

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Office of Inspector General

U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

JAN 07 2009

Homer Pointer
General Counsel, Intelligence Oversight Board
New Executive Office Building, Room 5020
Washington, DC 20500

Re: United States Coast Guard and Department of Homeland Security, Office of Intelligence and Analysis Intelligence Oversight Quarterly Report

Dear Mr. Pointer:

This Intelligence Oversight Quarterly Report for the United States Coast Guard (USCG) and Department of Homeland Security (DHS) Office of Intelligence and Analysis (I&A) for the period July 2008 – September 2008 is submitted pursuant to Executive Order (E.O.) 13462.

Office of Intelligence and Analysis Reports

I&A reported one new incident and provided an update on a past incident in its quarterly report.

Homeland Intelligence Report on a Muslim Conference in Georgia

On May 22, 2008, I&A released (b)(2) High (b)(7e)

—titled, *TERRORISM WATCHLIST: Information Regarding a Flier*

Posted at a Mosque in Ohio Announcing an Upcoming Conference in Georgia. (b)(2) reported on the activities of two individuals with (b)(2) High (b)(7e) and information in a flier posted outside a U.S. mosque. The flier announced an upcoming conference at a mosque in Georgia and listed all the speakers. Several speakers were U.S. citizens. One of the speakers was seen outside the Columbus mosque speaking to one of the individuals (b)(2) (b)(2). However, there was no information in the flier or the website tying the conference to radical extremism or terrorist activity. It was within I&A's authority to collect, retain, and disseminate information regarding the activities of the two individuals (b)(2) (b)(2) High (b)(7e) but outside I&A's authority to collect, retain, and disseminate information regarding the conference in Georgia or the speakers who were U.S. persons. I&A did not have any evidence the conference or the speakers promoted radical extremism or terrorist activity, and their activity is protected by the First Amendment of the Constitution. Reporting on it violated I&A's Interim Intelligence Oversight Guidelines. However, due to the limited distribution (b)(2) (b)(2) there is no evidence of any lasting impact on civil liberties and privacy rights, nor is there any evidence of impact on national security or U.S. relations with other nations.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

The source information has been destroyed or deleted, except for information relating to (b)
(2)

In an effort to prevent future incidents of this type, Office of General Counsel (OGC) staff and the I&A Intelligence Oversight Officer plan to continue to meet with I&A personnel to identify issues regarding the collection, retention, and dissemination of U.S. person information.

Congressional Correspondence

The Secretary of Homeland Security received correspondence from U.S. Senators Feingold and Rockefeller (see classified attachment) expressing their concern regarding certain I&A intelligence products which had previously been reported to the IOB, I&A's conduct of analysis regarding certain domestic matters, and the role of another DHS component in a related initiative. The Office of the Director of National Intelligence (ODNI) was notified of the letter and is coordinating on the anticipated response.

Update to Corrective Actions Related to the HSDN Posting

I&A is in the process of drafting a Privacy Impact Assessment (PIA) for I&A's Homeland Secure Data Network (HSDN) webpage. The HSDN PIA remains in draft pending the issuance of final I&A information handling guidelines, currently in development by an I&A working group. In the interim,
(b)(2) High (b)(7e)

United States Coast Guard Intelligence Element Reports

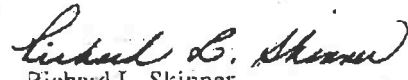
The intelligence elements of the United States Coast Guard (USCG) did not report any questionable or unlawful intelligence activities during the reporting period. In addition, the Coast Guard Counter Intelligence Service (CGCIS) completed its biannual oversight inspection, and did not note any deficiencies or reportable issues. CGCIS continues to monitor and assist the Federal Bureau of Investigation with three cases referred pursuant to 50 U.S.C. §402a or 28 U.S.C. §533. One of these three cases is being closed.

Should you have any questions, please contact Mr. Matthew L. Kronisch, DHS Associate General Counsel for Intelligence, who may be reached at 202-282-(b)(6), or Mr. Carlton I. Mann, Assistant Inspector General for Inspections at 202-254-4100.

Sincerely,



Gus P. Coldebella
General Counsel



Richard L. Skinner
Inspector General

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~