Review of the TALON Reporting System

Key Points:

- The working group created to examine the TALON Reporting System found that TALON reporting is routinely shared with local law enforcement agencies and many TALON reports are based on information provided to the Department of Defense (DoD) by civilian law enforcement organizations. This sharing of information has resulted in an enhanced relationship between DoD and local, state and federal law enforcement agencies. Command officials value the capability provided by TALON.

- The TALON reporting system has become an important tool for the DoD. It serves as one of the primary means for providing threat information to Commanders.

- Although initially intended for use in the United States (US), the TALON Reporting System is also being utilized overseas by some DoD Components. The system should not be limited by policy to domestic reporting because of the nature of the threat posed by international terrorism.

- Several organizations are concerned that the use of the retention standards in the DoD 5240.1-R for TALON reports with US person information maintained in the CIFA Cornerstone database will negatively impact the capability of analysts to track potential terrorist activity indicators over a long period of time.

Areas of Confusion:

- Intelligence and CI personnel writing TALON reports must consider a "foreign" terror nexus pursuant to DoD 5240.1-R in reporting TALON information that contains US person information while law enforcement and force protection personnel do not have any such restrictions. The latter group is concerned about any terror threat to the DoD regardless of origin. The combined efforts of members of the intelligence, CI, law enforcement, and force protection communities make the TALON reporting system successful, but lead to some confusion within the force protection community.

- The wording of the 2003 DEPSECDEF memorandum has lead to different interpretations of the type of information that could be reported via TALON.

    - One of the reporting criteria in the 2003 DEPSECDEF memo, entitled "suspicious activities/incidents," states this category should be used when

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an activity/incident "is believed to represent a force protection threat." Because of the ambiguity of this statement, The Air Force Office of Special Investigations (AFOSI), The Naval Criminal Investigative Service (NCIS), the Army Intelligence and Security Command (INSCOM) and the US Army Criminal Investigation Command (CID). Each generated implementation instructions that expanded the scope of the types of reports that could be submitted via TALON report beyond that of possible terrorist activity.

- Each of those organizations had a review process to address substantive, Privacy Act or Intelligence Oversight issues and polices as appropriate on draft TALON reports. That review process was based upon organizational implementation policies in addition to the Privacy Act or Intelligence Oversight guidance.

- AFOSI, NCIS, Army CID, and the office of the G-2, Headquarters US Army (for INSCOM) advised that their TALON Reporting Systems were in compliance with the directives governing Privacy Act information or Intelligence Oversight, as appropriate.

Status of Cornerstone Database:

- CIFA's role in the TALON system is to maintain the data base and to conduct analysis.

- CIFA controlled access to the TALON reporting system on SIPRNET by approving passwords for each individual nominated by the parent organization for access.

- Personnel from 28 Organizations were authorized to use TALON.

- 3,589 users have been authorized to submit TALON reports or access the database.

- CIFA developed a plan for conducting an Intelligence Oversight review of TALON in July 2005 and began the database review on September 2, 2005.

- The TALON Cornerstone database as of December 2005 had nearly 13,000 entries. Army, Navy and Air Force organizations were responsible for more than 97% of the entries in the TALON Cornerstone database.

- There are currently approximately 2,821 TALON reports with US person information. Note: These documents have been segregated in the database. Access to these reports has been restricted to the individuals assigned to conduct an Intelligence Oversight retention review. Reports that are determined to meet the retention criteria in DoD 5240.1-R will be loaded back into Cornerstone. The review will be completed by March 31, 2006.

- As of February 10, 2006, CIFA had deleted 1,131 TALONs from the Cornerstone database because they did not meet the reporting criteria in the May 2, 2003 DEPSECDEF memo or the retention criteria outlined in DoD 5240.1-R or were no longer of analytical value.

    - 186 of the deleted TALONs dealt with anti-military protests or demonstrations in the US.

    - CIFA did not have a formal mechanism in place to notify users of the TALON/Cornerstone database when a report has been deleted or determined to contain US person data but should have such a capability in place during February 2006 that is based upon information placed on the Cornerstone web page. CIFA is providing a memo to all 28 organizational users about the new procedures.

- The DEPSECDEF memo states that "CIFA and the designated 'lead components' in the Military Services, Combatant Commands, and Defense Agencies are authorized to retain TALON information as necessary to conduct their analysis missions." CIFA interpreted this to mean that the activity was permitted to retain TALONs for as long as necessary for analytic purposes, even if the report contained US person information.

    - Per USD(I) direction, CIFA is now applying the retention criteria of DoD 5240.1-R for TALON reports containing US person information.

- The Cornerstone software was originally developed to track DoD sponsored foreign visitors and has required extensive modification to handle TALON reporting. It had no capability to manage Intelligence Oversight requirements and user ability to edit and delete reports was severely limited. A series of software enhancements to address these issues has been initiated. They will be completed by April 2006.

Analysis of TALON Reports:

- AFOSI, NCIS, Army CID headquarters and the office of the G 2, Headquarters US Army advised that no field units had conducted any follow-up

activities against the organizations or personnel identified in reports produced by their organizations involving protests or demonstrations.

- Each organization also advised that TALON information had not been provided by recruited sources of information in the TALON reports involving protests or demonstrations. All TALON information had been voluntarily on the initiative of the reporter and not as a result of DoD tasking. However, this statement is not intended to state that TALON reporting could not result from recruited sources or tasked personnel.