BRAC 2005
Intelligence Joint Cross-Service Group

Meeting Minutes of December 16, 2003

The Director of Plans and Analysis for the Deputy Under Secretary of Defense (Counterintelligence and Security), Ms. Deb Dunie led this meeting. The list of attendees is attached.

Ms. Dunie opened the sixth meeting of the Intelligence JCSG asking everyone to introduce themselves and indicate whether they were a "principal, alternate, or observer" to the IJCSG. The Department of the Navy was asked to provide to the Chair in writing, a new "principal" to replace [redacted] prior to the next meeting. The Military Departments and Defense intelligence agencies were requested to provide to the Chair a designated "primary observer." Lastly, in accordance with established BRAC procedures, it was emphasized that if neither the principal nor the alternate can attend an IJCSG meeting, then that organization is not "officially" represented.

Next, Ms. Dunie provided new guidance to the IJCSG with respect to the Non-Disclosure Agreements (NDA). Specifically:

- Each Military Department and Defense intelligence agency is to provide a list of individuals who have signed a NDA, along with their Social Security Number, and a brief description of their role in the BRAC process.
- The IJCSG will then verify each individual's security clearances. This information will be safeguarded by the Chair, IJCSG.
- The Chair will designate those individuals who are to continue to provide support to the IJCSG analytical process. The subgroups will be reorganized with the right mix of representatives from the Military Departments and Defense intelligence agencies. The intent is to reduce the number of individuals who have access to the data to those specifically doing the analysis and participating on a daily basis.
- Individuals in the Intelligence Community who are under a BRAC 2005 NDA will not be eligible to be assigned to the BRAC Commission staff. Henceforth, the Chair intends to control who will be allowed to sign a BRAC NDA so that there will be a greater number of individuals who may serve on the Commission staff.

Next followed a lengthy discussion of the security classification issue that was raised at the 21 November ISG. Attached is a paper that describes the proposed procedures that will permit the IJCSG to protect highly classified information while meeting the intent of BRAC requirements. The paper is being coordinated with the DCI's general counsel, the DoD GC, USD(I), USD(AT&L), and others. This proposal will be presented to the ISG

[redacted]

for their approval on 9 January. During the discussion, a member raised the issue of data collection and data certification. There was enough confusion as to an acceptable procedure for the intelligence data call that Ms. Dunie requested the OSD BRAC representative to schedule a meeting with DOD IG and the BRAC office to get clarification. Lastly, [redacted] was tasked to promulgate a revised IJCSG internal control plan (ICP) incorporating such items as the capacity data call collection methodology and the designation of certification officials for each Military Department and Defense intelligence agency.

[redacted] announced that the IJCSG received the master data call question list from the BRAC office. It was his intent to host a meeting on 18 December to cull through the questions to pick those questions that could also serve as IJCSG questions. A separate list of questions would then be loaded into the IJCSG's standalone database. Additionally, guidance would be provided to the responders as to which questions to answer and which questions to mark "N/A."

A member requested that the meetings of the IJCSG be scheduled on a routine basis in a similar manner as the ISG. Ms. Dunie noted that the IJCSG was still in a "catch-up" mode, however, it was a valid suggestion and a future meeting schedule would be promulgated. Another member suggested that a principals meeting be scheduled after the holidays. [redacted] was asked to schedule the meeting.

The meeting concluded with Ms. Dunie announcing that the next step in the process is military value analysis and that training would be provided by the BRAC office commencing after the holidays.

Approved: Kenneth Dumm

Kenneth Dumm
Associate Director for Intelligence,
Directorate of Intelligence, Surveillance and Reconnaissance, Deputy Chief of Staff for Air and Space Operations, Headquarters United States Air Force
Principal, Intelligence Joint Cross-Service Group

Attachments:

1. List of Attendees
2. Memorandum on IJCSG Classification Issues

[redacted]

DCN: 11305

Intelligence JCSG Meeting
November 24, 2003

Attendees

Members:

- Mr. Kennth Dumm, USAF
- Mr. Terrance Ford, USA

Alternates:

- Ms. Karin Dolan, USMC, for BG Michael Ennis
- Mr. Larry Burgess, National Reconnaissance Office for the Director
- Ms. Karyn Vice, National Security Agency for the Director
- Mr. Patrick Conway, Defense Intelligence Agency for the Director
- Mr. Tom Ferguson, National Geospatial Intelligence Agency for the Director
- Ms. Polly Hussain, JCS/J2 for J2

Others:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

DCN: 11305

DRAFT

MEMORANDUM FOR THE SECRETARY OF DEFENSE

THROUGH: USD(I)
DOD OGC
USD(AT&L)

SUBJECT: Protection of Classified Information in BRAC 2005

BACKGROUND:

The Intelligence Joint Cross-Service Group (IJCSG) was established to participate in BRAC 2005. The DUSD for Counterintelligence and Security within the OUSD(I) chairs the IJCSG. The unprecedented inclusion of Defense intelligence in the BRAC process poses a new security issue for the Department.

BRAC legal requirements state, "all information used by the Secretary to prepare the [BRAC] recommendations" shall be made "available to Congress (including any committee or member of Congress" and "the Commission and the Comptroller General of the United States." Concern was raised at the 21 November Infrastructure Steering Group (ISG) meeting about the possibility that highly classified material generated by the IJCSG in the BRAC process theoretically could be subject to review by many Commissioners and Members of Congress who are not customarily privy to such information.

The process for evaluating DoD sites for base realignment and closure determinations will involve locations that provide support to both Departmental and National Intelligence Community intelligence activities. It is important that the BRAC process protect the sensitive nature of the support provided and yet accurately reflect the important, and sometimes critical, national security interests served by such activities. In many cases, the significance of the activity is not overtly apparent. In addition, the nature of the activity at many sites may be highly classified and will need appropriate protection throughout the BRAC process and in any determination or recommendations that result. The ISG requested a proposed solution to these security issues.

PROPOSED WAY AHEAD:

On review, the DoD OGC and DCI Community Management Staff Chief Legal Counsel have determined that BRAC statutes are not inconsistent with the Department's legal responsibilities for protecting classified information. There is ample precedent for handling highly sensitive information in support of commissions and Congress. Based on those precedents I recommend the following for your approval:

[redacted]

[redacted]

DCN: 11305

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- The IJCSG collect, aggregate, analyze, and store data for BRAC at the [redacted] as necessary, in a DIA approved [redacted]

- Overall recommendations to the Commission resulting from the BRAC analyses be provided at the collatera[redacted]evel and below.

- [redacted]level information be made available upon request within the IJCSG SCIF to the following individuals on a need to know basis during the BRAC process:

    - Chair and Ranking Member of the SASC and HASC
    - Chair and Ranking Member of the HPSCI and SSCI
    - Majority and Minority Leaders of the House and Senate
    - Appropriately cleared members of the BRAC Commission
    - Select others – to be approved by the USD(I) on a case-by-case basis.

- Because USD(I) is the DoD Chief Security Officer, I recommend that you delegate to the USD(I) such departmental authorities related to security matters as are necessary to support the BRAC process. This would enable USD(I) to act as the focal point for IJCSG coordination with the DCI on security matters that cannot otherwise be resolved.

These recommendations have been agreed upon with DCI's Chief Legal Counsel on the Community Management Staff. If you approve of this approach, I will work out implementation details with the DCI's staff. I will also engage appropriate staff on the Hill to ensure their agreement and cooperation.

In addition to the above mentioned procedures, it is advisable that appropriate consideration of security clearances be given in the process for selecting BRAC Commissioners.

Carol A. Haave
Deputy Under Secretary of Defense
(Counterintelligence and Security)
Chair, IJCSG

Prepared by: Deborah Dunie, DUSD(CI&S), (703) 695-2396

Coordinated with Mr. James M. Harris, IC Council for ODDCICM

[redacted]