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Engagement with SECDEF on 2.3 Raw SIGINT Procedures

Talking Points

- (U) As you know, ODNI has been working for several years with OSD staff on procedures that will permit NSA to share raw SIGINT with other Intelligence Community elements. These procedures will go into effect only after you and the Attorney General approve.
- (U) The draft has been fully coordinated with your staff, and all concerned agree that these procedures will close an important information-sharing gap. In addition to these procedures furthering the cause of intelligence integration, numerous leaks have spurred significant public interest in the document.
- (U) The time spent by our staffs on crafting the document, the significance of these procedures to intelligence integration, and the level of public interest in their completion all contribute to my personal interest in having the procedures signed by the Attorney General before the conclusion of this administration.
- (U) I would appreciate it if you would sign the procedures soon, so that my staff can submit them to the Attorney General for her signature. And if you have any questions on the procedures, I would be happy to answer them.

Background

- (U//~~FOUO~~) Under a 2008 amendment to Executive Order 12333, NSA is permitted to disseminate raw SIGINT to IC elements, so long as that information is disseminated in accordance with procedures established by the DNI, coordinated with the Secretary of Defense, and approved by the Attorney General.
- (U//~~FOUO~~) After extensive coordination between ODNI and the Office of the Secretary of Defense, procedures to govern raw SIGINT dissemination were passed to the Department of Defense for SECDEF coordination in August 2016.
- (S//NF) The procedures, if approved, provide a vehicle for closing an information-sharing gap. The procedures allow elements to request direct access to raw SIGINT in support of important foreign intelligence and counterintelligence missions, enabling those elements to bring to bear their own resources and expertise in evaluating and using raw SIGINT.
- (S//NF) Several Intelligence Community elements, including the Defense Intelligence Agency and the National Geospatial-Intelligence Agency, have identified missions that would benefit from access to NSA [REDACTED]. NSA also supports the procedures. NGA (b)(1)
- (U//~~FOUO~~) SECDEF recently approved a separate set of Attorney General-approved procedures under E.O. 12333 (DoDM 5240.01 "Procedures Governing Conduct of DoD Intelligence Activities"). These DNI-authored raw SIGINT procedures are different from, but consistent with and complementary to, that recently issued DOD Manual.

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