



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 54854B
15 December 2009

Electronic Frontier Foundation
ATTN: Ms. Marcia Hofmann
464 Shotwell Street
San Francisco, CA 94110

Dear Ms. Hofmann:

This is a final response to your Freedom of Information Act (FOIA) request of 25 February 2008 for “copies of all reports submitted by the National Security Agency to the Intelligence Oversight Board (“IOB”)...since January 1, 2001.” A copy of your request is enclosed.

Enclosed in this response are the additional documents responsive to your request (2nd quarter of fiscal year 2006 through 1st quarter of fiscal year 2008), as mentioned in our interim response dated 8 June 2009. Please be advised that certain information has been deleted from the enclosures as explained below.

Some of the information deleted from the documents was found to be currently and properly classified in accordance with Executive Order 12958, as amended. This information meets the criteria for classification as set forth in Subparagraph (c) of Section 1.4 and remains classified TOP SECRET and SECRET as provided in Section 1.2 of the Executive Order. The information is classified because its disclosure could reasonably be expected to cause exceptionally grave or serious damage to the national security. Because the information is currently and properly classified, it is exempt from disclosure pursuant to the first exemption of the FOIA (5 U.S.C. Section 552(b)(1)).

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. We have determined that such information exists in these documents. Accordingly, those portions are exempt from disclosure pursuant to the third exemption of the FOIA, which provides for the withholding of information specifically protected from disclosure by statute. The specific statutes applicable in this case are Title 18 U.S. Code 798, Title 50 U.S. Code 403-1(i), and Section 6, Public Law 86-36 (50 U.S. Code 402 note).

The Initial Denial Authority for NSA information is the Deputy Associate Director for Policy and Records, Diane M. Janosek. Since these deletions may be construed as a partial denial of your request, you are hereby advised of this Agency's appeal procedures. Any person denied access to information may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days from the date of the initial denial letter. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJP4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela N. Phillips".

PAMELA N. PHILLIPS
Chief
FOIA/PA Office

Encls:
a/s



~~TOP SECRET//COMINT//NOFORN//20320108~~
 NATIONAL SECURITY AGENCY
 CENTRAL SECURITY SERVICE
 FORT GEORGE G. MEADE, MARYLAND 20755-6000

11 February 2008

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA
 Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 31 December 2007 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

GEORGE ELLARD
 Inspector General

VITO T. POTENZA
 General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
 Lieutenant General, U. S. Army
 Director, NSA/Chief, CSS

Encl:
 Quarterly Report

Approved for Release by NSA on
 10-09-2009, FOIA Case # 54854

~~TOP SECRET//COMINT//NOFORN//20320108~~

1. (U//~~FOUO~~) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as actions taken as a result of the violations.

(U) Intelligence Activities

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

~~(TS//SI)~~ [Redacted]
[Redacted]
[Redacted]
[Redacted]

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

~~(TS//SI//REL)~~ [Redacted]
[Redacted]
[Redacted]

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

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

~~(S//SI//REL)~~ [Redacted]
[Redacted]

~~(S//SI//REL)~~ [Redacted]
[Redacted]
[Redacted]

~~(TS//SI//NF)~~ [Redacted]
[Redacted]

~~(S//SI//REL)~~ [Redacted]
[Redacted]

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

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

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~(TS//SI//REL)~~

~~(TS//SI//REL)~~

~~(S//SI//REL)~~

~~(S//SI)~~

~~(S//SI)~~

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~(TS//SI)~~ [Redacted]

~~(S//SI//NF)~~ [Redacted]

~~(TS//SI//NF)~~ [Redacted]

~~(TS//SI//NF)~~ [Redacted]

~~(TS//SI//REL)~~ [Redacted]

~~(TS//SI//NF)~~ [Redacted]

~~(TS//SI//REL)~~ [Redacted]

~~(TS//SI//NF)~~ [Redacted]

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

[Redacted]

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

~~(S//SI//REL)~~

[Redacted]

~~(U//FOUO)~~

[Redacted]

(U) Counterintelligence Activities.

(U) Nothing to report.

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

(U) Intelligence-related Activities.

~~(S//SI//NF)~~

[Redacted]

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

(S//SI) [Redacted]

2. (U//FOUO) NSA OIG Intelligence Oversight Inspections, Investigations, and Special Studies.

(U//FOUO) During this quarter, the Office of Inspector General reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and Department of Defense and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

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

(S//SI//REL) [Redacted] Intelligence Oversight is degraded by the absence of clearly delineated roles and responsibilities for the [Redacted] Intelligence Oversight Program Manager and organizational points of contact. The organization lacks documented processes and procedures for timely reporting intelligence oversight incidents and violations, and there are no documented procedures for tracking intelligence oversight training; therefore, accounting for personnel who require the training is incomplete.

[Redacted]

The NSA/CSS Inspector General will update in a future report actions taken by [Redacted] to correct the inspection findings.

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

(TS//SI//REL) [Redacted]

[Redacted]

[Redacted]

(TS//SI//REL) [Redacted]

[Redacted]

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

~~TOP SECRET//COMINT//NOFORN//20320108~~



(U//FOUO) Under the PAA, surveillance directed at persons reasonably believed to be located outside the United States is no longer defined as "electronic surveillance." [redacted]

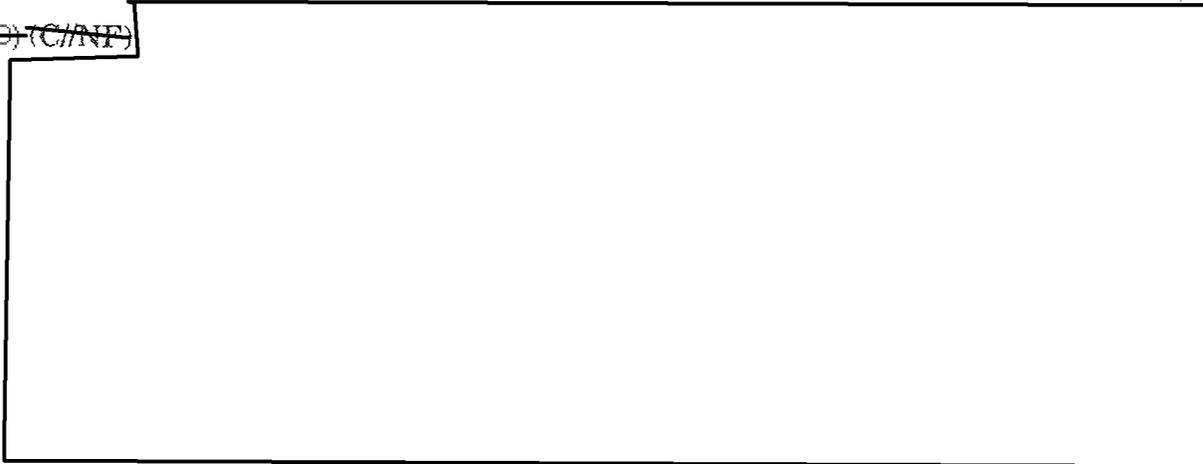
[redacted] Because the study focused on internal controls, recommendations made apply to pre- and post-PAA versions of the FISA.

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

(U//FOUO) (U)



(U//FOUO) (C//NF)



3. (U) Substantive Changes to the NSA/CSS Intelligence Oversight Program.

(U) Nothing to report.

4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes.

(U) Nothing to report.

5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to Intelligence Oversight Programs.

(U) Nothing to report.

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN//20291123~~

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-8000

7 June 2006

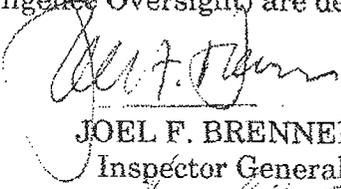
MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA
Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 31 March 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.



JOEL F. BRENNER
Inspector General



ROBERT L. DEITZ
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.



KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Approved for Release by NSA on
10-09-2009, FOIA Case # 54854

Encl:
Quarterly Report

This Memorandum is Unclassified
Upon Removal of Enclosure

DERIVED FROM: NSA/CSSPM 1-52
DATED: 23NOV04
DECLASSIFY ON: 20291123

~~TOP SECRET//COMINT//TALENT KEY HOLE//NOFORN//20291123~~

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

1. (U) INSPECTOR GENERAL ACTIVITIES

a. ~~(C//SI)~~ During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

b. (U//~~FOUO~~) NSA OIG inspectors completed an inspection of the [redacted] on 31 March 2006. The intelligence oversight program was found in good order.

c. (U//~~FOUO~~) Stemming from the NSA OIG special study of the access to Signals Intelligence (SIGINT) by [redacted] a review of possible E.O. 12333 infractions in areas unrelated to NSA/CSS was conducted (report dated 28 February 2006). There were no E.O. 12333 violations or improper management in [redacted] action related to the review.

d. ~~(S)~~ [redacted]

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

e. (U//~~FOUO~~) The special study of the NSA/CSS [redacted] revealed deficient training accountability (report dated 22 August 2005). The [redacted] has instituted a formal tracking and follow-up system to ensure training compliance.

f. ~~(S//SI//NF)~~ [redacted]

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

g. (U//~~FOUO~~) As reported in the fourth quarter fiscal year 2004 (report dated 29 November 2004), inspectors from the [redacted]

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

Derived From: NSA/CSSM I-52
Dated: 20041123
Declassify On: 20291123

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

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

[redacted] NSA OIG conducted a joint inspection of the [redacted] Action has been completed to rectify the weaknesses in their intelligence oversight program documentation.

b. ~~(S//SI)~~

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

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, EOs, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of, or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in SIGINT product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

3. (U) SIGINT ACTIVITIES

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

a. ~~(S//SI)~~ [redacted]

(1) (U) [redacted]

a. ~~(TS//SI)~~ [redacted]

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

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

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

~~TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN//20291123~~

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

b. (S//SI)

[Redacted]

(2) (U)

[Redacted]

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

a. (S//SI//NF)

[Redacted]

b. (S//SI)

[Redacted]

b. (U//FOUO)

[Redacted]

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

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

(1) (U)

[Redacted]

(a) (S//SI)

[Redacted]

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

[Redacted]

~~TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN//20291123~~

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

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

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

(b) ~~(S//SI)~~

[Redacted]

(2) (U)

[Redacted]

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

a. ~~(S//SI)~~

[Redacted]

b. ~~(TS//SI//NF)~~

[Redacted]

c. ~~(S//SI)~~

[Redacted]

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

d. ~~(TS//SI//TK//REL)~~

[Redacted]

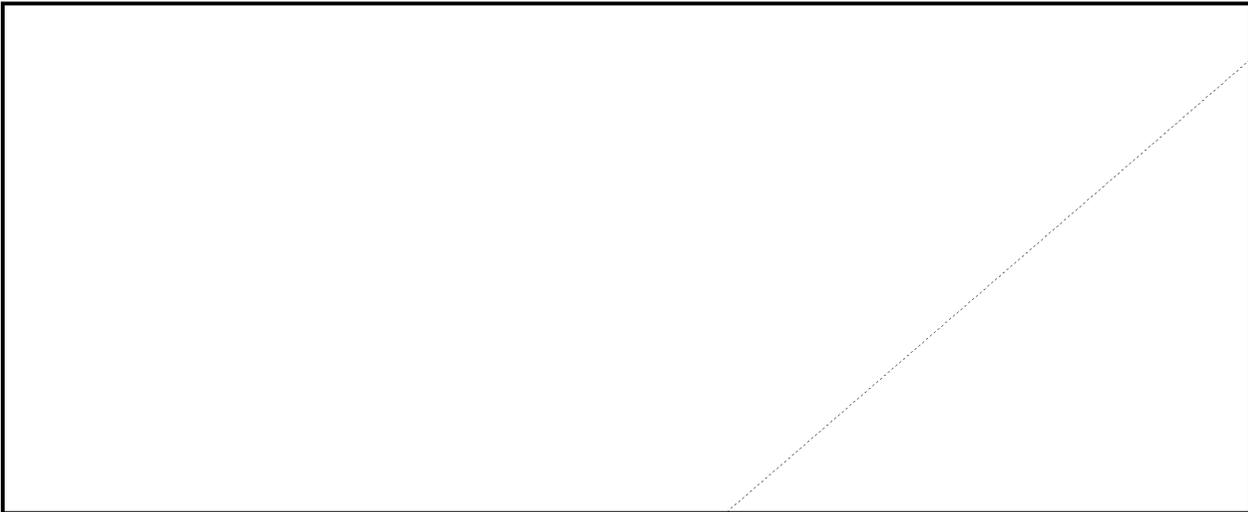
(3) (U)

[Redacted]

~~(S//SI)~~

[Redacted]

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



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

4. (U) Other Activities

a. (U//FOUO)



(TS//SI//NF)

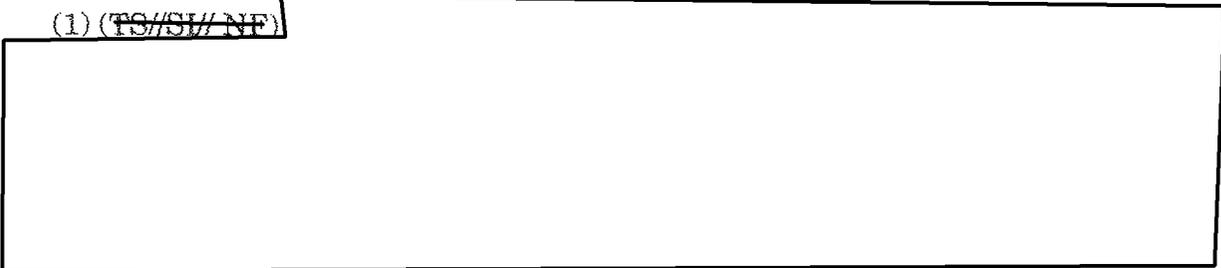


(b)(1)
(b)(3)-P.L. 86-36

b. (U//FOUO)

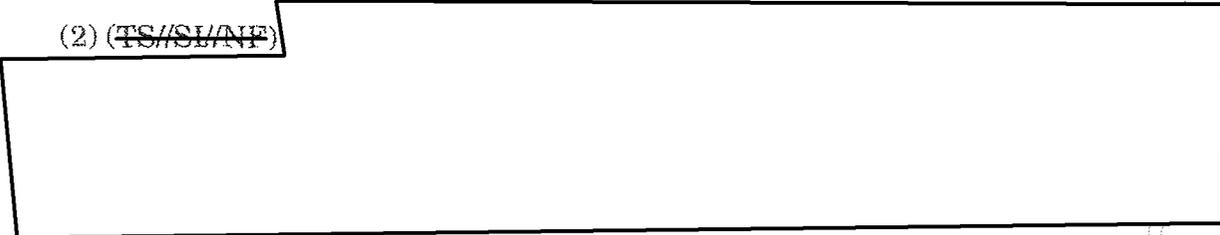


(1) (TS//SI//NF)



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

(2) (TS//SI//NF)



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

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

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

~~TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN//20291123~~

[Redacted]

(3) (TS//SI//NF)

[Redacted]

[Redacted]

d. (U) Assistance to Law Enforcement

(S//SI)

[Redacted]

e. (U) Working Aids

(1) (U//FOUO) The SID Office of Oversight and Compliance maintains [Redacted] on its web page for use by the NSA/CSS Enterprise. The E.O., NSA/CSS Policy Number 1-23, DoD Regulation 5240.1-R, and USSID SP0018 are also available on-line.

(2) (S//SI) NSA/CSS Georgia developed an intelligence oversight operating instruction that addresses roles, responsibilities, [Redacted] and developed a working aid to assist with [Redacted]

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

~~TOP SECRET//COMINT//TALENT KEYHOLE//NOFORN//20291123~~

~~TOP SECRET//COMINT//ORCON//NOFORN//20291123~~



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20785-5000

15 August 2006

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//FOUO) Report to the Intelligence Oversight Board on NSA
Activities - INFORMATION MEMORANDUM

(U//FOUO) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 30 June 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//FOUO) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

JOEL F. BRENNER
Inspector General

ROBERT L. DEITZ
General Counsel

(U//FOUO) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Approved for Release by NSA on
10-09-2009, FOIA Case # 54854

Encl:
Quarterly Report

This Memorandum is Unclassified
Upon Removal of Enclosure

DERIVED FROM: NSA/CSSPM 1-52
DATED: 13NOV04
DECLASSIFY ON: 20291123

~~TOP SECRET//COMINT//ORCON//NOFORN//20291123~~

1. (U) INSPECTOR GENERAL ACTIVITIES

a. ~~(C//SI)~~ During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

b. ~~(TS//SI//NF)~~

[Redacted]

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

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, EOs, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of, or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~

[Redacted]

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

(1) (U)

[Redacted]

a. ~~(TS//SI)~~

[Redacted]

Derived From NSA/CSSM 1-52
Dated: 20041125
Declassify On: 20791125

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

~~TOP SECRET//COMINT//ORCON//NF//ORCON//20291125~~

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

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

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

~~TOP SECRET//COMINT//ORCON//SI//TK//NF~~
[Redacted]

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

b. ~~(S//SI)~~ [Redacted]

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

(2) (U) [Redacted]

~~(S//SI//NF)~~ [Redacted]

b. ~~(U//FOUO)~~ [Redacted]

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

(1) (U) [Redacted]

~~(S//SI)~~ [Redacted]

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

[Large Redacted Block]

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

~~TOP SECRET//COMINT//ORCON//NOFORN~~

(2) (U)

[Redacted]

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

a. (S//SI)

[Redacted]

b.

[Redacted]

(3) (U)

[Redacted]

(S//SI)

[Redacted]

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

4. (U) Other Activities

a. (U//FOUO)

[Redacted]

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

(1) (TS//SI//REL)

[Redacted]

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

(2) (TS//SI//OC//NF)

[Redacted]

~~TOP SECRET//COMINT//ORCON//NOFORN~~

~~TOP SECRET COMINT SOURCE INFORMATION~~

[Redacted]

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

(3) (S//SI)

[Redacted]

b. (U//FOUO)

[Redacted]

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

(1) (TS//SI//NF)

[Redacted]

[Redacted]

(2) (TS//SI//NF)

[Redacted]

[Redacted]

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

(3) (TS//SI//NF)

[Redacted]

(4) (TS//SI//NF)

[Redacted]

~~TOP SECRET COMINT SOURCE INFORMATION~~

~~TOP SECRET//COMINT//ORCON//NOFORN~~

[Redacted]

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

d. (U) Assistance to Law Enforcement

(S//SI) [Redacted]

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

e. (U) Working Aids

(U//FOUO) The SID Office of Oversight and Compliance maintains [Redacted]

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

[Redacted] on its web page for use by the NSA/CSS Enterprise. The E.O., NSA/CSS Policy Number 1-23, DoD Regulation 5240.1-R, and USSID SP0018 are also available on-line.

~~TOP SECRET//COMINT//ORCON//NOFORN~~



~~TOP SECRET//COMINT//NOFORN//MR~~
 NATIONAL SECURITY AGENCY
 CENTRAL SECURITY SERVICE
 FORT GEORGE G. MEADE, MARYLAND 20755-6000

21 November 2006

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

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Brian R. McAndrew
 BRIAN R. MCANDREW
 Acting Inspector General

Vito T. Potenza
 VITO T. POTENZA
 General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

Keith B. Alexander
 KEITH B. ALEXANDER
 Lieutenant General, U. S. Army
 Director, NSA/Chief, CSS

Approved for Release by NSA on
 10-09-2009, FOIA Case # 54854

Encl:
 Quarterly Report

~~TOP SECRET//COMINT//NOFORN//MR~~

This Memorandum is Unclassified
 Upon Removal of Enclosure

1. (U) INSPECTOR GENERAL ACTIVITIES

a. Reviews

(~~C//SI~~) During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

b. (U) Inspections

(1) (~~U//FOUO~~) Along with inspectors from the [redacted] the NSA/CSS OIG completed a joint inspection of [redacted]. Since [redacted] was recently designated as a joint organization, its intelligence oversight (IO) program needed adjustments to transition from [redacted] to an NSA/CSS IO program. Those adjustments were quickly completed. The center has begun quarterly reporting of intelligence activities to the NSA/CSS OIG, and has submitted the IO training materials to the NSA/CSS OIG for validation. At the OIG recommendation, the IO program manager is now included in exercise planning and new mission management meetings to establish management controls to prevent IO violations.

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

(2) (~~S//REL~~) Inspectors from [redacted] and the NSA/CSS OIG completed a joint inspection of [redacted]. The documentation of the [redacted] IO program and process was commendable; however, an analysis of a sample of training records revealed that only 64% of the newly arrived employees received initial training. A finding documented the need for internal controls in oversight of training.

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

c. (U) Inquiries

(~~TS//SI//NF~~) [redacted]

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

DERIVED FROM: NSA/CSSM 123-2
DATED: 24 FEBRUARY 1998
DECLASSIFY ON: Source Marked X1,
Date of Source 20061106

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, EOs, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~ [Redacted]

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

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

(1) (U) [Redacted]

a. ~~(TS//SI)~~ [Redacted]

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

b. ~~(S//SI)~~ [Redacted]

(2) (U) [Redacted]

~~(S//SI//NF)~~ [Redacted]

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

~~TOP SECRET//COMINT//NOFORN//MR~~

b. (U//FOUO)

[Redacted]

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

(1) (U)

[Redacted]

(S//SI)

[Redacted]

(b)(1)

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

[Redacted]

[Redacted]

[Redacted]

(2) (U)

[Redacted]

(S//SI)

[Redacted]

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

[Redacted]

(3) (U)

[Redacted]

[Redacted]

~~TOP SECRET//COMINT//NOFORN//MR~~

[Redacted]

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

b. ~~(S//SI)~~

[Redacted]

4. (U) Other Activities

a. (U//FOUO)

[Redacted]

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

(1) ~~(TS//SI//NF)~~

[Redacted]

(a) ~~(TS//SI//NF)~~

[Redacted]

(b) ~~(TS//SI//NF)~~

[Redacted]

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

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

(2) ~~(TS//SI//NF)~~

[Redacted]

(3) ~~(TS//SI//NF)~~

[Redacted]

(4) ~~(TS//SI//NF)~~

[Redacted]

(5) ~~(TS//SI//NF)~~

[Redacted]

b. (U) Assistance to Law Enforcement

~~(S//SI)~~

[Redacted]

c. (U) Working Aids

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

(U//FOUO) The SID Office of Oversight and Compliance maintains

[Redacted]

[Redacted] on its web page for use by the NSA/CSS Enterprise. The E.O., NSA/CSS Policy Number 1-23, DoD Regulation 5240.1-R, and USSID SP0018 are also available on-line.



~~TOP SECRET//COMINT//NOFORN//20291123~~
 NATIONAL SECURITY AGENCY
 CENTRAL SECURITY SERVICE
 FORT GEORGE G. MEADE, MARYLAND 20755-6000

26 February 2007

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA
 Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 31 December 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

Brian R. McAndrew
 BRIAN R. MCANDREW
 Acting Inspector General

Vito T. Potenza
 VITO T. POTENZA
 General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

Keith B. Alexander
 KEITH B. ALEXANDER
 Lieutenant General, U. S. Army
 Director, NSA/Chief, CSS

Approved for Release by NSA on
 10-09-2009, FOIA Case # 54854

Encl:
 Quarterly Report

~~TOP SECRET//COMINT//NOFORN//20291123~~

This Memorandum is Unclassified
 Upon Removal of Enclosure

1. (U) INSPECTOR GENERAL ACTIVITIES

a. Reviews

(~~C//SI~~) During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

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

b. (U) Inspections

~~(S)~~ [redacted] Inspectors from the [redacted]
[redacted] NSA/CSS OIG completed a joint inspection of NSA/CSS Texas.
[redacted]

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

[redacted] were commendable; however, the intelligence oversight program suffers from fragmented management, a lack of consolidated control, and a lack of oversight at the program level. The NSA/CSS OIG will track the deficiencies and oversee corrective action.

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

2. (U) GENERAL COUNSEL ACTIVITIES

(~~C//SI~~) The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, E.O.s, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

Derived From: NSA/CSSM I-52

Dated: 20041123

Declassify On: 20291123

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

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~ [Redacted]

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

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

(1) (U) [Redacted]

a. ~~(TS//SI)~~ [Redacted]

[Redacted]

[Redacted]

b. ~~(S//SI)~~ [Redacted]

(2) (U) [Redacted]

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

a. ~~(S//SI)~~ [Redacted]

[Redacted]

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

~~TOP SECRET//COMINT//NOFORN//20291123~~

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

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

[Redacted]

b. (S//SI)

[Redacted]

b. (U//FOUO)

[Redacted]

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

(1) (U)

[Redacted]

(S//SI)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(2) (U)

[Redacted]

(S//SI)

[Redacted]

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

~~TOP SECRET//COMINT//NOFORN//20291123~~

~~TOP SECRET//COMINT//NOFORN//20291123~~

(3) (U)

[Redacted]

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

[Redacted]

4. (U) Other Activities

a. (U//FOUO)

[Redacted]

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

(1) (TS//SI//NF)

[Redacted]

(2) (TS//SI//NF)

[Redacted]

(3) (TS//SI//NF)

[Redacted]

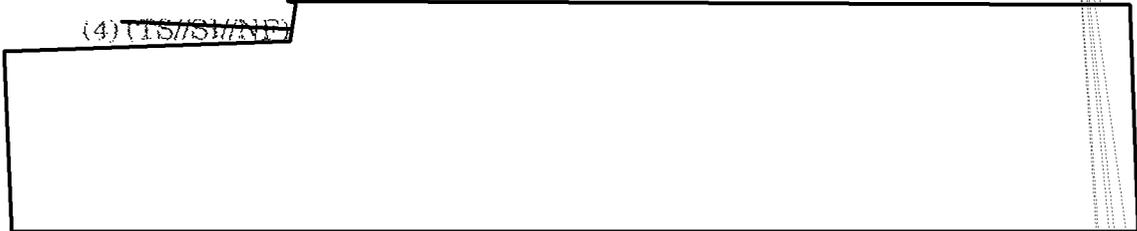
~~TOP SECRET//COMINT//NOFORN//20291123~~

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

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

~~TOP SECRET//COMINT//NOFORN//20291123~~

(4) ~~(TS//SI//NF)~~



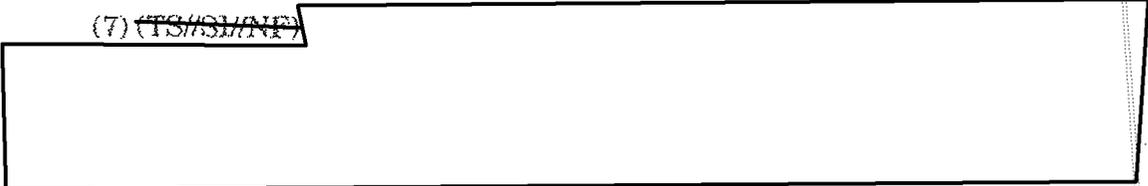
(5) ~~(TS//SI//NF)~~



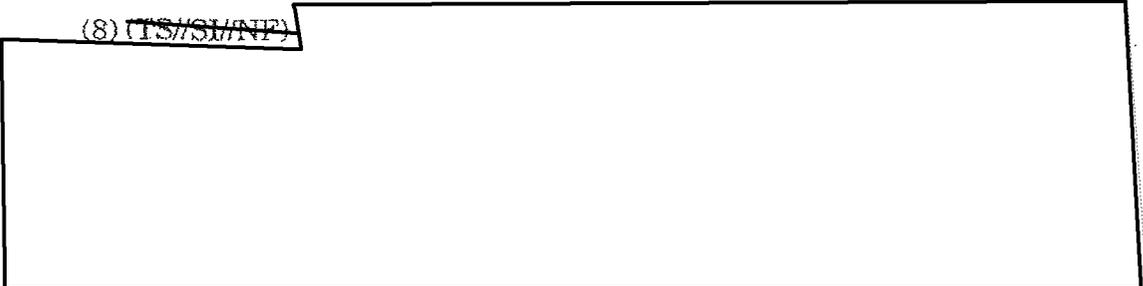
(6) ~~(TS//SI//NF)~~



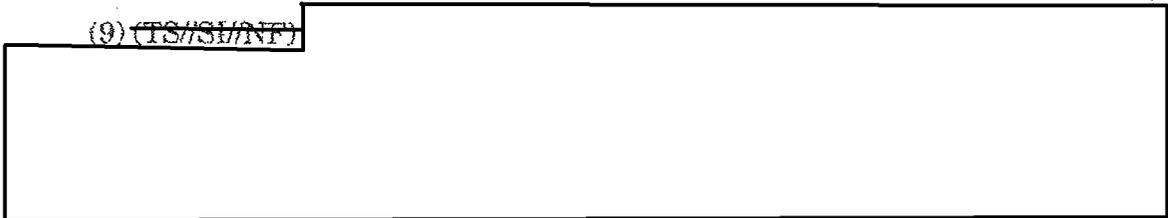
(7) ~~(TS//SI//NF)~~



(8) ~~(TS//SI//NF)~~



(9) ~~(TS//SI//NF)~~



~~TOP SECRET//COMINT//NOFORN//20291123~~



~~TOP SECRET//COMINT//NOFORN//20320108~~
NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

4 September 2007

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA
Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 30 June 2007 were unlawful or contrary to Executive Order or Presidential Directive and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

Brian M. Andrew
for

GEORGE ELLARD
Inspector General

Vito T. Potenza

VITO T. POTENZA
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

K. B. Alexander

KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Approved for Release by NSA on
10-09-2009, FOIA Case # 54854

Encl:
Quarterly Report

~~TOP SECRET//COMINT//NOFORN//20320108~~

This Memorandum is Unclassified
Upon Removal of Enclosure

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

1. (U//~~FOUO~~) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as any actions taken as a result of the violations.

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

(U) Intelligence Activities

(TS//SI) [Redacted]

(TS//SI) [Redacted]

(S//SI) [Redacted]

(S//SI) [Redacted]

(TS//SI//NF) [Redacted]

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

(TS//SI) [Redacted]

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

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

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

~~TOP SECRET//COMINT//NOFORN//20320108~~



(TS//SI)



(TS//SI//NF)



(TS//SI//NF)



(U) Counterintelligence Activities.
Nothing to report.

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

(U) Intelligence-related Activities**(U)**

2. ~~(U//FOUO)~~ **Intelligence Oversight Inspections.** During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and Department of Defense and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

(b) (1)

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

~~(S//SI)~~

~~(U//FOUO)~~ [redacted] Although [redacted] is diligently working to improve its Intelligence Oversight program, procedures fall short of the minimum required to ensure that all employees receive required intelligence oversight training. Although the understanding of NSA authorities in relation to collection, minimization, and dissemination is poor, no intelligence oversight-related concerns were noted within operations. Intelligence oversight training is not managed effectively or efficiently, and no internal controls ensure training compliance. At best, the procedures to make certain that the right people receive the required training are confusing and difficult to track. The NSA/CSS Inspector General will track these deficiencies and will relay in a future report when they are rectified.

3. (U) Substantive Changes to the NSA/CSS Intelligence Oversight Program.

(U) Nothing to report.

4. **(U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes.** Nothing to report.

5. **(U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to Intelligence Oversight Programs.** Nothing to report.

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~TOP SECRET//COMINT//NOFORN//20320108~~

NATIONAL SECURITY AGENCY
 CENTRAL SECURITY SERVICE
 FORT GEORGE G. MEADE, MARYLAND 20795-6000

10 December 2007

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA
 Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 30 September 2007 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

GEORGE ELLARD
 Inspector General

VITO T. POTENZA
 General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
 Lieutenant General, U. S. Army
 Director, NSA/Chief, CSS

Approved for Release by NSA on
 10-09-2009, FOIA Case # 54854

Encl:
 Quarterly Report

~~TOP SECRET//COMINT//NOFORN//20320108~~

This Memorandum is Unclassified
 Upon Removal of Enclosure

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

(b) (1)

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

1. (U//FOUO) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as any actions taken as a result of the violations.

(U) Intelligence Activities

(TS//SI) [Redacted]

[Redacted]

(TS//SI) [Redacted]

[Redacted]

(S//SI//REL) [Redacted]

[Redacted]

(S//SI//REL) [Redacted]

[Redacted]

(TS//SI//NF) [Redacted]

[Redacted]

(S//SI) [Redacted]

[Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 30320108

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

[Redacted]

(S//SI//NF)

[Redacted]

(S//SI//NF)

[Redacted]

(S//SI//NF)

[Redacted]

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

[Redacted]

[Redacted]

[Redacted]

(TS//SI//NF)

[Redacted]

(TS//SI//NF)

[Redacted]

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

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

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

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~(S//SI//NF)~~

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

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

~~(TS//SI//NF)~~

[Redacted]

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

~~(S//SI)~~

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

~~(TS//SI//NF)~~

[Redacted]

~~TOP SECRET//COMINT//NOFORN//20320108~~

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

(U) Counterintelligence Activities.

(U) Nothing to report.

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

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

(U) Intelligence-related Activities.

~~(TS//SI)~~
[Redacted]

(U//FOUO)
[Redacted]

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

~~(S//SI//NF)~~
[Redacted]

2. (U//FOUO) Intelligence Oversight Inspections.

(U//FOUO) During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and Department of Defense and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

(U//FOUO) [Redacted] Intelligence Oversight Program Management is degraded by deficiencies in [Redacted] the process used to ensure that all personnel [Redacted] receive intelligence oversight training before they are exposed to operational or classified information. Additionally, although training is conducted as required by the DoD Regulation 5240.1-R and NSA/CSS Policy 1-23, more emphasis is needed on U.S. Signals Intelligence Directive SP0018 and National Telecommunications and Information Systems Security Directive 600 standards. The OIG will provide an update in a future report regarding actions taken by [Redacted] to correct the inspection findings.

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

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

~~TOP SECRET//COMINT//NOFORN//20320108~~

~~(TS//SI//NF)~~ [Redacted]
[Redacted]
[Redacted] [Redacted]
[Redacted]

3. (U) Substantive Changes to the NSA/CSS Intelligence Oversight Program.

(U) Nothing to report.

4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes.

(U) Nothing to report.

5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to Intelligence Oversight Programs.

(U) Nothing to report.