved in international programs to complete training on foreign disclosure. This requirement is included in the current DoD Directive 5230.20. The recommendation for annual training on the application of NOFORN and write-for-release should be addressed by the Office of the Under Secretary of Defense for Intelligence (USD(I)) since these are not foreign disclosure policy functions.

(U) **Recommendation B.1** – I non-concur with this recommendation as written. USD(I) is not the appropriate official to determine DoD-wide foreign disclosure requirements. The responsibility for implementation of DoD disclosure policy is assigned to the Under Secretary of Defense for Policy in accordance with DoDD 5230.11 and DoDD 5111.1. The independent assessment conducted in 2012 by Global Skills X-change also addressed the potential for an Foreign Disclosure Officer (FDO) specific career series and concluded that it was not a viable option. No additional efforts to move forward with that recommendation are planned. USD(I) is welcome to investigate the potential for intelligence specific career series if so desired.

(U) **Recommendation B.2** – I non-concur with this recommendation as written. As previously stated, USD(I) is not the appropriate official to determine DoD-wide foreign disclosure requirements. The responsibility for implementation of DoD disclosure policy is assigned to the Under Secretary of Defense for Policy (USD(P)) in accordance with DoDD 5230.11 and DoDD 5111.1. The current draft update for DoDD 5230.11 includes the requirement for all personnel involved in international programs to complete training on foreign disclosure. The DoD-wide foreign disclosure baseline fundamentals course developed by the OUSD(P) and OUSD(I) was launched earlier this month and is available to all government personnel on the Center for Development of Security Excellence (CDSE) website.

(U) Additional comments on other portions of the draft report are as follows:

- (FOUO) Page 9 - The characterization of the creation of the MIDPC is not accurate. The decision of the Secretary of Defense was predicated by a letter from the Director of National Intelligence to the Secretary of Defense in April 2012. The Secretary of Defense memorandum which authorized the realignment of intelligence disclosure policy and the establishment of a separate Committee was issued in January 2013. The report incorrectly indicates that the Secretary of Defense memorandum from January 2015 was the initial authorization.

- (S//NF) Page 9 - The numbers provided by USD(I) concerning the number of NDPC actions is not accurate. PER OSD/JS: (b)(1) 1.4(b), 1.4(c), 1.4(d)

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Office of the Under Secretary of Defense for Policy (cont'd)

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- (S//NF) Page 9 - PER OSD/JS: (b) (1), 1.4(c), (b) (5) ▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮ Please

provide specific examples to justify this statement.

- (S//NF) Page 9 - PER OSD/JS: (b) (1), 1.4(c), (b) (5) ▮▮

- (U) Actions and responsibilities assigned to your recommendations are inconsistent with DoD Directives. USD(P), not USD(I), is responsible for Department-wide implementation of foreign disclosure policy, to include training and competency development. The USD(P) charter directive wasn't even consulted during the course of this evaluation.

- (FOUO) Page 16 - Characterizations that foreign disclosure is "often" assigned as an additional duty and that "most civilian FDO's" are security officers and "most military FDOs" are intelligence professionals are not accurate. Please provide the data used to justify these quantitative statements.

- (U) Page 22 - The identification of the NGA best practice is PER OSD/JS: (b) (5) ▮▮

- (U) Page 27 - Many of the documents listed in Appendix C and identified as Foreign Disclosure and Intelligence Sharing Authorities do not authorize information sharing. It would be more accurate to label this section Authorities, Policies, and Guidance related to Foreign Disclosure and Intelligence Sharing.

- (U) Page 29 - PER OSD/JS: (b) (5) ▮▮

- (U) Page 30 - The acronym for ENDP is inaccurately defined in the acronyms and abbreviations table. ENDP stands for Exception to National Disclosure Policy.

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Office of the Under Secretary of Defense for Policy (cont'd)

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(U) My point of contact on this matter is [PER DoD OIG (b) (6)] If you have any questions, she may be reached at [PER DoD OIG (b) (6)] or email at: [PER DoD OIG (b) (6)] [PER DoD OIG (b) (6)]

Beth M. McCormick
Director and Chair
National Disclosure Policy Committee

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Office of the Under Secretary of Defense for Intelligence

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

INTELLIGENCE

MEMORANDUM FOR DoD IG

7 March 2016

SUBJECT: Response to Evaluation of U.S. Intelligence and Information Sharing With Coalition Partners in Support of Operation Inherent Resolve

1. Please see attached 3 Mar 16 DA&PE comments

2. For any additional information you can contact me directly at [PER DoD OIG: (b) (6)]
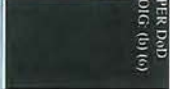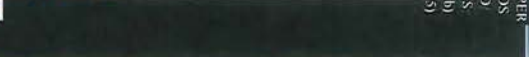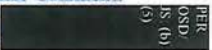
[PER DoD OIG: (b) (6)]

OUSD(I) DA&PE

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					(U) COMMENT MATRIX FOR: Draft DoD/IG Report on Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners in Support of Operation INHERENT RESOLVE		
#	CLASS	COMPONENT AND POC NAME, PHONE, AND E-MAIL	PAGE #	PARA #	COMMENT TYPE	COMMENTS, JUSTIFICATION, AND ORIGINATOR JUSTIFICATION FOR RESOLUTION	A/ R/ P
1	U// FOUO	OUSD(I)/DA&PE, PER DoD OIG (b)(6)	10	1 Lines 6-7	Substantive	**Coordinator Comment:** PER OSD JS (b) (5) **Change:** **To read:** "The objective of the creation of the MIDPC was to ensure the proper alignment and synchronization of military intelligence with national intelligence disclosure policy, within the policy framework of NDP-1; and to ensure that military intelligence disclosure policy would be developed and implemented by intelligence professionals." **Coordinator Justification:** Accuracy. The revised text above is the stated mission of the MIDPC. The requirement for the MIDPC to operate within the policy framework of NDP-1 was a condition mandated by the Department of State **Originator Justification for Resolution:**	
2	U// FOUO	OUSD(I)/DA&PE, PER DoD OIG (b)(6)	11-12	4,5,6	Admin	**Coordinator Comment:** **Change:** PER OSD JS (b) (5) **To read:** **Coordinator Justification:** Accuracy. PER OSD JS (b) (5) **Originator Justification for Resolution:**	

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Office of the Under Secretary of Defense for Intelligence (cont'd)

Management Comments

#	CLASS	COMPONENT AND POC NAME, PHONE, AND E-MAIL	PAGE #	PARA #	COMMENT TYPE	COMMENTS, JUSTIFICATION, AND ORIGINATOR JUSTIFICATION FOR RESOLUTION	A/R/P
						(U) COMMENT MATRIX FOR: Draft DoD/IG Report on Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners in Support of Operation INHERENT RESOLVE	
3	U	OUSD(I)/DA&PE, (b)(6) PER DoD OIG	13	A.1	Substantive	**Coordinator Comment:** **Add:** "The updated DoDD 5230.1, which addresses the establishment of the MIDPC, is currently in formal, DoD-wide coordination, prior to publication." **Coordinator Justification:** OUSD(I)/DA&PE concurs with this recommendation and is reviewing the draft DoDD 5230.11 as part of the formal coordination process. **Originator Justification for Resolution:**	
4	U	OUSD(I)/DA&PE, (b)(6) PER DoD OIG	13	A.2a)	Substantive	**Coordinator Comment:** **Add:** [redacted] **Coordinator Justification:** OUSD(I)/DA&PE concurs with this recommendation and the recommended actions, listed above, are nearly completed. **Originator Justification for Resolution:**	

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(U) COMMENT MATRIX FOR: Draft DoD/IG Report on Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners in Support of Operation INHERENT RESOLVE

#	CLASS	COMPONENT AND POC NAME, PHONE, AND E-MAIL	PAGE #	PARA #	COMMENT TYPE	COMMENTS, JUSTIFICATION, AND ORIGINATOR JUSTIFICATION FOR RESOLUTION	A/R/P
5	U	OUSD(I)/DA&PE, (b)(6) PER DoD OIG	13	A.2b)	Substantive	**Coordinator Comment:** **Add:** "OUSD(I) concurs with this recommendation and will provide the DoD IG updated POA&M charts upon request, until the MIDPC is fully operational." **Coordinator Justification:** **Originator Justification for Resolution:**	
6	U	OUSD(I)/DA&PE, (b)(6) PER DoD OIG	13	A.3	Substantive	**Coordinator Comment:** **Add:** "OUSD(I) concurs with this recommendation. In collaboration with OUSD(I) and OUSD(P), DSS/CDSE has recently rolled out an on-line introductory-level foreign disclosure course. This course is available to all DoD personnel for familiarization with the foreign disclosure function, and is the first required training block for personnel seeking to be certified as DoD foreign disclosure officials (FDOs). The updated DoDD 5230.11. and its companion OUSD(I) directive, will address training and certification requirements for DoD FDOs. Additionally, OUSD(I) is has begun working with DIA to establish intermediate and advanced training and certification requirements and courseware for DoD FDOs whose responsibilities include disclosure of intelligence information." **Coordinator Justification:** **Originator Justification for Resolution:**	

Management Comments

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(U) COMMENT MATRIX FOR: Draft DoD/IG Report on Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners in Support of Operation INHERENT RESOLVE

#	CLASS	COMPONENT AND POC NAME, PHONE, AND E-MAIL	PAGE #	PARA #	COMMENT TYPE	COMMENTS, JUSTIFICATION, AND ORIGINATOR JUSTIFICATION FOR RESOLUTION	A/R/P
7	U	OUSD(I)/DA&PE, PER DoD OIG (b) (6)	19	B.1	Substantive	**Coordinator Comment:** **Add:** "OUSD(I) partially concurs with this recommendation, and believes a personnel management system to track qualified DoD FDOs is needed. However, the multi-phased study of DoD FD knowledge, skills, and training done by Global Skills Exchange (GSX) [PER DoD OIG (b) (5)] Due to the variation in FD functions depending on where DoD FDOs are assigned, and the multiple jobs series (both civilian and military) that FDOs are drawn from, the GSX study concluded that a special skill identifier for FDOs would be more appropriate than a separate career field or job series. [PER DoD OIG (b) (5)] At best, OUSD(I) would responsible for overseeing only those FDOs working in the intelligence specialty." **Coordinator Justification:** **Originator Justification for Resolution:**	
8	U	OUSD(I)/DA&PE, PER DoD OIG (b) (6)	19	B.2	Substantive	**Coordinator Comment:** **Add:** "OUSD(I) partially concurs with this recommendation. OUSD(I) recently collaborated with OUSD(P) and DSS/CDSE to roll out a standardized, DoD-wide, computer-based FD fundamentals course that will be the required prerequisite for DoD personnel seeking certification as FDOs. This requirement will be captured in the revised DoDD 5230.11. Beyond that, OUSD(I) is working with DIA to develop intermediate and advanced training requirements, courseware, and competencies with the goal of establishing a standardized, DoD-wide training and certification	

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(U) COMMENT MATRIX FOR: Draft DoD/IG Report on Evaluation of U.S. Intelligence and Information Sharing with Coalition Partners in Support of Operation INHERENT RESOLVE							
#	CLASS	COMPONENT AND POC NAME, PHONE, AND E-MAIL	PAGE #	PARA #	COMMENT TYPE	COMMENTS, JUSTIFICATION, AND ORIGINATOR JUSTIFICATION FOR RESOLUTION	A/ R/ P
						program for DoD FDOs working in the intelligence specialty of foreign disclosure. Once fully developed, this program will be codified in a separate DoDD or DoDI, as appropriate, initiated by OUSD(I)." _(b)(6)_ PER DoD OIG	
						Coordinator Justification:	
						Originator Justification for Resolution:	
	PER DoD OIG (b)(6) 3 mar 16 PER DoD OIG (b)(6)						

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(U) Acronyms and Abbreviations

BICES	U.S. Battlefield Information, Collection, and Exploitation System
CENTCOM	U.S. Central Command
CCMD	Combatant Command
CJCS	Chairman of the Joint Chiefs of Staff
CJIATF-OIR	Combined Joint Interagency Task Force – OIR
CJIATF-S	Combined Joint Interagency Task Force – Syria
CMI	Classified Military Information
CT	Counter Terrorism
DIA	Defense Intelligence Agency
DoD IC	Department of Defense Intelligence Community
ENDP	Exception to National Disclosure Policy
EXORD	Execution Order
FD	Foreign Disclosure
FDO	Foreign Disclosure Officer
ISIL	Islamic State of Iraq and the Levant
MIDPC	Military Intelligence Disclosure Policy Committee
NATO	North Atlantic Treaty Organization
NDP-1	National Disclosure Policy
NDPC	National Disclosure Policy Committee
ODNI	Office of the Director of National Intelligence
OEF	Operation Enduring Freedom
OIF	Operation Iraqi Freedom
OIR	Operation Inherent Resolve
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
OUSD(P)	Office of the Under Secretary of Defense for Policy
PA	Public Affairs
PN	Partner Nation
RA	Record of Action
SOCCENT	U.S. Special Operations Command – Central
SOCOM	U.S. Special Operations Forces Command
USAFCENT	U.S. Air Force Central Command

PER USCENTCOM: (b) (3), 50 USC § 3024(i)

Whistleblower Protection
U.S. DEPARTMENT OF DEFENSE

The Whistleblower Protection Enhancement Act of 2012 requires the Inspector General to designate a Whistleblower Protection Ombudsman to educate agency employees about prohibitions on retaliation, and rights and remedies against retaliation for protected disclosures. The designated ombudsman is the DoD Hotline Director. For more information on your rights and remedies against retaliation, visit www.dodig.mil/programs/whistleblower.

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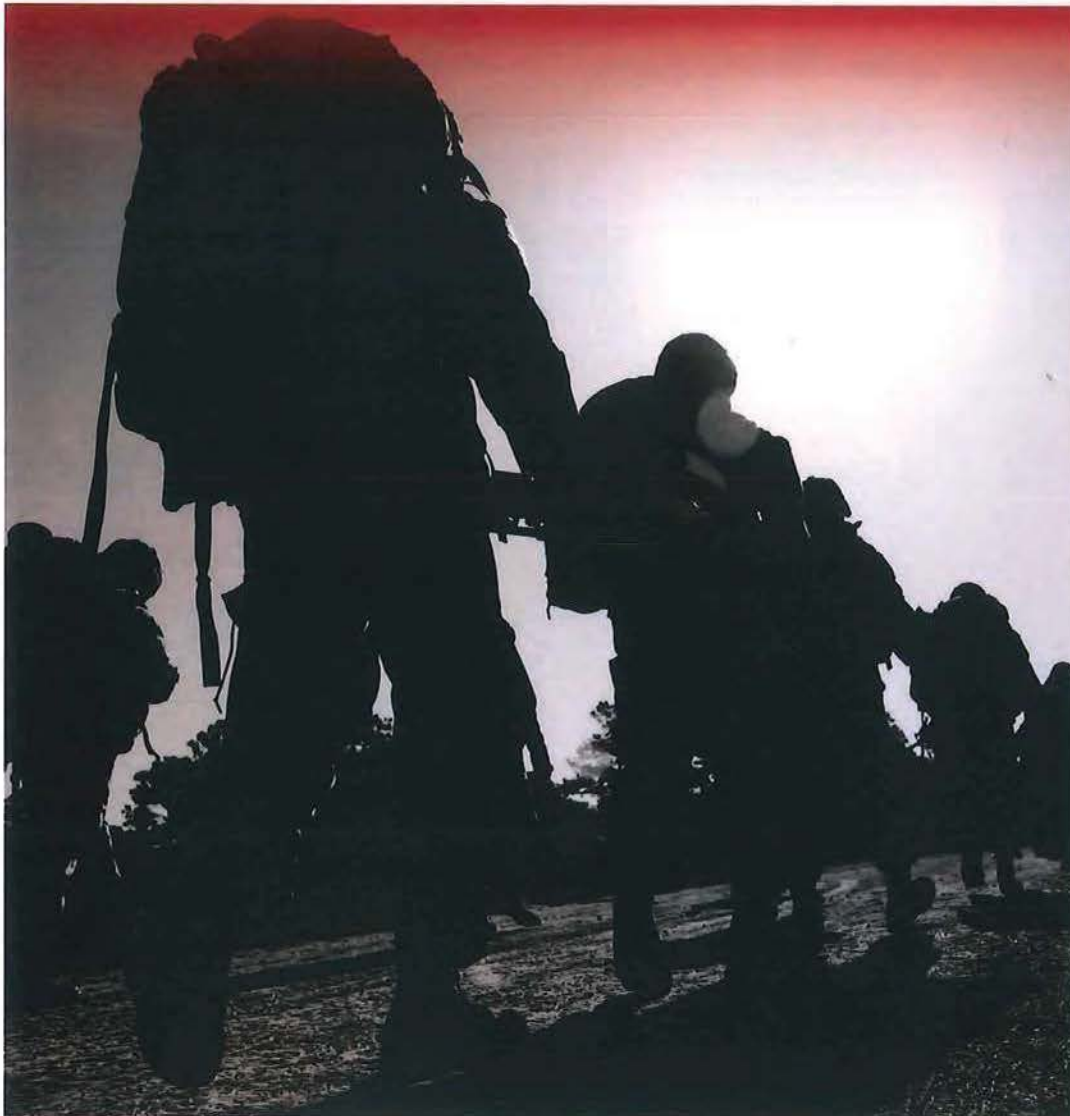
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