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INSPECTORS GENERAL

U.S. Department of Defense & National Security Agency



OCTOBER 17, 2022



(U) Joint Evaluation of the National Security Agency's Integration of Artificial Intelligence

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INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE

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(U) Results in Brief

(U) Joint Evaluation of the National Security Agency's Integration of Artificial Intelligence



October 17, 2022

(U) Objective

(U) The DoD Office of Inspector General and the National Security Agency (NSA) Office of the Inspector General jointly assessed the NSA's integration of artificial intelligence (AI) into signals intelligence (SIGINT) operations, in accordance with DoD and Intelligence Community (IC) guidance for AI.

(U) Background

(U) The NSA is the U.S. Government's lead for SIGINT and is responsible for providing foreign SIGINT to U.S. policymakers and military forces. SIGINT is intelligence derived from electronic signals and systems used by foreign targets. The NSA's workforce is skilled in developing and employing state-of-the-art tools, including AI tools, to increase their analytic efficiency and effectiveness. AI is the ability of machines to perform tasks that normally require human intelligence—for example, recognizing patterns, learning from experience, drawing conclusions, making predictions, or taking action, whether digitally or as the smart software behind autonomous physical systems.

(U) The DoD and the Director of National Intelligence (DNI) have issued AI strategies highlighting the investments our adversaries, notably China and Russia, are making into AI for military purposes. For example, the DNI's "Augmenting Intelligence Using Machines (AIM) Strategy," January 16, 2019, highlights that a strategic imperative exists because our adversaries recognize the potential for AI to transform military and intelligence operations and are investing aggressively to make that advantage a reality. These strategies also discuss the

(U) Background (cont'd)

(U)

Per OSD: (b)(5)

Per OSD: (b)(5)

(U) The Under Secretary of Defense for Intelligence and Security (USD[I&S]) and the Joint Artificial Intelligence Center (JAIC) have been assigned roles and responsibilities for the DoD IC and the DoD AI efforts, respectively. The USD(I&S) facilitates integration of Defense Intelligence and DoD support with IC activities. Specifically, the USD(I&S) develops and implements strategy, strategic plans, and other strategic guidance in consultation with the DoD Component heads and the Office of the DNI, as appropriate.

(U) The JAIC was the DoD's focal point for AI and had the overarching goal of accelerating the delivery of AI-enabled capabilities within the DoD. On June 1, 2022, the JAIC merged with the newly established Chief Digital and Artificial Intelligence Officer (CDAO). As a result, the JAIC component name is no longer recognized.²

(U) Findings

(S//REL TO USA, FVEY) The NSA has taken actions to integrate AI into SIGINT operations. Specifically, the NSA established the Data Science/Artificial Intelligence Governance Council and its subcommittee, the AI Review Committee (AIRC), to provide oversight of AI activities

¹ (U) "DoD Responsible Artificial Intelligence Strategy & Implementation Plan," August 24, 2021.

² (U) The JAIC component name is no longer recognized; however, for this report, we use the term "JAIC" because it was the organization in place during the fieldwork of this evaluation.



(U) Results in Brief

(U) Joint Evaluation of the National Security Agency's Integration of Artificial Intelligence



(U) Findings (cont'd)

(S//REL TO USA, FVEY) across the NSA enterprise, which aligns with DoD and IC guidance for AI to ensure a governance structure and processes. The AIRC is responsible for establishing, executing, and enforcing NSA AI governance processes. However, the AIRC did not

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(S//REL TO USA, FVEY) NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(TS//SI//REL TO USA, FVEY) NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(U) Findings (cont'd)

(S//REL TO USA, FVEY)

Per OSD: (b)(5)

Per OSD: (b)(5)

(S) This occurred because the OUSD(I&S) did not facilitate integration of DoD IC AI or coordinate with the Office of the DNI to identify a lead DoD IC entity to collaborate with the DoD and the IC on DoD IC AI activities. Specifically, the OUSD(I&S) did not initiate the facilitation or collaboration of DoD IC AI activities.

(S) As a result, the DoD and the IC lack coordination among the numerous DoD and IC AI activities. This lack of

³ (S//REL TO USA, FVEY) We obtained [redacted] items, which were presented as NSA enterprise-wide used AI tools tracked by the NSA AI Review Committee that incorporated AI into SIGINT operations NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36. We selected a nonstatistical sample of [redacted] AI tools from the population of [redacted] NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

⁴ (U) For the purposes of this report, NSA AI developers are NSA data scientists who create AI capabilities for mission use at the NSA.



(U) Results in Brief

(U) Joint Evaluation of the National Security Agency's Integration of Artificial Intelligence



(U) Findings (cont'd)

(S) coordination hinders the DoD IC's AI progression, including the DoD's ability to share AI advances and challenges and to develop recommendations. Until this coordination is established, the DoD IC's AI progression will be further delayed.

(U) Recommendations

(U) We recommend that the NSA Director of Operations:

- (S) NSA (b)(3) P.L. 86-36 [REDACTED]

- (S) NSA (b)(3) P.L. 86-36 [REDACTED]

(S) We also recommend that the Acting Director of the Technical Collection Directorate, OUSD(I&S), coordinate with the Director of Science and Technology, Office of the DNI, to designate an entity responsible for interagency coordination and collaboration on the DoD IC AI activities.

(U) Management Actions Taken

(U) During the evaluation, the NSA Governance Lead for the AIRC and the Acting Director of the Technical Collection Directorate, OUSD(I&S), agreed with our recommendations and initiated corrective actions.

(S//REL TO USA, FVEY) NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]

(U) Findings (cont'd)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]

(S//REL TO USA, FVEY) NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]

(S//REL TO USA, FVEY) NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]

(S) [REDACTED]

Per OSD: (b)(5)

Per OSD: (b)(5)



(U) Results in Brief

*(U) Joint Evaluation of the National Security Agency's
Integration of Artificial Intelligence*



(U) Management Actions Taken (cont'd)

Per OSD: (b)(5)



(U) Please see the Recommendations Table on the next page for the status of recommendations.

(U) Recommendations Table

(U)

Management	Recommendations Unresolved	Recommendations Resolved	Recommendations Closed
Director, Operations Directorate, National Security Agency	None	A.1.a, A.1.b	None
Acting Director, Technical Collection Directorate, Office of the Under Secretary of Defense for Intelligence and Security	None	B.1	None

(U)

(U) NOTE: The following categories are used to describe agency management's comments to individual recommendations.

- **(U) Unresolved** – Management has not agreed to implement the recommendation or has not proposed actions that will address the recommendation.
- **(U) Resolved** – Management agreed to implement the recommendation or has proposed actions that will address the underlying finding that generated the recommendation.
- **(U) Closed** – OIG verified that the agreed upon corrective actions were implemented

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October 17, 2022

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

SUBJECT: (U) Joint Evaluation of the National Security Agency's Integration
of Artificial Intelligence (DoD OIG Report No. DODIG-2023-007;
NSA OIG Report No. EV-21-0011)

(U) This final report provides the results of the evaluation by the DoD Office of
Inspector General and the National Security Agency Office of the Inspector General. We
considered management's comments on a discussion draft of this report when
preparing the final report.

(U) Officials from the National Security Agency and the Under Secretary of Defense for
Intelligence and Security agreed to address all the recommendations presented in the
report; therefore, we consider the recommendations resolved and open. As described
in the Recommendations section of this report, we will close the recommendations
when you provide us documentation showing that all agreed-upon actions to implement
the recommendations are completed. Therefore, within 90 days please provide us your
response concerning specific actions in process or completed on the recommendations.
Send your response to NSA (b)(3) P.L. 86-36 [REDACTED]

(U) If you have any questions, please contact DODOIG (b)(6) at DODOIG (b)(6) (DSN
DODOIG (b)(6)) or DODOIG (b)(6) at DODOIG (b)(6) DODOIG (b)(6). We appreciate the
cooperation and assistance received during the evaluation.

Randolph R. Stone
Assistant Inspector General for Evaluations
Space, Intelligence, Engineering, and Oversight
Department of Defense
Office of Inspector General

NSA (b)(3) P.L. 86-36 and (b)(6)

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

National Security Agency
Office of the Inspector General

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(U) Introduction

(U) Objective

(U) The DoD Office of Inspector General conducted this evaluation jointly with the National Security Agency (NSA) Office of the Inspector General. The objective of this evaluation was to assess the NSA's integration of artificial intelligence (AI) into signals intelligence (SIGINT) operations, in accordance with DoD and Intelligence Community (IC) guidance for AI.

(U) Background

(U) Signals Intelligence Operations

(U) SIGINT operations involve collecting foreign intelligence from communications and information systems and providing it to customers across the U.S. Government, such as senior civilian and military officials.⁵ SIGINT is intelligence derived from electronic signals and systems used by foreign targets, such as communications systems, radars, and weapons systems, which provides insight for our nation into foreign adversaries' capabilities, actions, and intentions. Customers use SIGINT information to help protect U.S. troops, support U.S. allies, fight terrorism, combat international crime and narcotics, support diplomatic negotiations, and advance many other important national objectives.

(U) The NSA is the U.S. Government lead for SIGINT and is responsible for providing foreign SIGINT to U.S. policymakers and military forces. The Director of the NSA serves as the principal SIGINT advisor to the Under Secretary of Defense for Intelligence and Security (USD[I&S]) and the Director of National Intelligence (DNI).⁶ SIGINT information the NSA collects is frequently in foreign languages and dialects, is protected by codes and other security measures, and involves complex technical characteristics. The NSA's goal is to collect information, interpret it, and disseminate it to its customers in a timely manner for them to take action based on the information. The NSA's workforce is skilled in a wide range of highly technical fields, including developing and employing state-of-the-art tools and systems that are essential in today's fast-changing communications and information environment.

⁵ (U) DoD Instruction O-3115.07, "Signals Intelligence (SIGINT)," September 15, 2008, states that SIGINT is a category of intelligence comprising, either individually or in combination, all communications intelligence, electronic intelligence, and foreign instrumentation SIGINT, however transmitted.

⁶ (U) DoD Directive 5100.20, "National Security Agency/Central Security Service (NSA/CSS)," January 26, 2010, states that the Director of the NSA serves as the SIGINT Functional Manager.

(U) Artificial Intelligence

(U) AI is the ability of machines to perform tasks that normally require human intelligence—for example, recognizing patterns, learning from experience, drawing conclusions, making predictions, or taking action, whether digitally or as the smart software behind self-sufficient physical systems.⁷

(U) AI is a rapidly growing field of technological development that is capturing the attention of international rivals, leaders in the commercial sector, defense intellectuals, and policymakers. Machine learning is a sub-discipline of AI and refers to the ability of machines and systems to learn and improve on its own from one experience to another.

(U) DNI and DoD Guidance on Artificial Intelligence

(U) The DNI and the DoD issued AI strategies to guide the IC and the DoD, respectively, to accelerate AI mission capabilities. The NSA is part of the IC as well as a DoD combat support agency, and therefore, is responsible for following DNI and DoD AI strategies.

(U) The DNI AI Strategy and Ethical Framework for the Intelligence Community

(U) The DNI's Augmenting Intelligence Using Machines (AIM) Strategy provides the framework for the incorporation of AIM capabilities to accelerate mission capability development across the IC.⁸ In addition, the AIM Strategy outlines how the IC will incorporate AIM capabilities in a manner that resolves key IC legal, policy, cultural, technical, and structural challenges while producing effective analytic and operational contributions to the intelligence mission. The AIM Strategy states that a strategic imperative exists because our adversaries, notably China and Russia, recognize the potential for AI to transform military and intelligence operations and are investing aggressively to make that advantage a reality.

(U) The AI Ethics Framework for the IC provides an ethics guide for IC officials to procure, design, build, use, protect, consume, and manage AI and related data.⁹ The AI Ethics Framework for the IC highlights that agency-specific procedures and practices promote ethical design of AI consistent with the overarching Principles of AI Ethics for the IC.¹⁰ For example, the AI Ethics Framework for the IC states that documenting the purpose, limitations, and design outcomes of AI tools ensures that AI tools are

⁷ (U) DoD, "Summary of the 2018 Department of Defense Artificial Intelligence Strategy: Harnessing AI to Advance Our Security and Prosperity," February 12, 2019.

⁸ (U) DNI, "Augmenting Intelligence Using Machines (AIM) Strategy," January 16, 2019.

⁹ (U) DNI, "Artificial Intelligence Ethics Framework for the Intelligence Community," June 2020.

¹⁰ (U) DNI, "Principles of Artificial Intelligence Ethics for the Intelligence Community," July 2020.

(U) Introduction

(U) communicated and used properly. In addition, the AI Ethics Framework for the IC is a living document intended to assist IC officials throughout the AI lifecycle.

(U) The DoD AI Strategy and Responsible AI Strategy & Implementation Plan

(U)

Per OSD: (b)(5)

Per OSD: (b)(5)

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Per OSD: (b)(5)

Per OSD: (b)(5)

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Per OSD: (b)(5)

Per OSD: (b)(5)

¹¹ (U)

Per OSD: (b)(5)

¹² (U)

Per OSD: (b)(5)

¹³ (U)

Per OSD: (b)(5)

(U) Under Secretary of Defense for Intelligence and Security and the Office of the DNI

(U) DoD Directive 5143.01 states that:

the USD(I&S) exercises Secretary of Defense authority, direction, and control over, and oversees the activities of, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the NSA/Central Security Service, the National Reconnaissance Office, and the Defense Counterintelligence and Security Agency; and exercises planning, policy, and strategic oversight for all associated policy, plans, and programs.¹⁴

(U) Additionally, DoD Directive 5143.01 states that the USD(I&S) facilitates integration of Defense Intelligence and DoD support with IC activities. The USD(I&S) also develops and implements strategy, strategic plans, and other strategic guidance in consultation with the DoD Component heads and the DNI, as appropriate.

(U) In a May 2007 memorandum, the Secretary of Defense and the DNI signed an agreement that designated the USD(I&S) as the Director of Defense Intelligence in the Office of the Director of National Intelligence (ODNI). The USD(I&S) retains the responsibilities for and exercises authority over the NSA. The Director of Defense Intelligence reports directly to the DNI and serves as the principal advisor regarding Defense intelligence matters.

(U) Joint Artificial Intelligence Center and Chief Digital and Artificial Intelligence Officer

(U) [REDACTED] Per OSD: (b)(5)

(U) [REDACTED] Per OSD: (b)(5)

¹⁴ (U) [REDACTED] Per OSD: (b)(5)

¹⁵ (U) [REDACTED] Per OSD: (b)(5)

(U) Introduction

(U) [REDACTED] Per OSD: (b)(5)
[REDACTED]
[REDACTED]

(U) [REDACTED] Per OSD: (b)(5)
[REDACTED]

(U) National Security Agency

(U//~~FOUO~~) In March 2021, the NSA issued a charter to establish the Data Science/Artificial Intelligence Governance Council (DS/AI GC), which acts as a corporate governance body for the effective oversight, development, and application of AI across the NSA in accordance with the Principles of AI Ethics for the IC.¹⁷ The AI Review Committee (AIRC), a subcommittee established under the DS/AI GC, is responsible for establishing, executing, and enforcing NSA AI Governance processes. The AIRC is responsible for developing and documenting implementation guidance, processes, and best practices for AI components, which include training data, algorithms, and models. The AIRC has purview of AI tools operating on NSA platforms.

(~~TS//SI//REL TO USA, FVEY~~) NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

¹⁶ (U) On June 1, 2022, the CDAO fully merged and integrated the former DoD Component organizations of Chief Data Officer, Defense Digital Service, and the JAIC. The CDAO is targeting October 1, 2022, for the full administrative alignment of personnel and resources.

¹⁷ (U) NSA, "Data Science and Artificial Intelligence Governance Council," March 10, 2021.

(U) Finding A

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(S//REL TO USA, FVEY) The NSA has taken actions to integrate AI into SIGINT operations. Specifically, the NSA established the Data Science and AI Governance Council (DS/AI GC) and its subcommittee, the AI Review Committee (AIRC), to provide oversight of AI activities across the NSA enterprise, which aligns with DoD and IC guidance for AI to ensure a governance structure and processes. NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

19

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~

NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

18 (S/N 2016-034, P. 22) We obtained N items, which were presented as NSA enterprise-wide used AI tools tracked by the NSA AIRC that incorporated AI into SIGINT operations NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36. We selected a nonstatistical sample of N AI tools from the population of NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(S//REL TO USA, FVEY) The NSA Integrated AI into SIGINT Operations;

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(S//REL TO USA, FVEY) The NSA has taken actions to integrate AI into SIGINT operations. Specifically, the NSA established the DS/AI GC and its subcommittee, the AIRC, to provide oversight of AI activities across the NSA enterprise, which aligns with DoD and IC guidance for AI to ensure a governance structure and processes.

NSA (b)(3) 50
USC 3024(i) and
(b)(3) P.L. 86-36

(EU) The NSA Developed an AI Governance Council and Review Committee to Integrate AI into SIGINT Operations

(U//FOUO)

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

of AI across the NSA, in accordance with the Principles of AI Ethics for the IC. As a result, the NSA's Director of Operations established the DS/AI GC in March 2021 as a cross-directorate group that would provide recommendations and establish committees to address specific recurring areas of data science and AI for mission applications. The DS/AI GC's primary focus is on the foreign intelligence and cybersecurity missions.

(U//FOUO) The NSA's establishment of the DS/AI GC aligns with DoD and IC guidance for AI. Specifically, the DoD Responsible AI Strategy and Implementation Plan states that the DoD will ensure a governance structure and processes at the Office of the Secretary of Defense Components and DoD-wide levels that provide oversight and accountability and clearly articulate DoD guidelines and policies on responsible AI and associated incentives to accelerate responsible AI adoption within the DoD. Similarly, the Principles of AI Ethics for the IC states that the IC will be transparent and (U//FOUO) accountable by developing and employing mechanisms that identify responsibilities and provide accountability for the use of AI.

(U//FOUO) In March 2021, the DS/AI GC established the AIRC to further align with DoD and IC guidance for AI. The AIRC was established to provide validation and verification

¹⁹ (U) NSA (b)(3) P.L. 86-36

²⁰ (U) NSA (b)(3) P.L. 86-36

(U) Finding A

(U//~~FOUO~~) processes and oversight to ensure that NSA AI tools are legally compliant, respectful of privacy and civil liberties, transparent, accountable, objective, secure, reliable, safe, and informed by science and technology. An AIRC official told us that

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

²¹ The NSA's establishment of a corporate governance body and review committee for the effective oversight, development, and application of NSA AI tools demonstrates the NSA's progress to integrate AI into SIGINT operations, in accordance with DoD and IC AI guidance.

(~~S//REL TO USA, FVEY~~) The AIRC Did

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~S//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

.22.

(~~TS//NF~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~S//REL TO USA, FVEY~~)
the AIRC Process

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~S//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

²¹ (U) The Analytics Vetting Group is a chartered cross-agency group created for the purpose of providing policy, compliance approval, and guidance for analytics being deployed for NSA enterprise-wide use.

²² (U) See Appendix A for discussion on the list of items provided and sampled items.

(U) Finding A

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~ The NSA's AIRC Does Not Have

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

²³ (U) We confirmed with an AIRC official that a response was not provided to the team as of March 2022. The AIRC official stated that it was an oversight.

(~~C//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~C//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~C//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(~~TS//REL TO USA, FVEY~~)

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(U) Finding A

~~(S//REL TO USA, FVEY)~~ **The NSA AI Review Committee Does**

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ **The NSA May Not Be**

NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~

NSA (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

~~(S//REL TO USA, FVEY)~~

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

(U) Finding A

(S//REL TO USA, FVEY) to comprehensively share its advances in AI with the DoD and the IC to further align with the DoD Responsible AI Strategy and Implementation Plan and the DNI Ethical Framework. Specifically, the Responsible AI Strategy and Implementation Plan highlights that DoD Components should incorporate oversight and accountability to assist with accelerating responsible AI adoption within the DoD.

NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36

NSA (b)(3) 50

(U) Recommendations

(U) Recommendation A.1

(U) We recommend that the National Security Agency Director of Operations:

- a. (CUI) NSA (b)(3) P.L. 86-36
[Redacted]
- b. (CUI) NSA (b)(3) P.L. 86-36
[Redacted]

(U) Management Actions Taken

(S//REL TO USA, FVEY) NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36
[Redacted]

(~~CU~~) The action taken is sufficient to resolve Recommendation A.1.a. Therefore, the recommendation is resolved, but remains open. We will close the recommendation once we determine that [REDACTED] NSA (b)(3) P.L. 86-36.

(~~C//REL TO USA, FVEY~~) [REDACTED] NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36, the NSA Governance Lead for the AIRC told us [REDACTED] NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36.

[REDACTED]

(~~CU~~) The action taken is sufficient to resolve Recommendation A.1.b. Therefore, the recommendation is resolved, but remains open. We will close the recommendation once we determine that [REDACTED] NSA (b)(3) P.L. 86-36.

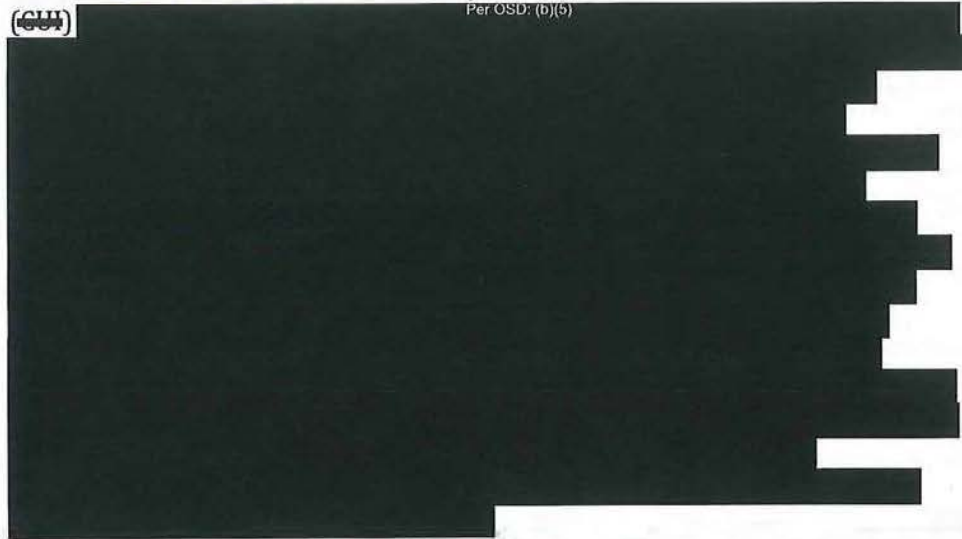
[REDACTED]

(U) Finding B

~~(CU)~~ The Office of the Under Secretary of Defense for Intelligence and Security Did Not Coordinate and Collaborate on AI Activities Across the DoD Intelligence Community

~~(CU)~~

Per OSD: (b)(5)



(S) This occurred because the OUSD(I&S) did not facilitate integration of DoD IC AI or coordinate with the ODNI to identify a lead DoD IC entity to collaborate with the DoD and the IC on DoD IC AI activities. DoD Directive 5143.01 states that the USD(I&S) oversees the activities of the DoD IC and facilitates integration of DoD intelligence and DoD support with IC activities. Furthermore, the USD(I&S) develops and implements strategy, strategic plans, and other strategic guidance in consultation with DoD Component heads and the DNI, as appropriate. However, the OUSD(I&S) did not initiate the facilitation or collaboration of DoD IC AI activities.

(S) As a result, the DoD and the IC lack coordination among the numerous DoD and IC AI activities. This lack of coordination hinders the DoD IC's AI progression, including the DoD's ability to share AI advances and challenges and to develop recommendations. Until this coordination is established, the DoD IC's AI progression will be further delayed.

(~~CU~~) The DoD Lacks Coordination of Its Intelligence Community AI Activities

(~~S~~) The OUSD(I&S) did not initiate the facilitation or collaboration of DoD IC AI activities. As a result, the DoD and the IC lack coordination among the numerous AI activities within the DoD and the IC. This lack of coordination hinders the DoD IC's AI progression, including the ability to share AI advances and challenges and to develop recommendations. Until this coordination is established, the DoD IC's AI progression will be further delayed.

(~~S~~) The DoD's Responsible AI Strategy and Implementation Plan states that the DoD will coordinate and collaborate across the DoD, IC, and other U.S. Government agencies on key responsible AI factors. The AIM Strategy challenges the IC workforce to establish and implement an IC-wide AIM framework, inclusive of mission partners, to provide real capabilities that close the gap between decisions being made and data collection. The DoD IC AI gap in coordination and collaboration creates a missed opportunity to share AI information. For example, NSA (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(U) Recommendations

(U) Recommendation B.1

(~~CU~~) We recommend that the Acting Director of the Technical Collection Directorate, Office of the Under Secretary of Defense for Intelligence and Security, coordinate with the Director of Science and Technology, Office of the Director of National Intelligence, to designate an entity responsible for interagency coordination and collaboration on the DoD Intelligence Community artificial intelligence activities.

(U) Management Actions Taken

(~~CU~~) [REDACTED] Per OSD: (b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

²⁷ (U) On June 1, 2022, the Office of the CDAO fully merged and integrated the former DoD Component organizations of Chief Data Officer, Defense Digital Service, and the JAIC.

(~~CONF~~) written response from the JAIC; once received, OUSD(I&S) planned to coordinate with the ODNI.

(~~CONF~~) On May 19, 2022, the OUSD(I&S) official stated that coordination had occurred with the ODNI and the CDAO. The OUSD(I&S) official stated that the OUSD(I&S) intends to designate the OCDAO as the entity responsible for interagency coordination and collaboration on the DoD IC AI activities. The OUSD(I&S) official further stated that, although the OCDAO is not an IC entity, it is the optimal organization to coordinate and harmonize DoD AI efforts with the IC, as evidenced by its formation of an IC integration Cell within the Office.

(~~CONF~~) The OUSD(I&S) official also told us that the OUSD(I&S) will consider including any intended plans and corrective actions in the Consolidated Intelligence Guidance. The Consolidated Intelligence Guidance serves to guide the IC in the development of the fiscal year's budget program. The Consolidated Intelligence Guidance is signed annually by the USD(I&S) and the DNI. The Consolidated Intelligence Guidance reflects the continued partnership between the IC and the DoD, a relationship that is critical to achieve national security objectives, as well as ensure effective provisioning of intelligence capabilities and responsible stewardship of U.S. taxpayer dollars to meet the challenges of the future environment. An ODNI official stated that ODNI AIM initiatives are focused solely on the National Intelligence Program. While the ODNI agrees that enhanced collaboration with the OUSD(I&S) and the DoD IC on the topic of AI is highly valuable, the ODNI does not want DoD IC elements to become confused about reporting chains, such as the National Intelligence Program, for which the ODNI provides AI reporting.

(~~CONF~~) The action taken is sufficient to resolve Recommendation B.1. Therefore, the recommendation is resolved, but remains open. We will close the recommendation once we receive a copy of the documentation that designates the OCDAO as the DoD IC entity responsible for collaborating on DoD IC AI activities.

(U) Appendix A. Scope and Methodology

(U) Scope and Methodology

(U) We conducted this evaluation from August 2021 through June 2022 in accordance with the "Quality Standards for Inspection and Evaluation," published in January 2012 by the Council of the Inspectors General on Integrity and Efficiency. Those standards require that we adequately plan the evaluation to ensure that objectives are met and that we perform the evaluation to obtain sufficient, competent, and relevant evidence to support the findings, conclusions, and recommendations. We believe that the evidence obtained was sufficient, competent, and relevant to lead a reasonable person to sustain the findings, conclusions, and recommendations.

(U) This report was reviewed by the DoD Components associated with this oversight project to identify whether any of their reported information, including legacy FOUO information, should be safeguarded and marked in accordance with the DoD CUI Program. In preparing and marking this report, we considered any comments submitted by the DoD Components about the CUI treatment of their information. If the DoD Components failed to provide any or sufficient comments about the CUI treatment of their information, we marked the report based on our assessment of the available information.

(U) Due to COVID-19 travel restrictions, with the exception of the Joint Artificial Intelligence Center and the National Security Agency (NSA), we did not physically visit all of the agencies or offices identified in this report. We used teleconferences, interviews, and data calls to collect testimonial and documentary evidence to verify information.

(~~CUI~~) To accomplish the objective of this evaluation, we focused on the NSA's integration of AI into SIGINT operations since the issuance of the DNI Augmenting Intelligence Using Machines Strategy and the DoD AI Strategy. We reviewed the NSA's approach to this developing field to gauge its efforts to align with these and other DoD and Intelligence Community initiatives for AI. We conducted an entrance conference and interviews with the following officials from the NSA workforce.

- (U) Artificial Intelligence Review Committee
- (U) Data Science/Artificial Intelligence Governance Council
- (U) Analytics Vetting Group
- (U) NSA (b)(3) P.L. 86-36 [REDACTED]

(U) Appendix A. Scope and Methodology

- (U) NSA (b)(3) P.L. 86-36 [REDACTED]

- (U) NSA (b)(3) P.L. 86-36 [REDACTED]

(S//REL TO USA, FVEY) In addition, we obtained ^{NS}_A items, which were presented as NSA enterprise-wide used AI tools tracked by the NSA AIRC that incorporated AI into SIGINT operations from ^{NS}_A (b)(3) EO USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED]. From the ^{NS}_A items provided, we nonstatistically selected a sample size of ^{NS}_S items ^{NS}_A (b)(1)(c)(e) and (g); (b)(3) 50 USC 3024(i) and (b)(3) P.L. 86-36 [REDACTED].

[REDACTED]

(U) Furthermore, we conducted entrance conferences and interviews with officials from the Office of the Under Secretary of Defense for Intelligence and Security, the Office of the DNI, and the Joint Artificial Intelligence Center to identify their roles, responsibilities, and expectations with respect to the NSA's implementation and integration of AI into SIGINT operations. We reviewed the following AI implementation policies, procedures, and guidance issued by the DoD and the Intelligence Community to determine the NSA's requirements for implementing AI into SIGINT operations.

- (U) Augmenting Intelligence Using Machines Strategy, January 16, 2019
- (U) Summary of the Department of Defense Artificial Intelligence Strategy: Harnessing AI to Advance Our Security and Prosperity, February 12, 2019
- (U) DoD Adopts Ethical Principles for Artificial Intelligence, February 24, 2020
- (U) AI Ethics Framework for the Intelligence Community, June 2020
- (U) DoD Responsible AI Strategy and Implementation Plan, August 24, 2021
- (U) ODNI and OUSD(I&S) Consolidated Intelligence Guidance, FY 2021–2025 and FY 2020–2024

(U) Use of Computer-Processed Data

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

(U) Prior Coverage

(U) During the last 5 years, the GAO and the DoD OIG each issued one report discussing AI within the DoD intelligence community. Unrestricted GAO reports can be accessed at <http://www.gao.gov>. Unrestricted DoD OIG reports can be accessed at www.dodig.mil/reports.html/.

(U) GAO

(U) Report No. GAO-22-105834, "Artificial Intelligence: DOD Should Improve Strategies, Inventory Process, and Collaboration Guidance," March 30, 2022.

(U) The GAO determined that the DoD has begun to identify and report on its AI activities but that limitations exist in its AI baseline inventory, such as the exclusion of classified activities.

(U) DoD OIG

(U) Report No. DODIG-2020-098, "Audit of Governance and Protection of Department of Defense Artificial Intelligence Data and Technology," June 29, 2020.

(U) The DoD OIG determined that as of March 2020, the JAIC had taken some steps to develop an AI governance framework and standards, such as building the JAIC workforce, developing National Mission objectives, and adopting ethical principles. However, to ensure that the JAIC can meet the responsibilities outlined in the FY 2019 National Defense Authorization Act, DoD AI Strategy, and DoD guidance, the JAIC should also include a standard definition of AI and regularly, at least annually, consider updating the definition; develop a security classification guide to ensure the consistent protection of AI data; develop a process to accurately account for AI projects; develop capabilities for sharing data; include standards for legal and privacy considerations; and develop a formal strategy for collaboration between the Military Services and DoD Components on similar AI projects.

(U) Appendix B. Multiple Sources Used for Classification

(U) NSA Vulnerabilities and Weaknesses Classification Guide 3-2, 20201015

(U) NSA/CSS Information Systems Classification Guide 6-1, 20210809

(U) NSA/CSS Machine Learning and Adversarial Machine Learning Derivative Classification Working Aid (DCWA), 20220301

(U) DoD CUI Registry

(U) OUSD (I&S)/DDI (CL&S) Information Security Controlled Unclassified Information Markings, April 2020

(U) DoD Instruction 5200.48, Controlled Unclassified Information (CUI), 20200306

(U) Acronyms and Abbreviations

- (U) **AI** Artificial Intelligence (lower case in text)
- (U) **AIM** Augmenting Intelligence Using Machines
- (U) **AIRC** Artificial Intelligence Review Committee
- (U) **AVG** Analytics Vetting Group
- (U) **CDAO** Chief Digital and Artificial Intelligence Officer
- (U) **DNI** Director of National Intelligence
- (U) **DS/AI GC** Data Science/Artificial Intelligence Governance Council
- (U) **IC** Intelligence Community
- (U) **JAIC** Joint Artificial Intelligence Center
- (U) **OCDAO** Office of the Chief Digital and Artificial Intelligence Officer
- (U) **ODNI** Office of the Director of National Intelligence
- (U) **OUSD(I&S)** Office of the Under Secretary of Defense for Intelligence and Security
- (U) **NSA** National Security Agency
- (U) **SIGINT** Signals Intelligence (lower case in text)

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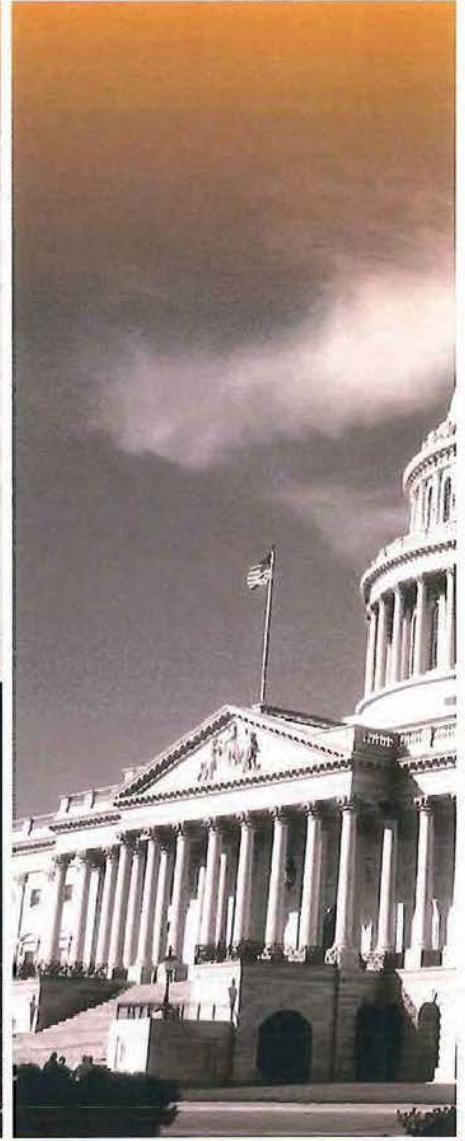
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