



Request ID: 0001154911

UNCLASSIFIED TRANSMITTAL OF MATERIAL



Type: OMAL



Submitted: 20221209

TO MR. JOHN GREENEWALD, JR 27305 W. LIVE OAK RD SUITE #1203 CASTAIC, CA 91384	FROM (RETURN ADDRESS) DEPARTMENT OF DEFENSE NATIONAL SECURITY AGENCY 9800 SAVAGE ROAD FORT MEADE MARYLAND 20755-6000 ATTN: RAMSEY,VICKI LYNN SUITE: 6881	This transmittal may NOT be downgraded upon removal of the enclosure(s). This transmittal may NOT be declassified upon removal of the enclosure(s).		
		WRAPPED <input checked="" type="checkbox"/> U <input type="checkbox"/> S <input type="checkbox"/> D	COMSEC <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SUBMITTED 20221209
		SHIPPING MODE USPS - First Class		PACKAGE CT 1 of 1

LN#	UNCLASSIFIED TITLE/DESCRIPTION OF ITEM	QTY	TOT COST	MFG SERIAL#	BARCODE	CLASS. OF ITEM
1	SERIAL: MDR-112409, DATED 9 DECEMBER 2022	1	0			UNCLASSIFIED

DESIG CPOENP	ACCT NO	TYPE NA	PAS STATEMENT Not Applicable	APPROVAL
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SPECIAL HANDLING INSTRUCTIONS (UNCLASSIFIED)

REQUESTED BY RAMSEY,VICKI LYNN (VLRAMSE)	SIGNATURE <i>Vicki Ramsey</i>	ORG P133	PHONE (667)812-8002
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UNCLASSIFIED
DO NOT STAMP RECEIPT PORTION WITH CLASSIFICATION



Request ID: 0001154911

RECEIPT (Please sign and return immediately. Avoid tracer action)



Type: OMAL

RETURN TO DEPARTMENT OF DEFENSE NATIONAL SECURITY AGENCY 9800 SAVAGE ROAD FORT MEADE MARYLAND 20755-6000 ATTN: RAMSEY,VICKI LYNN SUITE: 6881	FROM MR. JOHN GREENEWALD, JR 27305 W. LIVE OAK RD SUITE #1203 CASTAIC, CA 91384	Receipt is hereby acknowledged for the material or documents listed under this Request ID	
		SID (Typed or Printed)	DATE RECEIVED
		NAME (Typed or Printed)	
		SIGNATURES	

This document is made available through the declassification efforts
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NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000



Serial: MDR-112409
9 December 2022

Mr. John Greenewald, Jr.
27305 W. Live Oak Rd.
Suite #1203
Castaic, CA 91384

Dear Mr. Greenewald:

This responds to your request of 14 July 2021 to have the *NSA Report to the President's Intelligence Oversight Board (IOB) for 4QT 2001* reviewed for declassification. The material has been reviewed under the Mandatory Declassification Review (MDR) requirements of Executive Order (E.O.) 13526 and is enclosed. We have determined that some of the information in the material still requires protection.

Some portions deleted from the document were found to be currently and properly classified in accordance with E.O. 13526. The information denied meets the criteria for classification as set forth in Section 1.4 subparagraph (c) and remains classified SECRET as provided in Section 1.2 of E.O. 13526.

Section 3.5 (c) of E.O. 13526, allows for the protection afforded to information under the provisions of law. Therefore, the names of NSA/CSS employees and information that would reveal NSA/CSS functions and activities have been protected in accordance with Section 6, Public Law 86-36 (50 U.S. Code 3605, formerly 50 U.S. Code 402 note).

Since your request for declassification has been denied you are hereby advised of this Agency's appeal procedures. Any person denied access to information may file an appeal to the NSA/CSS MDR Appeal Authority. **The appeal must be postmarked no later than 60 calendar days after the date of the denial letter.** The appeal shall be in writing addressed to the NSA/CSS MDR Appeal Authority (P133), National Security Agency, 9800 Savage Road, STE 6881, Fort George G. Meade, MD 20755-6881. The

appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes the release of information is required. The NSA/CSS MDR Appeal Authority will endeavor to respond to the appeal within 60 working days after receipt of the appeal.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline M. Amacher".

Jacqueline M. Amacher
Chief
Declassification Services

Encl:
a/s

NSA STAFF PROCESSING FORM

TO DIRECTOR	EXREG CONTROL NUMBER 80599	KCC CONTROL NUMBER IG-9889-01
THRU D/DIR , D SECRETARIAT	ACTION <input type="checkbox"/> APPROVAL <input checked="" type="checkbox"/> SIGNATURE <input type="checkbox"/> INFORMATION	EXREG SUSPENSE KCC SUSPENSE ELEMENT SUSPENSE
SUBJECT Quarterly Report to the Intelligence Oversight Board on NSA Activities - Fourth Quarter FY01		
DISTRIBUTION		

SUMMARY

PURPOSE: To forward to the Intelligence Oversight Board (IOB) of the President's Foreign Intelligence Advisory Board, via the Assistant to the Secretary of Defense for Intelligence Oversight (ATSD(IO)), NSA's quarterly report on its intelligence activities.

BACKGROUND: Executive Order 12333 and Executive Order 12863 require Intelligence Community agency heads and Intelligence Community General Counsels and Inspectors General, respectively, to report to the IOB on a quarterly basis concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. Enclosed memorandum covers all reportable activities known to the Inspector General and General Counsel. Per PIOB letter of 6 August 1982, Agency heads are responsible for reporting separately any additional reportable activities known to them, unless the President has specifically instructed that the Board is not to be informed. Director's signature signifies that no other activities which require reporting are known to him.

RECOMMENDATION: Director sign the enclosed memorandum.

and App/Att/Int'l directors

*To: OAC
Bob - let's talk before I sign this
Thanks*

PL 86-36/50 USC 3605

DECLASSIFY UPON REMOVAL OF THE ENCLOSURE(S)

(IOB)
OK

COORDINATION/APPROVAL					
OFFICE	NAME AND DATE	SECURE PHONE	OFFICE	NAME AND DATE	SECURE PHONE
DOS	Wayne 12/20/01 1145	3201			
GC	Robert Deitz 12/20/01	5548s			
AGC(O)		3121s			
Acting IG	Brian R. McAndrew 12/19/01	3544s			

ORIGINATOR	ORG. D11	PHONE (Secure) 963-3544	DATE PREPARED 7 December 2001
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FORM A6796 FEB 94
NSN: 7540-FM-001-5465

DERIVED FROM: NSA/CSSM 105-2
DATED: 15 FEB 1998
DECLASSIFY ON: X1

SECURITY CLASSIFICATION

~~TOP SECRET//COMINT//NOFORN//X1~~



~~TOP SECRET//COMINT//NOFORN//X1~~

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

4 January 2002

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

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

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

(U) Except as previously reported to you 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 2001 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) 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

Robert L. Deitz
ROBERT L. DEITZ
General Counsel

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

Michael V. Hayden
MICHAEL V. HAYDEN
Lieutenant General, USAF
Director, NSA/Chief, CSS

Encl:
a/s

This Memorandum is Unclassified
Upon Removal of Enclosure

~~DERIVED FROM: NS/CSSM 123-2~~
~~DATED: 24 FEB 98~~
~~DECLASSIFY ON: X1~~

~~TOP SECRET//COMINT//NOFORN//X1~~

1. (U//~~FOUO~~) Inspector General Activities

a. (U//~~FOUO~~) During this quarter, the Office of Inspector General (OIG) reviewed various reports of inadvertent violations of the Attorney General (AG) procedures, as well as Department of Defense and internal directives, to determine if corrective action was appropriate.

b. (U//~~FOUO~~) An OIG team conducted an inspection of the [redacted] [redacted]. The team found that [redacted] has an adequate program to ensure compliance with E.O. 12333, but recommended that the organization refresh procedures for reporting possible intelligence oversight violations with all personnel. The recommendation was implemented.

2. (U//~~FOUO~~) General Counsel Activities

a. (~~C//COMINT~~) The OGC reviewed various intelligence activities of the United States Signals Intelligence System (USSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders, Attorney General procedures, and Department of Defense 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 SIGINT operations.

b. (~~TS//COMINT//NF~~) The OGC did not file any reports with the Intelligence Oversight Board during the fourth quarter of FY-2001; however, a report describing several inadvertent violations of the FISA minimization procedures was filed on 29 November 2001.

3. (U//~~FOUO~~) SIGINT Activities

a. (~~S//COMINT~~) Collection Against U.S. Persons

EO 1.4.(c)
PL 86-36/50 USC 3605

(1) (U//~~FOUO~~) Intentional

(~~S//COMINT~~) DIRNSA approval for consensual collection against [redacted] persons was granted during this quarter, while DIRNSA-approved consensual collection against [redacted] U.S. persons was routinely terminated during the quarter.

(~~S//COMINT//NF~~) The Attorney General granted authority to collect the communications of [redacted] U.S. persons during this quarter.

~~(S//COMINT//NF)~~ In accordance with USSID 18, Section 4.1.c.2, the DIRNSA granted authority to collect information on [] U.S. persons who were kidnapped [] a known terrorist organization in [] This authority was to continue pending the release of the [] U.S. citizens.

EO 1.4.(c)
PL 86-36/50 USC 3605

(2) (U//~~FOUO~~) Unintentional

~~(S//COMINT)~~ There were [] incidents involving the use of improper retrieval strategies against the [] raw traffic files this quarter. Several of the incidents occurred in the immediate aftermath of the 11 September terrorist attacks when rumors were rife that the rules governing SIGINT collection were going to be suspended. The NSA General Counsel subsequently made an Agency-wide appearance on 17 September on NSA's secure television network to inform the workforce that the rumors were not true; he emphasized that the rules had not been suspended or changed.

b. (U//~~FOUO~~) Dissemination of U.S. Identities

(1) (U//~~FOUO~~) Intentional

~~(S//COMINT)~~ In accordance with section 7 of USSID 18, [] U.S. identities were disseminated. In the following table, parenthetical keywords denote the justification for the dissemination of the U.S. identity. Statistics show the number of instances when: in the "UNMASKED" column, the U.S. identity is revealed in a serialized end product; in the "USER REQUESTED" column, a U.S. identity is released to a user at the user's request.

JUSTIFICATION (7.2)	UNMASKED	USER REQUESTED	TOTAL
7.2.c (Necessary)			
7.2.c.1 (Foreign Official)			
7.2.c.3 (International Narcotics)			
7.2.c.4 (Criminal Activity)			
7.2.c.7 (U.S. Government Official)			
TOTAL			

(2) (U//~~FOUO~~) Unintentional

(S//~~COMINT//NF~~) During the fourth quarter of 2001, [] SIGINT products were canceled because they contained the identities of U.S. persons, organizations, or entities. Of these, [] were reissued with the reference to the U.S. person obscured.

EO 1.4.(c)
PL 86-36/50 USC 3605

4. (U//~~FOUO~~) Other Activities

(U//~~FOUO~~) External Agency Relations

(S//~~COMINT~~) On 23 July 2001, during a visit to the INSCOM Information Dominance Center (IDC), personnel from the NSA Oversight and Compliance organization and the Office of the General Counsel observed an IDC warrant officer working on a SIGINT computer terminal []. The terminal was used to perform minimization and other functions regarding SIGINT metadata collected at [] IDC and [] personnel work in close proximity in the office space where this incident was observed. Since IDC and the warrant officer in question are SIGINT customers, rather than SIGINT producers, this was recognized as a violation of USSID 18. It is NSA's understanding that this incident will be reported by INSCOM. NSA has provided assistance and guidance to INSCOM regarding corrective measures and will continue to monitor the situation. These measures include ensuring that computer work stations are secured using screen locks whenever analysts leave their stations, and that the [] personnel report to a SIGINT commander, not their customer. The [] personnel had been reporting to an IDC commander.

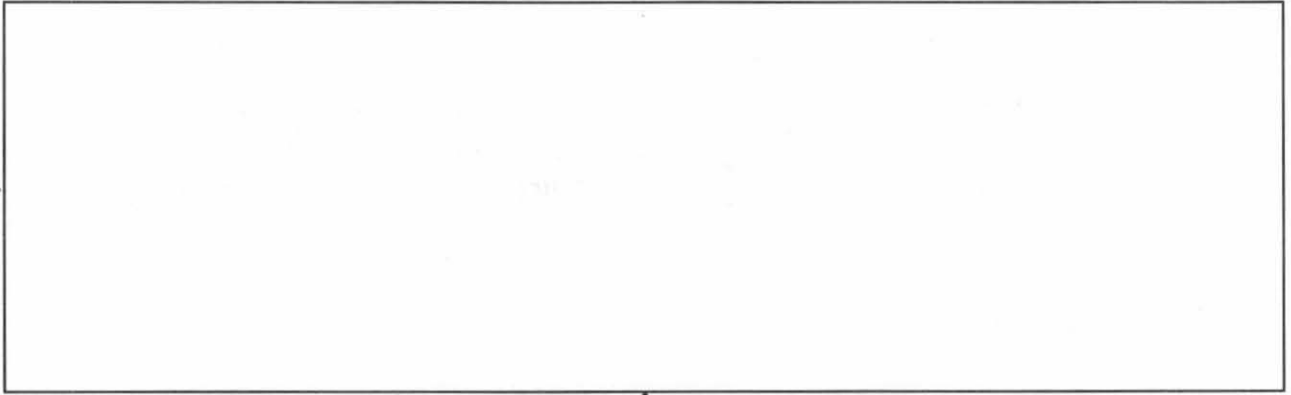
(U//~~FOUO~~) Since the 11 September terrorist attacks, NSA has received a number of requests for computer and computer-associated forensics support from federal law enforcement agencies and Intelligence Community partners. To facilitate the incoming requests and ensure integrity of the work, the SIGINT Directorate is establishing a forensics laboratory. Coordination on all NSA forensics support will be made via the []

[]

The NSA Office of the General Counsel (OGC) and the FBI Office of General Counsel are fully engaged in this process, and the NSA Office of the Inspector General is conducting a testable policy base review of the operation as it is being conducted.

PL 86-36/50 USC 3605

(U//FOUO) L :ses



PL 86-36/50 USC 3605