



COUNTERINTELLIGENCE FIELD ACTIVITY

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ACTION MEMO

FOR: ACTING DEPUTY UNDER SECRETARY OF DEFENSE FOR
COUNTERINTELLIGENCE AND SECURITY

THROUGH: ACTING DIRECTOR, COUNTERINTELLIGENCE, ODUSD (CI&S)

FROM: James T. Faust, Director, CIFA *JTF 3/1/07*

SUBJECT: Program Review on DoD Use of National Security Letters (NSLs)

- This memorandum responds to your January 25 request (TAB A) regarding subject review.
- The review was conducted from January 30 to February 21. The CIFA Program Management Directorate interviewed individuals from appropriate offices in OSD, AFOSI, Army INSCOM, and NCIS. The report (TAB B) highlights:
 - DoD guidance on using NSLs.
 - Service philosophies concerning the use of NSLs.
 - Instructional guidance and processes for issuing NSLs.
 - Process times and approval authorities by Service.
 - DoD training.
- The report recommends the Department of Defense:
 - Provide more specific guidance concerning the definition and use of applicable NSL statutes.
 - Review approval authorities to ascertain it is within the intent of applicable NSL statutes.
 - Establish guidelines concerning the legal review of NSL requests.
 - Initiate legislation to expand 15 USC 1681v to include CI investigations.
 - Collect data concerning NSL use and report annual findings to CIFA.
 - Establish standardized training for all DoD basic CI agents and introduce formalized NSL training in JCITA advanced courses.

COORDINATION: TAB C

Attachments:
As stated

Prepared by: [REDACTED] Deputy, CI Investigations; [REDACTED]