

(b)(3):10 USC 424

READ AHEAD

(U) EVENT: (b)(3):10 USC 424 DIA visit with Senator Harry Reid

(U) DATE/TIME: 19 Nov 09, 1645

(U) LOCATION: Capitol, Senate Visitor Center, SVC-217

(U) EVENT OBJECTIVE / INTENT: To provide the (b)(3):10 USC 424 with an overview of the (b)(3):10 USC 424 authored IM (Tab 1) signed by the (b)(3):10 USC 424 in response to a USD(I) Special Programs tasking to evaluate Senator Reid's request (Tab 2) to place the Advanced Aerospace Threat & Identification Program (AATIP) under a Restricted Special Access Program (SAP). Also to prepare the (b)(3):10 USC 424 to address any questions by Senator Reid on the quality and value of the products produced thus far under the current contract (Tab 3).

(U) ATTENDEES: (b)(3):10 USC 424 DEPSECDEF

(U) EXPECTATION OF (b)(3):10 USC 424 That the (b)(3):10 USC 424 emphasize DIA's view that the content of the deliverables from the Advanced Aerospace Weapon System Application Program contract, referred to by Senator Reid as the AATIP, for FY09 and those expected in FY10, do not meet the criteria as specified in DoD 5200.1-R to justify the additional protection provided by a SAP. Should Senator Reid inquire as to the value of the first year first-year technical reports, eleven products were reviewed by established experts outside of DIA and all of the reviews were positive, some exceptionally so.

(U) EXECUTIVE SUMMARY:

- (U//~~FOUO~~) Bottom Line:
  - Base on the review of the deliverables to date and looking ahead to planned production in FY10, DIA cannot find adequate justification to establish a restricted SAP.
- (U//~~FOUO~~) Background Information: Senator Reid's letter was delivered to the DEPSECDEF approximately one month before all the draft technical reports from the contractor were received by (b)(3):10 USC 424. To our knowledge, the senator did not receive copies of these draft reports, although he was aware of the general topic list. Thus, we can not find a direct link between the content of the reports and his letter. (b)(3):10 USC 424 at (b)(3):10 USC 424 the request of USD(I) Special Programs, evaluated Senator Reid's letter and could not find any technical issues addressed in the reports that were sufficiently sensitive to require the extra protection associated with a restricted SAP. Senator Reid cites "the identification of several highly sensitive, unconventional aerospace-related findings" that will "require extraordinary protection." Senator Reid cites "the identification of

several highly sensitive, unconventional aerospace-related findings” that will “require extraordinary protection.” Although most of the unclassified reports discuss unconventional aerospace technologies, DIA is unaware as to which ones the senator believes are sensitive.

- (U//~~FOUO~~) Timeline of Events:

- Senator Reid writes a letter (Tab 2) on 24 June 2009 to DEPSECDEF requesting the AATIP be placed under a restricted SAP

(b)(3):10 USC 424 completes the quality review of all the first-year technical reports on 5 October 2009.

(b)(3):10 USC 424 receives a copy of Senator Reid’s letter on 21 October 2009, along with tasking from USD(I) Special Programs to evaluate the SAP request.

(b)(3):10 USC 424 delivers an IM (Tab 3) to the [redacted] with the quality review findings (Tab 3) on 30 October 2009.

(b)(3):10 USC 424 authors an IM (Tab 1) responding to the USD(I) tasking, and is signed by the [redacted] on 13 November 2009.

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- (U//~~FOUO~~) DIA Position: Based on the content of the delivered FY09 and expect FY10 technical reports, DIA can not find sufficient grounds under DoD regulations to establish a restricted SAP. However, the concerns that Senator Reid raises seem to suggest that the security and counterintelligence issues are in regard to future phases of this program, and not necessarily the current contract effort. If this assumption is correct, then Senator Reid is looking ahead to a research, development and acquisition (RDA) effort that lies outside the DoD Intelligence Community’s purview. This in turn would argue that any future efforts beyond FY10, when the current contract ends, should be moved under the appropriate DoD entity.

- (U//~~FOUO~~) Potential Areas of Concern:

- Senator Reid may insist upon keeping AATIP efforts at DIA during a time of considerable disruption to the [redacted] assets due to the BRAC move. The

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[redacted] These issues will make it very difficult for DIA to exercise proper program management.

- If Senator Reid strongly desires the AATIP to be placed under a SAP, then doing so within the DoD IC would be difficult to justify. However, if the focus of the program were to become more RDA oriented, then a SAP would be easier to justify under the current DoD 5200.1-R

(U) ATTACHMENTS:


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- Tab 1: (b)(3):10 USC 424 DIA Information Memo, Review of Special Access Program Request, U-09-2660 (b)(3):10 USC 424 dtd 13 November 2009
- Tab 2: Letter from Senator Harry Reid to the Honorable William Lynn III, Deputy Secretary of Defense, dtd 24 June 2009
- Tab 3: (b)(3):10 USC 424 DIA Information Memo, Review of Advanced Aerospace Contract Deliverables, U-429-09/(b)(3):10 USC 424, dtd 30 October 2009

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