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INFO MEMO

FOR: UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE

FROM: DIRECTOR, COLLECTION, CONCEPTS & STRATEGIES

SUBJECT: Update Regarding Senate Judiciary Committee Inquiry on NSA Allegations

- The Judiciary Committee sent a letter on October 10, 2008 to the Director of National Intelligence (DNI) and Director, National Security Agency (DIRNSA) expressing concern about claims from an Army Reservist (Ms. Adrienne Kinne) and a Navy linguist (Mr. David Murfee Faulk), who allege they were ordered to intercept and transcribe international communications between U.S. persons in the Middle East, including U.S. Service Members and their families in the United States. The letter requested:
 - Vigorous investigation of Ms. Kinne's and Mr. Faulk's allegations;
 - Delineation of steps taken to detect, deter and punish violations of law or regulations that are found to have occurred;
 - Written assurances that ill-gotten collection is being destroyed and purged from government databases; and
 - An agreement to provide the Senate Judiciary Committee with audits or reports resulting from the revelations.
- The DNI responded to the Senate Judiciary Committee's specific points on October 17, 2008, and the NSA Inspector General (IG) initiated an investigation into the allegations of Mr. Faulk. The NSA IG anticipates a draft report of investigation by the first week of June 2009.
- The U.S. Army Intelligence and Security Command's (INSCOM) IG investigated Ms. Kinne's original allegations, determining that the 513th Military Intelligence Brigade's alleged violation of NSA/CSS directives and intelligence oversight shortfalls were unfounded.
- Based on allegations by Mr. Faulk and additional allegations from Ms. Kinne during an October 9, 2008, ABC News report, the INSCOM Commanding General directed the INSCOM IG to initiate a comprehensive new investigation into the activities of INSCOM personnel at Fort Gordon, Georgia during Ms. Kinne's mobilization.
- The INSCOM IG's report of investigation is currently under staff review prior to review by the Commanding General. INSCOM has not identified a target date for completion and subsequent forwarding to the Department of the Army IG.

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11

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- Thus far, neither investigation has uncovered evidence of ordered or deliberate intercept and transcription of international communications between U.S. persons in the Middle East, including U.S. Service Members and their spouses.

COORDINATION: TAB A

Attachments:

As stated

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ODNI/DOD 12

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Tab A

COORDINATION:

Office of the Director, National Intelligence

- Office of the Inspector General
- Civil Liberties Protection Officer

Department of Defense Office of the Inspector General

Assistant Secretary of Defense, Intelligence Oversight

Under Secretary of Defense for Intelligence Congressional Activities Office

Headquarters, Department of the Army

- Office of the Inspector General
- Office of the General Counsel
- Office of the Deputy Chief of Staff, G-2

National Security Agency/Central Security Services Inspector General

Headquarters, US Army Intelligence and Security Command

- Inspector General
- Staff Judge Advocate

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ODNI/DOD 13