

# CIA Director John Brennan emails

Today, 21 October 2015 and over the coming days WikiLeaks is releasing documents from one of CIA chief John Brennan's non-government email accounts. Brennan used the account occasionally for several intelligence related projects.

John Brennan became the Director of the Central Intelligence Agency in March 2013, replacing General David Petraeus who was forced to step down after becoming embroiled in a classified information mishandling (https://www.wikileaks.org/) scandal. Brennan was made Assistant to the President for Homeland Security and Counterterrorism on the commencement of the Obama presidency in 2009--a position he held until taking up his role as CIA chief.

> According to the CIA Brennan previously worked for the agency for a 25 year stretch, from 1980 to 2005.

Brennan went private in 2005-2008, founding an intelligence and analysis firm The Analysis Corp (TAC). In 2008 Brennan became a donor to Obama. The same year TAC, led by Brennan, became a security advisor to the Obama campaign and later that year to the Obama-Biden Transition Project. It is during this period many of the Obama administration's key strategic policies to China, Iran and "Af-Pak" were formulated. When Obama and Biden entered into power, Brennan was lifted up on high, resulting in his subsequent high-level national security appointments.

If you have similar official documents that have not been published yet, send them to WikiLeaks.

### John Brennan Draft SF86

"National Security Position" form for John Brennan. This form, filled out by Brennan himself before he assumed his current position, reveals a quite comprehensive social graph of the current Director of the CIA with a lot of additional non-governmental and professional/military career details. (17 November 2008, Author: John Brennan)

Download PDF (/cia-emails/John-Brennan-Draft-SF86/John-Brennan-Draft-SF86.pdf) or view HTML (/cia-emails/John-Brennan-Draft-SF86/page-1.html) version.

# The Analysis Corporation

FAX from the General Counsel of the CIA to the Government Accountability Office about a legal quarrel between the CIA and "The Analysis Corporation". TAC seems to have lost a tender for a US watchlist-related software project to a competitor. Issues seem to revolve around "growth of historical data" and "real-time responsiveness" of the system. (15 February 2008, Sender: CIA, Office of General Counsel, Larry Passar)

Download PDF (/cia-emails/Analysis-Corporation/Analysis-Corporation.pdf) or view HTML (/cia-emails/Analysis-Corporation/page-1.html) version.

# **Draft: Intel Position Paper**

Challenges for the US Intelligence Community in a post cold-war and post-9/11 world; a calling for inter-agency cooperation, a ten-year term for the Director of the CIA and the Director of National Intelligence. It also demands the autonomy of the Intelligence Community, that it "... must never be subject to political manipulation and interference." An unfinished paragraph is titled "Damaging Leaks of Classified Information". (15 July 2007, Author: John Brennan)

Download PDF (/cia-emails/Draft-Intel-Position-Paper/Draft-Intel-Position-Paper.pdf) or view HTML (/cia-emails/Draft-Intel-Position-Paper/page-1.html) version.

### The Conundrum of Iran

Recommendations to the next President (assuming office in Jan. 2009) on how to play the figures on the U.S.-Iranian Chessboard (18 November 2007, Author: John Brennan)

Download PDF (/cia-emails/The-Conundrum-of-Iran/The-Conundrum-of-Iran.pdf) or view HTML (/cia-emails/The-Conundrum-of-Iran/page-1.html) version.

### **Torture**

Letter from Vice Chairman Bond, Senate Select Committee on Intelligence, to his fellow board members with a proposal on how to make future interrogation methods "compliant" and "legal". Instead of listing all allowed methods, every kind of interrogation should be considered compliant, as long as it is not explicitly forbidden by the "Army Field Manual" (AFM). (May 2008)

Download PDF (/cia-emails/Torture/Torture.pdf) or view HTML (/cia-emails/Torture/page-1.html) version.

# **Torture Ways**

A bill from July 2008 called "Limitations on Interrogation Techniques Act of 2008" explicitly list the forbidden interrogation techniques mentioned in the previous document and can be considered a direct implementation of the recommendations of Christopher Bond. (31 July 2008)

Download PDF (/cia-emails/Torture-Ways/Torture-Ways.pdf) or view HTML (/cia-emails/Torture-Ways/page-1.html) version.

#### PRIVACY ACT INFORMATION

# Electronic Questionnaires for Investigations Processing (e-QIP) Investigation Request #4800237

# **REVIEW COPY - DO NOT RETAIN**

This copy is for review purposes only. An official copy for archival is generated upon form certification.

Note: To conserve paper only the first entry in multiple-entry lists displays completion instructions. The completion instructions for the first entry also applies to each additional entry unless otherwise noted

# **Form Completion Instructions**

# **Questionnaire for National Security Positions (SF86 Format)**

OMB No. 3206-0005

Follow instructions fully or we cannot process your form. *If you have any questions*, call the office that gave you the form.

### **Purpose of this Form**

The United States Government conducts background investigations and reinvestigations to establish that military personnel, applicants for or incumbents in national security positions, either employed by the Government or working for Government contractors, licensees, certificate holders, and grantees, are eligible for a required security clearance. Information from this form is used primarily as the basis for investigation for access to classified information or special nuclear information or material. Complete this form only after a conditional offer of employment has been made for a position requiring a security clearance.

Giving us the information we ask for is voluntary. However, we may not be able to complete your investigation, or complete it in a timely manner, if you don't give us each item of information we request. This may affect your placement or security clearance prospects.

### **Authority to Request this Information**

Depending upon the purpose of your investigation, the United States Government is authorized to ask for this information under Executive Orders 10450, 10865, 12333, and 12356; sections 3301 and 9101 of title 5, United States Code; sections 2165 and 2201 of title 42, United States Code; sections 781 to 887 of title 50, United States Code; and parts 5, 732, and 736 of Title 5, Code of Federal Regulations.

Your Social Security number is needed to keep records accurate, because other people may have the same name and birth date. Public Law 104-134 (April 26, 1996), as amended in title 31, section 7701, also asks Federal agencies to use this number to help identify individuals in agency records.

### The Investigative Process

Background investigations for national security positions are conducted to develop information to show whether you are reliable, trustworthy, of good conduct and character, and loyal to the United States. The information that you provide on this form is confirmed during the investigation. Investigation may extend beyond the time covered by this form when necessary to resolve issues. Your current employer must be contacted as part of the investigation, even if you have previously indicated on applications or other forms that you do not want this.

In addition to the questions on this form, inquiry also is made about a person's adherence to security requirements, honesty and integrity, vulnerability to exploitation or coercion, falsification, mis-representation, and any other behavior, activities, or associations that tend to show the person is not reliable, trustworthy, or loyal.

#### **Your Personal Interview**

Some investigations will include an interview with you as a normal part of the investigative process. This provides you the opportunity to update, clarify, and explain information on your form more completely, which often helps to complete your investigation faster. It is important that the interview be conducted as soon as possible after you are contacted. Postponements will delay the processing of your investigation, and declining to be interviewed may result in your investigation being delayed or canceled.

You will be asked to bring identification with your picture on it, such as a valid State driver's license, to the interview. There are other documents you may be asked to bring to verify your identity as well. These include documentation of any legal name change, Social Security card, and/or birth certificate.

You may also be asked to bring documents about information you provided on the form or other matters requiring specific attention. These matters include alien registration, delinquent loans or taxes, bankruptcy, judgments, liens, or other financial obligations, agreements involving child custody or support, alimony or property settlements, arrests, convictions, probation, and/or parole.

### **Organization of this Form**

This form has two parts. Part 1 asks for background information, including where you have lived, gone to school, and worked. Part 2 asks about your activities and such matters as firings from a job, criminal history record, use of illegal drugs, and abuse of alcohol.

In answering all questions on this form, keep in mind that your answers are considered together with the information obtained in the investigation to reach an appropriate adjudication.

### **Instructions for Completing this Form**

- 1. Follow the instructions given to you by the person who gave you the form and any other clarifying instructions furnished by that person to assist you in completion of the form. You should retain a copy of the completed form for your records.
- 2. All questions on this form must be answered. If no response is necessary or applicable, indicate this on the form by checking the associated "Not Applicable" box. If you need to estimate a date, an "estimated" box will be available after each date entry blank.
- 3. Do not abbreviate the names of cities or foreign countries. Whenever you are asked to supply a "Country" name, you may select the country name by using the country list feature.

To use the "Country" list feature, click on the "List" link beside the "Country" title to open a listing of country names in a separate window. Find the desired country name and use your web browser's "Copy" and "Paste" features to copy the country name into the "Country" text field. If the country name is not in the list, manually enter the country name into the "Country" text field.

When entering a United States address or location, select the state or territory from the "States" pull-down list. Selecting a state/territory implies "United States" as the country, so you do not need to enter it into the "Country" text field. For locations outside of the United States and its territories, enter the name of the country into the "Country" text field and leave the "State" field blank.

- 4. The 5-digit postal ZIP codes are needed to speed the processing of your investigation. The office that provided the form will assist you in completing the ZIP codes.
- 5. For telephone numbers in the United States, be sure to include the area code, and use one of the following formats: (123)456-7890 or 1234567890.

6. All dates provided on this form must be in Month/Day/Year or Month/Year format. Use the pull down lists to select the month and day. The year should be entered as all four numbers, i.e., 1978 or 2001. If you find that you cannot report an exact date, approximate or estimate the date to the best of your ability and indicate this by checking the "Est." box.

### **Final Determination on Your Eligibility**

Final determination on your eligibility for access to classified information is the responsibility of the Federal agency that requested your investigation. You may be provided the opportunity personally to explain, refute, or clarify any information before a final decision is made.

#### **Penalties for Inaccurate or False Statements**

The United States Criminal Code (title 18, section 1001) provides that knowingly falsifying or concealing a material fact is a felony which may result in fines of up to \$10,000, and/or 5 years imprisonment, or both. In addition, Federal agencies generally fire, do not grant a security clearance, or disqualify individuals who have materially and deliberately falsified these forms, and this remains a part of the permanent record for future placements. Because the position for which you are being considered is a sensitive one, your trustworthiness is a very important consideration in deciding your eligibility for a security clearance. Your prospects of placement or security clearance are better if you answer all questions truthfully and completely. You will have adequate opportunity to explain any information you give us on the form and to make your comments part of the record.

#### **Disclosure of Information**

The information you give us is for the purpose of investigating you for a national security position; we will protect it from unauthorized disclosure. The collection, maintenance, and disclosure of background investigative information is governed by the Privacy Act. The agency which requested the investigation and the agency which conducted the investigation have published notices in the Federal Register describing the systems of records in which your records will be maintained. You may obtain copies of the relevant notices from the person who gave you this form. The information on this form, and information we collect during an investigation may be disclosed without your consent as permitted by the Privacy Act (5 USC 552a(b)) and as follows below.

#### PRIVACY ACT ROUTINE USES

1. To the Department of Justice when: (a) the agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States Government, is a party to litigation or has interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records by the Department of Justice is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.

- 2. To a court or adjudicative body in a proceeding when: (a) the agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States Government, is a party to litigation or has interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.
- 3. Except as noted in Question 24, when a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, particular program statute, regulation, rule, or order issued pursuant thereto, the relevant records may be disclosed to the appropriate Federal, foreign, State, local, tribal, or other public authority responsible for enforcing, investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order.
- 4. To any source or potential source from which information is requested in the course of an investigation concerning the hiring or retention of an employee or other personnel action, or the issuing or retention of a security clearance, contract, grant, license, or other benefit, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.
- 5. To a Federal, State, local, foreign, tribal, or other public authority the fact that this system of records contains information relevant to the retention of an employee, or the retention of a security clearance, contract, license, grant, or other benefit. The other agency or licensing organization may then make a request supported by written consent of the individual for the entire record if it so chooses. No disclosure will be made unless the information has been determined to be sufficiently reliable to support a referral to another office within the agency or to another Federal agency for criminal, civil, administrative, personnel, or regulatory action.
- 6. To contractors, grantees, experts, consultants, or volunteers when necessary to perform a function or service related to this record for which they have been engaged. Such recipients shall be required to comply with the Privacy Act of 1974, as amended.
- 7. To the news media or the general public, factual information the disclosure of which would be in the public interest and which would not constitute an unwarranted invasion of personal privacy.
- 8. To a Federal, State, or local agency, or other appropriate entities or individuals, or through established liaison channels to selected foreign governments, in order to enable an intelligence agency to carry out its responsibilities under the National Security Act of 1947 as amended, the CIA Act of 1949 as amended, Executive Order 12333 or any successor order, applicable national security directives, or classified implementing procedures approved by the Attorney General and promulgated pursuant to such statutes, orders or directives.

- 9. To a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional office made at the written request of the constituent about whom the record is maintained.
- 10. To the National Archives and Records Administration for records management inspections conducted under 44 USC 2904 and 2906.
- 11. To the Office of Management and Budget when necessary to the review of private relief legislation.

### PUBLIC BURDEN INFORMATION

Public Burden reporting for this collection of information is estimated to average 90 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to OPM Forms Officer, United States Office of Personnel Management, 1900 E Street NW, Washington DC 20415-7900. Do not send your completed form to this address. The OMB No. 3206-0005 is currently valid. OPM may not collect this information and you are not required to respond unless this number is displayed.

## E.O. 12968 Rider for the SF86

# **Executive Order 12968 Rider for the Questionnaire for National Security Positions (SF86)**

Some questions on the current SF86 specify a time frame of seven years, which is not consistent with Executive Order 12968. Until a revised form is in place, interim instructions are needed for some of the items on the current SF86 when an SSBI is required. These questions should be answered with a ten (10) year time frame for the case to meet the new standard:

Section 9: Where You Have Lived

Section 10: Where You Went to School

Section 11: Your Employment Activities

Section 22: Your Employment Record

Section 23, questions e and f: Your Police Record

Section 29: Public Record Civil Court Actions

If you have questions, please contact the official that gave you access to the e-QIP System.

# **Sections 1-6: Your Identifying Information**

Provide the following information about your identity.

**Section 1: Full Name** 

If you have no first name or middle name, select No First Name (NFN) or No Middle Name (NMN), as appropriate. If you have only initials in your name, enter the initial(s) (without the period) and select Initial Only (IO). If you are a "Jr.," "Sr.," "II," etc., enter this under Suffix.

Full Name

Last: Brennan. First: John. Middle: Owen. Suffix: Field is blank!

#### **Section 2: Date of Birth**

Date of Birth

Month/Day/Year: <u>09/22/1955</u>.

#### **Section 3: Place of Birth**

Place of Birth

City: Jersey City. County: Hudson. State: NJ. Country: Field is blank!

#### **Section 5: Other Names Used**

Give other names you have used and the period of time you used them (for example: maiden name, name(s) by a former marriage, former name(s), alias(es), nickname(s)). If the other name is your maiden name, check the "nee" box.

Other Names Used ( Not Applicable: { x Box IS Checked!} .) (No Entry Provided)

#### **Section 6: Other Identifying Information**

Height

Feet: <u>6</u>.

Inches: 1.

Weight (Pounds): <u>210</u>. Hair Color: <u>Brown/gray</u>.

Eye Color: Blue.

Sex

Male: { x Box IS Checked!} . Female: { Box NOT Checked! } .

# **Section 7: Telephone Numbers**

Provide your telephone numbers and the time of the day that you are most likely available at these numbers. Include the Area Code and extension, where applicable.

Work Telephone

Number: 703-674-8478. Time: Both.

Home Telephone

Number: <u>703-435-8772</u>. Time: <u>Night</u>.

# **Section 8: Citizenship**

#### Item a

Mark the box that reflects your current citizenship status, and follow its instructions.

Citizenship Status

I am a U.S. citizen or national by birth in the U.S. or U.S. territory/possession. (Answer items b and d): { x Box IS Checked!} .

I am a U.S. citizen, but I was NOT born in the U.S. (Answer items b, c and d): { Box NOT Checked! \} .

I am not a U.S. citizen. (Answer items b and e): { Box NOT Checked! } .

#### Item b

Your Mother's Maiden Name: Dunn.

### Item c, United States Citizenship

If you are a U.S. citizen, but were not born in the U.S., provide information about one or more of the following proofs of your citizenship.

Naturalization Certificate (Where were you naturalized?)

Court: Field is blank!

Location

City: Field is blank! State: Field is blank! Certificate Number: Field is blank!

Date Issued

Month/Day/Year:  $\sim / \sim / \sim$ .

Citizenship Certificate (Where was the certificate issued?)

Place Issued

City: Field is blank! State: Field is blank! Certificate Number: Field is blank!

Date Issued

Month/Day/Year:  $\sim / \sim / \sim$ .

State Department Form 240 - Report of Birth Abroad of a Citizen of the United States

Give the date the form was prepared and give an explanation if needed.

Date Form Prepared Month/Day/Year:  $\sim / \sim / \sim$ . Explanation Field is blank!

#### U.S. Passport

This may be either a current or previous U.S. Passport.

Passport Number: 219353334.

Date Issued

Month/Day/Year: 11/15/2006.

### Item d, Dual Citizenship

If you are (or were) a dual citizen of the United States and another country, provide the name of that country.

Country(ies) of Dual Citizenship ( Not Applicable: { x Box IS Checked!} .) (No Entry Provided)

#### Item e, Alien

If you are an alien, provide the following information:

Place You Entered the United States

City: Field is blank! State: Field is blank!

Date You Entered U.S. Month/Day/Year:  $\frac{\sim/\sim/\sim}{}$ .

Alien Registration Number: Field is blank!

Country(ies) of Citizenship

(No Entry Provided)

# **Section 9: Where You Have Lived**

Provide a detailed entry for each place you have lived in the last 7 years. All periods must be accounted for in your list. Do not list a permanent address when you were actually living at a school address, etc. You may omit temporary military duty locations under 90 days (list your permanent address instead).

1. Provide the requested information about this place where you have lived.

Be sure to indicate the actual physical location of your residence: do not use a post office box as an address, do not list a permanent address when you were actually living at a school address, etc. Be sure to specify your location as closely as possible: for example, do not list only your base or ship, list your barracks number or home port.

For temporary military duty locations under 90 days, list your permanent address instead. You should use your APO/FPO address if you lived overseas.

For addresses in the last five years, if this address is "General Delivery," a Rural or Star Route, or may be difficult to locate, provide directions for locating the residence under Additional Comments below.

Dates of Activity

From (Month/Year): <u>07/1999</u>. To (Month/Year): <u>Present</u>.

Street Address

Street: 13351 Point Rider Lane.

City: <u>Herndon</u>. State: <u>VA</u>. Country: Field is blank! Zip Code: <u>20171</u>.

#### Person Who Knew You

For any address in the last 5 years, list a person who knew you at this address, and who preferably still lives in that area (do not list people for residences completely outside this 5-year period, and do not list your spouse, former spouses, or other relatives).

Name: Joe McGuiness.

Street Address

Street: 13361 Point Rider Lane.

City: Herndon. State: VA. Country: Field is blank! Zip Code: 20171.

Telephone Number

Number: 7036756804.

2. Dates of Activity

From (Month/Year): <u>11/1996</u>. To (Month/Year): <u>07/1999</u>.

Street Address

Street: Diplomatic Quarter.

City: Rivadh. State: Field is blank! Country: Saudi Arabia. Zip Code: Field is blank!

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

3. Dates of Activity

From (Month/Year): <u>04/1989</u>. To (Month/Year): <u>11/1996</u>.

Street Address

Street: 13351 Point Rider Lane.

City: <u>Herndon</u>. State: <u>VA</u>. Country: Field is blank! Zip Code: <u>20171</u>.

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

4. Dates of Activity

From (Month/Year): <u>12/1984</u>. To (Month/Year): <u>04/1989</u>.

Street Address

Street: 6857 Lafayette Park Drive.

City: Annandale. State: VA. Country: Field is blank! Zip Code: 22003.

#### Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

5. Dates of Activity

From (Month/Year): <u>08/1982</u>. To (Month/Year): <u>11/1984</u>.

Street Address

Street: Embassy Residence.

City: Jeddah. State: Field is blank! Country: Saudi Arabia. Zip Code: Field is blank!

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

6. Dates of Activity

From (Month/Year): <u>01/1981</u>. To (Month/Year): <u>02/1982</u>.

Street Address

Street: 6147 Leesburg Pike Apt 309.

City: Falls Church. State: VA. Country: Field is blank! Zip Code: 22042.

#### Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

7. Dates of Activity

From (Month/Year): <u>08/1980</u>. To (Month/Year): <u>12/1980</u>.

Street Address

Street: 501 N. Roosevelt Road.

City: Falls Church. State: VA. Country: Field is blank! Zip Code: 22042.

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

8. Dates of Activity

From (Month/Year): <u>08/1978</u>. To (Month/Year): <u>08/1980</u>.

Street Address

Street: 5700 Cameron Road Apt. 210.

City: Austin. State: TX. Country: Field is blank! Zip Code: 78710.

#### Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

9. Dates of Activity

From (Month/Year): <u>01/1976</u>. To (Month/Year): <u>08/1978</u>.

Street Address

Street: 435 74th Street.

City: North Bergen. State: NJ. Country: Field is blank! Zip Code: 07047.

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

10. Dates of Activity

From (Month/Year): <u>08/1975</u>. To (Month/Year): <u>01/1976</u>.

Street Address

Street: American University in Cairo Dormitory.

City: Cairo. State: Field is blank! Country: Egypt. Zip Code: Field is blank!

**Person Who Knew You** 

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

11. Dates of Activity

From (Month/Year): <u>02/1963</u>. To (Month/Year): <u>08/1975</u>.

Street Address

Street: 435 74th Street.

City: North Bergen. State: NJ. Country: Field is blank! Zip Code: 07047.

Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is blank!

Telephone Number

Number: Field is blank!

(End of List)

# Section 10: Where You Went To School

List the schools you have attended, beyond Junior High School, in the last 7 years. If all of your education occurred more than 7 years ago, list your most recent education beyond high school, no matter when that education occurred.

Schools Attended (Not Applicable: { Box NOT Checked! } .)

1. Provide the requested information about this school you attended. For correspondence schools and extension classes, provide the address where the records are maintained.

Dates of Activity

From (Month/Year): <u>08/1977</u>. To (Month/Year): <u>05/1980</u>.

School Type

High School: { Box NOT Checked! } .

College/University/Military College: { x Box IS Checked!} .

Vocational/Technical/Trade School: { Box NOT Checked! } .

School Name: <u>University of Texas at Austin</u>.

Street Address

Street: University Boulevard.

City: Austin. State: TX. Country: Field is blank! Zip Code: 78713.

Provide a detailed entry for each degree, diploma, etc. you received from this school.

Degree/Diploma/Other

1. Date Awarded

Month/Year: 05/1980.

Degree/Diploma/Other: M.A..

(End of Degree/Diploma/Other List)

#### Person Who Knew You

For schools you attended in the last 3 years, list a person who knew you at school (an instructor, student, etc.). Do not list people for education completely outside this 3-year period.

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

2. Dates of Activity

From (Month/Year): <u>09/1973</u>. To (Month/Year): <u>05/1977</u>.

School Type

High School: { Box NOT Checked! } .

College/University/Military College: { x Box IS Checked!} .

Vocational/Technical/Trade School: { Box NOT Checked! } .

School Name: Fordham University.

Street Address

Street: Fordham Road.

City: Bronx, New York City. State: NY. Country: Field is blank! Zip Code: 10458.

Degree/Diploma/Other

#### 1. Date Awarded

Month/Year: <u>05/1977</u>.

Degree/Diploma/Other: B.A.

(End of Degree/Diploma/Other List)

#### Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

3. Dates of Activity

From (Month/Year): <u>08/1975</u>. To (Month/Year): <u>01/1976</u>.

School Type

High School: { Box NOT Checked! } .

College/University/Military College: { x Box IS Checked!} .

Vocational/Technical/Trade School: { Box NOT Checked! } .

School Name: American University in Cairo.

Street Address

Street: AUC.

City: Cairo. State: Field is blank! Country: Egypt. Zip Code: Field is blank!

Degree/Diploma/Other

(No Entry Provided)

#### Person Who Knew You

Name: Field is blank!

Street Address

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Telephone Number

Number: Field is blank!

(End of List)

# **Section 11: Your Employment Activities**

Self-employment: { Box NOT Checked! } .

Provide a detailed entry for each of your employment activities for the last 7 years. You should list all full-time work, part-time work, military service, temporary military duty locations over 90 days, self-employment, other paid work, and all periods of unemployment. The entire 7-year period must be accounted for without breaks, but you need not list employments before your 16th birthday. EXCEPTION: Show all Federal civilian service, whether it occurred within the last 7 years or not.

#### 1. Dates of Activity

```
From (Month/Year): 11/2005. To (Month/Year): Present.

Use one of the codes listed below to identify the type of employment:

Type of Employment

Active military duty stations: { Box NOT Checked! } .

National Guard/Reserve: { Box NOT Checked! } .

U.S.P.H.S. Commissioned Corps: { Box NOT Checked! } .

Other Federal employment: { Box NOT Checked! } .

State Government (Non-Federal employment): { Box NOT Checked! } .
```

Unemployment: { Box NOT Checked! } .

Federal Contractor: { Box NOT Checked! } .

Other: { x Box IS Checked!} .

Employer Name: The Analysis Corporation.

Your Position Title: President and CEO.

Employer's Street Address

Street: 1501 Farm Credit Drive.

City: McLean. State: VA. Country: Field is blank! Zip Code: 22102.

Employer's Telephone Number

Number: 703-738-2840.

Job Location Street Address (if different than employer address)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Job Location Telephone Number

Number: <u>703-738-2877</u>.

Supervisor's Name: John Hillen.

Supervisor's Street Address (if different than job location)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Supervisor's Telephone Number

Number: <u>703-738-2887</u>.

Provide Previous Periods of Activity if you worked for this employer on more than one occasion at the same location. After entering the most recent period of employment

above, provide previous periods of employment at the same location on the additional lines provided. For example, if you worked at XY Plumbing in Denver, CO, during 3 separate periods of time, you would enter dates and information concerning the most recent period of employment above, and provide dates, position titles, and supervisors for the two previous periods of employment on the lines below.

```
Previous Periods of Activity (Not Applicable: { x Box IS Checked!} .)
   (No Entry Provided)
2. Dates of Activity
   From (Month/Year): <u>04/2007</u>. To (Month/Year): <u>11/2008</u>.
   Type of Employment
   Active military duty stations: { Box NOT Checked! } .
   National Guard/Reserve: { Box NOT Checked! } .
   U.S.P.H.S. Commissioned Corps: { Box NOT Checked! } .
   Other Federal employment: { Box NOT Checked! } .
   State Government (Non-Federal employment): { Box NOT Checked! } .
   Self-employment: { Box NOT Checked! } .
   Unemployment: { Box NOT Checked! } .
   Federal Contractor: { Box NOT Checked! } .
   Other: { x Box IS Checked!} .
   Employer Name: Intelligence and National Security Alliance.
   Your Position Title: Chairman of the Board.
   Employer's Street Address
   Street: 901 N. Stuart Street, Suite 205.
   City: Arlington. State: VA. Country: Field is blank! Zip Code: 22203.
```

Employer's Telephone Number

Number: <u>703-224-4672</u>.

Job Location Street Address (if different than employer address)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Job Location Telephone Number

Number: Field is blank!

Supervisor's Name: None.

Supervisor's Street Address (if different than job location)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Supervisor's Telephone Number

Number: Field is blank!

Provide Previous Periods of Activity if you worked for this employer on more than one occasion at the same location. After entering the most recent period of employment above, provide previous periods of employment at the same location on the additional lines provided. For example, if you worked at XY Plumbing in Denver, CO, during 3 separate periods of time, you would enter dates and information concerning the most recent period of employment above, and provide dates, position titles, and supervisors for the two previous periods of employment on the lines below.

Previous Periods of Activity (Not Applicable: { x Box IS Checked!} .)

(No Entry Provided)

#### 3. Dates of Activity

From (Month/Year): <u>08/1980</u>. To (Month/Year): <u>11/2005</u>.

Type of Employment

Active military duty stations: { Box NOT Checked! } .

```
National Guard/Reserve: { Box NOT Checked! } .
U.S.P.H.S. Commissioned Corps: { Box NOT Checked! } .
Other Federal employment: { x Box IS Checked!} .
State Government (Non-Federal employment): { Box NOT Checked! } .
Self-employment: { Box NOT Checked! } .
Unemployment: { Box NOT Checked! } .
Federal Contractor: { Box NOT Checked! } .
Other: { Box NOT Checked! } .
Employer Name: <u>Central Intelligence Agency</u>.
Your Position Title: various.
Employer's Street Address
Street: None.
City: <u>District of Columbia</u>. State: <u>DC</u>. Country: Field is blank! Zip Code: <u>20505</u>.
Employer's Telephone Number
Number: 703-482-7551.
Job Location Street Address (if different than employer address)
Street: Field is blank!
City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is
blank!
Job Location Telephone Number
Number: <u>703-482-6400</u>.
Supervisor's Name: George Tenet.
Supervisor's Street Address (if different than job location)
Street: Field is blank!
```

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is blank!

Supervisor's Telephone Number

Number: 703-482-6400.

Provide Previous Periods of Activity if you worked for this employer on more than one occasion at the same location. After entering the most recent period of employment above, provide previous periods of employment at the same location on the additional lines provided. For example, if you worked at XY Plumbing in Denver, CO, during 3 separate periods of time, you would enter dates and information concerning the most recent period of employment above, and provide dates, position titles, and supervisors for the two previous periods of employment on the lines below.

```
Previous Periods of Activity (Not Applicable: { x Box IS Checked!} .)
(No Entry Provided)
```

#### 4. Dates of Activity

```
From (Month/Year): 08/1978. To (Month/Year): 05/1980.

Type of Employment

Active military duty stations: { Box NOT Checked! } .

National Guard/Reserve: { Box NOT Checked! } .

U.S.P.H.S. Commissioned Corps: { Box NOT Checked! } .

Other Federal employment: { Box NOT Checked! } .

State Government (Non-Federal employment): { Box NOT Checked! } .

Self-employment: { Box NOT Checked! } .

Unemployment: { Box NOT Checked! } .

Federal Contractor: { Box NOT Checked! } .

Other: { x Box IS Checked! } .
```

Your Position Title: <u>Teaching Assistant</u>.

Employer Name: <u>University of Texas at Austin</u>.

Employer's Street Address

Street: <u>University Boulevard</u>.

City: Austin. State: TX. Country: Field is blank! Zip Code: 78712.

Employer's Telephone Number

Number: Field is blank!

Job Location Street Address (if different than employer address)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Job Location Telephone Number

Number: Field is blank!

Supervisor's Name: Government Department.

Supervisor's Street Address (if different than job location)

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Supervisor's Telephone Number

Number: Field is blank!

Provide Previous Periods of Activity if you worked for this employer on more than one occasion at the same location. After entering the most recent period of employment above, provide previous periods of employment at the same location on the additional lines provided. For example, if you worked at XY Plumbing in Denver, CO, during 3 separate periods of time, you would enter dates and information concerning the most recent period of employment above, and provide dates, position titles, and supervisors for the two previous periods of employment on the lines below.

Previous Periods of Activity (Not Applicable: { x Box IS Checked!} .)

(No Entry Provided)

# **Section 12: People Who Know You Well**

List three people who know you well and live in the United States. They should be good friends, peers, colleagues, college roommates, etc., whose combined association with you covers as well as possible the last 7 years. Do not list your spouse, former spouses, or other relatives, and try not to list anyone who is listed elsewhere on this form.

#### 1. Dates Known

From (Month/Year): 08/1994. To (Month/Year): Present.

Name: George Tenet.

Home or Work Address

Street: 711 5th Avenue.

City: New York. State: NY. Country: Field is blank! Zip Code: 10022.

Telephone Number

Number: <u>212-339-2403</u>. Time: Field is blank!

2. Dates Known

From (Month/Year): 01/1990 (Estimated). To (Month/Year): Present.

Name: Judith Miscik.

Home or Work Address

Street: 1 Columbus Plaza, Apt 49A.

City: New York. State: NY. Country: Field is blank! Zip Code: 10019.

Telephone Number

Number: 703-725-8551. Time: Night.

3. Dates Known

From (Month/Year): <u>08/1999</u>. To (Month/Year): <u>Present</u>.

Name: Darlene Connelly.

```
Home or Work Address

Street: 10201 Grovewood Way.
```

City: Fairfax. State: VA. Country: Field is blank! Zip Code: 22032.

Telephone Number

Number: <u>703-764-0697</u>. Time: <u>Night</u>.

(End of List)

# **Section 13/15: Your Spouse**

Mark one item to show your current marital status.

```
Marital Status
Never Married: { Box NOT Checked! } .

Married: { x Box IS Checked!} .

Separated: { Box NOT Checked! } .

Legally Separated: { Box NOT Checked! } .

Divorced: { Box NOT Checked! } .

Widowed: { Box NOT Checked! } .

Other: { Box NOT Checked! } .

Current Spouse ( Not Applicable: { Box NOT Checked! } .)
```

• Complete the following about your current spouse only.

If no first name or middle name is used, select No First Name (NFN) or No Middle Name (NMN), as appropriate. If only an initial is used as the first name or middle name, enter the initial (without the period) and select Initial Only (IO). If this person is a "Jr.," "Sr.," "II," etc., enter this under Suffix.

Full Name

```
Last: Brennan. First: Katherine. Middle: (NMN). Suffix: Field is blank!
```

Date of Birth

Month/Day/Year: <u>04/07/1956</u>.

Social Security Number (Not Applicable: { Box NOT Checked! } . )

148 - 52 - 1649.

Place of Birth

City: Jersey City. State: NJ. Country: Field is blank!

Provide your current spouse's address only if different than your current address; otherwise, check the "Use My Current Address" box.

Current Address ( Use My Current Address: { x Box IS Checked!} . )

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank! Zip Code: Field is

blank!

Provide the requested information about your marriage.

Date Married

Month/Day/Year: <u>08/13/1978</u>.

Place Married

City: West New York. State: NJ. Country: Field is blank!

If separated, provide date of separation.

Date of Separation

Month/Day/Year:  $\sim / \sim / \sim$ .

If legally separated, where is the record located?

Location of Separation Record

City: Field is blank! State: Field is blank! Country: Field is blank!

Provide the name of each country that this person is (or was) a citizen of.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

Specify maiden name, names by other marriages, etc., and show dates used for each name. Check the "nee" box to denote maiden name.

Other Names Used (Not Applicable: { Box NOT Checked! } .)

#### 2 Name

```
Last: <u>Pokluda</u>. First: <u>Katherine</u>. Middle: <u>(NMN)</u>. Suffix: Field is blank!

nee: { Box NOT Checked! } .

Dates Used

From (Month/Year): <u>04/1956</u>. To (Month/Year): <u>08/1978</u>.

(End of Other Names Used List)
```

### **Section 15: Citizenship of Your Relatives and Associates**

If your current spouse is a U.S. citizen by other than birth, or an alien residing in the U.S., provide a Proof of Citizenship Status entry below.

```
Proof of Citizenship Status
(No Entry Provided)
```

```
Former Spouse(s) ( Not Applicable: { x Box IS Checked!} .) (No Entry Provided)
```

# **Section 14/15: Your Relatives and Associates**

# **Validation Responses**

Message: Person #2: Provide a proof of citizenship status document or other explanation for this person, a foreign-born United States citizen. If this person was born in the United States, ensure that you have entered "United States" as the Country of Birth, and not a variation from that spelling (e.g. "USA").

Response:

I do not know the requested information.: { x Box IS Checked!} .

Give the full name, correct code, and other requested information for each of your relatives and associates, living or dead, specified below.

- 1. Mother
- 2. Father
- 3. Stepmother
- 4. Stepfather

5. Foster Parent 6. Child (Adopted and Foster Child also) 7. Stepchild 8. Brother 9. Sister 10. Stepbrother 11. Stepsister 12. Half-brother 13. Half-sister 14. Father-in-law 15. Mother-in-law 16. Guardian 17. Other Relative\* 18. Associate\* 19. Adult Currently Living with You \*Other Relative - include only foreign national relatives not listed in 1 - 16 with whom you or your spouse are bound by affection, obligation, or close and continuing contact. Associate include only foreign national associates with whom you or your spouse are bound by affection, obligation, or close and continuing contact. 1. Relationship Type: Mother. Full Name Last: Brennan. First: Dorothy. Middle: Helen. Suffix: Field is blank! Deceased Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: <u>09/01/1921</u>.

Country of Birth

Country: US.

Country(ies) of Citizenship

1. Country: US.

(End of Country(ies) of Citizenship List)

Provide the following information if this person is living.

Current Address

Street: 83 Dorset Road.

City: Manchester. State: NJ. Country: Field is blank!

## Section 15: Citizenship of Your Relatives and Associates

If your mother, father, sister, brother, child, or person with whom you have a spouse-like relationship is a U.S. citizen by other than birth, or an alien residing in the U.S., provide a Proof of Citizenship Status entry below.

Proof of Citizenship Status

(No Entry Provided)

2. Relationship Type: <u>Father</u>.

Full Name

Last: Brennan. First: Owen. Middle: Vincent. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: <u>04/02/1920</u>.

Country of Birth

Country: Ireland.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

Current Address

Street: 83 Dorset Road.

City: Manchester. State: NJ. Country: Field is blank!

### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

3. Relationship Type: Child (Adopted and Foster Child also).

Full Name

Last: Brennan. First: Jaclyn. Middle: Ann. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: 04/05/1988.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: US.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: 13351 Point Rider Lane.

City: <u>Herndon</u>. State: <u>VA</u>. Country: Field is blank!

### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

4. Relationship Type: Child (Adopted and Foster Child also).

Full Name

Last: Brennan. First: Kyle. Middle: Owen. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: 04/30/1986.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: 13351 Point Rider Lane.

City: Herndon. State: VA. Country: Field is blank!

#### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

5. Relationship Type: Child (Adopted and Foster Child also).

Full Name

Last: <u>Brennan</u>. First: <u>Kelly</u>. Middle: <u>Marie</u>. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: <u>04/05/1988</u>.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: US.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: 13351 Point Rider lane.

City: Herndon. State: VA. Country: Field is blank!

## Section 15: Citizenship of Your Relatives and Associates

Proof of Citizenship Status

(No Entry Provided)

6. Relationship Type: Brother.

Full Name

Last: Brennan. First: Thomas. Middle: Gerard. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: 02/13/1959.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: 1400 Hudson Street.

City: Hoboken. State: NJ. Country: Field is blank!

#### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

7. Relationship Type: Sister.

Full Name

Last: Zukowski. First: Kathleen. Middle: Mary. Suffix: Field is blank!

Deceased

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

Date of Birth

Month/Day/Year: 10/08/1953.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: US.

(End of Country(ies) of Citizenship List)

Current Address

Street: 961 Oakwood Place.

City: <u>Plainfield</u>. State: <u>NJ</u>. Country: Field is blank!

#### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

8. Relationship Type: Father-in-law.

Full Name

Last: Pokluda. First: John. Middle: Edward. Suffix: Field is blank!

Deceased

Yes: { x Box IS Checked!} . No: { Box NOT Checked! } .

Date of Birth

Month/Day/Year: <u>08/05/1922</u>.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank!

### **Section 15: Citizenship of Your Relatives and Associates**

Proof of Citizenship Status

(No Entry Provided)

9. Relationship Type: Mother-in-law.

Full Name

Last: Pokluda. First: Margaret. Middle: Elizabeth. Suffix: Field is blank!

Deceased

Yes: { x Box IS Checked!} . No: { Box NOT Checked! } .

Date of Birth

Month/Day/Year: 09/19/1924.

Country of Birth

Country: <u>US</u>.

Country(ies) of Citizenship

1. Country: <u>US</u>.

(End of Country(ies) of Citizenship List)

**Current Address** 

Street: Field is blank!

City: Field is blank! State: Field is blank! Country: Field is blank!

**Section 15: Citizenship of Your Relatives and Associates** 

Proof of Citizenship Status

(No Entry Provided)

(End of List)

## **Section 16: Your Military History**

Answer the following questions.

```
a. Have you served in the United States military?
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
b. Have you served in the United States Merchant Marine?
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

List all of your military service below, including service in Reserve, National Guard, and U.S. Merchant Marine. If you had a break in service, each separate period should be listed. If your service was with other than the U.S. Armed Forces, identify the country for which you served.

```
Military History ( Not Applicable: { x Box IS Checked!} .) (No Entry Provided)
```

## **Section 17: Your Foreign Activities**

Answer the following questions.

```
a. Do you have any foreign property, business connections, or financial interests? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

b. Are you now or have you ever been employed by or acted as a consultant for a foreign government, firm or agency?

```
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

- c. Have you ever had any contact with a foreign government, its establishments (embassies or consulates), or its representatives, whether inside or outside the U.S., other than on official U.S. Government business? (Does not include routine visa applications and border crossing contacts.) Yes: { x Box IS Checked!} . No: { Box NOT Checked! } .
- d. In the last 7 years, have you had an active passport that was issued by a foreign government? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes" to one or more of the questions above, provide a detailed entry for each period of foreign activity.

1. Provide inclusive dates, names of firms and/or governments involved, and an explanation of your involvement.

Dates of Activity

From (Month/Year): <u>08/2007</u>. To (Month/Year): <u>Present</u>.

Firm and/or Government: <u>U.K. Government</u>.

Explanation of Your Involvement

I have had lunch twice and dinner once with Alan Lovell, a U.K. colleague with whom I worked closely during the last three years of my government career. Alan is currently posted at the U.K. Embassy in Washington.

#### 2. Dates of Activity

From (Month/Year): <u>01/2008</u>. To (Month/Year): <u>10/2008</u>.

Firm and/or Government: <u>United Arab Emirates</u>.

**Explanation of Your Involvement** 

As part of my responsibilities as President and CEO of The Analysis Corporation (TAC), I met twice with UAE officials to describe the commercial offerings of our firm. The first time was in Abu Dhabi in January 2008 and the second time in McLean, VA. Dr. Saeed Abdullah of the State Security Department was present at the first meeting in the UAE and he was the only UAE official at the second meeting in McLean, VA. I have had no other contact with UAE officials outside of my government service.

(End of List)

## **Section 18: Foreign Countries You Have Visited**

List foreign countries you have visited, except on travel under official Government orders, working back 7 years. (Travel as a dependent or contractor must be listed.) Include short trips to Canada or Mexico. If you lived near a border and have made short (one day or less) trips to the neighboring country, you do not need to list each trip. Do not repeat travel covered in sections 9, 10, or 11.

Foreign Travels (Not Applicable: { Box NOT Checked! } .)

1. Indicate the purpose of your visit. If you lived near a border and have made short (one day or less) trips to the neighboring country, provide the time period, purpose, country and check the "Many Short Trips" box.

Dates of Activity

From (Month/Year): <u>01/2008</u>. To (Month/Year): <u>01/2008</u>.

Purpose of Visit

```
Business: { x Box IS Checked!} . Pleasure: { Box NOT Checked! } . Education: { Box
   NOT Checked! \} . Other: \{ Box NOT Checked! \} .
   Countries Visited
       1. Country: <u>United Arab Emirates</u>.
   (End of Countries Visited List)
   Many Short Trips: { Box NOT Checked! } .
2. Dates of Activity
   From (Month/Year): 09/1975. To (Month/Year): 01/1976.
   Purpose of Visit
   Business: { Box NOT Checked! } . Pleasure: { Box NOT Checked! } . Education: { x
   Box IS Checked! \} . Other: \{ Box NOT Checked! \} .
   Countries Visited
       1. Country: <u>Egypt</u>.
       2. Country: Jordan.
       3. Country: Israel.
   (End of Countries Visited List)
   Many Short Trips: { Box NOT Checked! } .
3. Dates of Activity
   From (Month/Year): <u>06/1974</u>. To (Month/Year): <u>08/1974</u>.
   Purpose of Visit
   Business: { Box NOT Checked! } . Pleasure: { Box NOT Checked! } . Education: { x
   Box IS Checked! \} . Other: \{ Box NOT Checked! \} .
   Countries Visited
       1. Country: Indonesia.
```

2. Country: Netherlands.

```
(End of Countries Visited List)

Many Short Trips: { Box NOT Checked! } .

(End of List)
```

## **Section 19: Your Military Record**

Answer the following question.

Have you ever received other than an honorable discharge from the military? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If "Yes," provide the date of discharge and type of discharge below.

Date of Discharge Month/Year:  $\sim / \sim$ .

Type of Discharge: Field is blank!

## **Section 20: Your Selective Service Record**

Answer the following question.

```
a. Are you a male born after December 31, 1959?
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

If you answered "Yes" to question a, answer the following question.

```
b. Have you registered with the Selective Service System?
Yes: { Box NOT Checked! } . No: { Box NOT Checked! } .
```

If you answered "Yes" to question b, provide your registration number. If "No," show the reason for your legal exemption.

```
Registration Number: Field is blank!
Legal Exemption Explanation ( I Do Not Know: { Box NOT Checked! } . )
Field is blank!
```

## **Section 21: Your Medical Record**

Answer the following question.

In the last 7 years, have you consulted with a mental health professional (psychiatrist, psychologist, counselor, etc.) or have you consulted with another health care provider about a mental health related condition?

Yes: { x Box IS Checked!} . No: { Box NOT Checked! } .

If you answered "Yes," provide an entry for each treatment to report, unless the consultation(s) involved only marital, family, or grief counseling, not related to violence by you.

(No Entry Provided)

## **Section 22: Your Employment Record**

Answer the following question.

Has any of the following happened to you in the last 7 years?

- 1. Fired from a job.
- 2. Quit a job after being told you'd be fired.
- 3. Left a job by mutual agreement following allegations of misconduct.
- 4. Left a job by mutual agreement following allegations of unsatisfactory performance.
- 5. Left a job for other reasons under unfavorable circumstances.

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes," provide a detailed entry for each occurrence to report.

(No Entry Provided)

## **Section 23: Your Police Record**

For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the court record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

Answer the following questions.

a. Have you ever been charged with or convicted of any felony offense? (Include those under Uniform Code of Military Justice)

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

- b. Have you ever been charged with or convicted of a firearms or explosives offense? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
- c. Are there currently any charges pending against you for any criminal offense? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
- d. Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
- e. In the last 7 years, have you been subject to court martial or other disciplinary proceedings under the Uniform Code of Military Justice? (Include non-judicial, Captain's mast, etc.)
  Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
- f. In the last 7 years, have you been arrested for, charged with, or convicted of any offense(s) not listed in response to a, b, c, d, or e above? (Leave out traffic fines of less than \$150 unless the violation was alcohol or drug related.)

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes" to a, b, c, d, e, or f above, provide an entry for each occurrence to report.

(No Entry Provided)

## Section 24: Your Use of Illegal Drugs and Drug Activity

The following questions pertain to the illegal use of drugs or drug activity. You are required to answer the questions fully and truthfully, and your failure to do so could be grounds for an adverse employment decision or action against you, but neither your truthful responses nor information derived from your responses will be used as evidence against you in any subsequent criminal proceeding.

Answer the following questions.

- a. Since the age of 16 or in the last 7 years, whichever is shorter, have you <u>illegally</u> used any controlled substance, for example, marijuana, cocaine, crack cocaine, hashish, narcotics (opium, morphine, codeine, heroin, etc.), amphetamines, depressants (barbiturates, methaqualone, tranquilizers, etc.), hallucinogenics (LSD, PCP, etc.), or prescription drugs?

  Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
- b. Have you <u>ever</u> illegally used a controlled substance while employed as a law enforcement officer, prosecutor, or courtroom official; while possessing a security clearance; or while in a position directly and immediately affecting the public safety?

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

c. In the last 7 years, have you been involved in the illegal purchase, manufacture, trafficking, production, transfer, shipping, receiving, or sale of any narcotic, depressant, stimulant, hallucinogen, or cannabis for your own intended profit or that of another?

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes" to a or b above, provide an entry for each controlled substance or prescription drug used.

(No Entry Provided)

## **Section 25: Your Use of Alcohol**

Answer the following question.

In the last 7 years, has your use of alcoholic beverages (such as liquor, beer, wine) resulted in any alcohol-related treatment or counseling (such as for alcohol abuse or alcoholism)? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes," provide an entry for each treatment to report. Do not repeat information reported in response to section 21.

(No Entry Provided)

## **Section 26: Your Investigations Record**

Answer the following question.

a. Has the United States Government ever investigated your background and/or granted you a security clearance? If your response is "No," or you don't know or can't recall if you were investigated and cleared, check the "No" box.

```
Yes: { x Box IS Checked!} . No: { Box NOT Checked! } .
```

If you answered "Yes," provide the requested information below.

1. Provide the requested information about this background investigation. If you do not know the requested information, check the associated "Do Not Know" box.

```
Date of Action ( Do Not Know: \{x \mid Box \mid S \mid Checked!\}.)

Month/Year: \sim / \sim.

Agency Code ( Do Not Know: \{Box \mid NOT \mid Checked!\}.)
```

```
Defense Department: { Box NOT Checked! } .
       State Department: { Box NOT Checked! } .
       Office of Personnel Management: { Box NOT Checked! } .
       FBI: { Box NOT Checked! } .
       Treasury Department: { Box NOT Checked! } .
       Other: { x Box IS Checked!} .
       Other Agency: <u>Central Intelligence Agency</u>.
       Clearance Code ( Do Not Know: { Box NOT Checked! } . )
       Not Required: { Box NOT Checked! } .
       Confidential: { Box NOT Checked! } .
       Secret: { Box NOT Checked! } .
       Top Secret: { Box NOT Checked! } .
       Sensitive Compartmented Information: { x Box IS Checked!} .
       Q: { Box NOT Checked! } .
      L: { Box NOT Checked! } .
       Other: { Box NOT Checked! } .
(End of List)
Answer the following question.
b. To your knowledge, have you ever had a clearance or access authorization denied, suspended,
or revoked, or have you ever been debarred from government employment? (An administrative
downgrade or termination of a security clearance is not a revocation.)
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
If you answered "Yes," provide the requested information below.
(No Entry Provided)
```

## **Section 27: Your Financial Record**

Answer the following questions.

a. In the last 7 years, have you filed a petition under any chapter of the bankruptcy code (to include Chapter 13)?

```
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

b. In the last 7 years, have you had your wages garnished or had any property repossessed for any reason?

```
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

c. In the last 7 years, have you had a lien placed against your property for failing to pay taxes or other debts?

```
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

d. In the last 7 years, have you had any judgments against you that have not been paid? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes" to a, b, c, or d, provide an entry for each occurrence to report.

(No Entry Provided)

## **Section 28: Your Financial Delinquencies**

Answer the following questions.

```
a. In the last 7 years, have you been over 180 days delinquent on any debt(s)? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

```
b. Are you currently over 90 days delinquent on any debt(s)? Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

If you answered "Yes" to a or b, provide an entry for each occurrence to report.

(No Entry Provided)

## **Section 29: Public Record Civil Court Actions**

Answer the following question.

In the last 7 years, have you been a party to any public record civil court actions not listed elsewhere on this form?

```
Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .
```

If you answered "Yes," provide the information about each public record civil court action.

(No Entry Provided)

#### Section 30: Your Association Record

Answer the following questions.

a. Have you ever been an officer or a member or made a contribution to an organization dedicated to the violent overthrow of the United States Government and which engages in illegal activities to that end, knowing that the organization engages in such activities with the specific intent to further such activities?

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

b. Have you ever knowingly engaged in any acts or activities designed to overthrow the United States Government by force?

Yes: { Box NOT Checked! } . No: { x Box IS Checked!} .

If you answered "Yes" to a or b, explain in the space below.

Explanation Field is blank!

#### **Additional Comments**

Use the space below to continue answers to all other items and any information you would like to add

Additional Comments Field is blank!

## **Certification That My Answers Are True**

My statements on this form, and any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both. (See section 1001 of title 18, United States Code).

Signature (Sign in ink)

(Signature on file--see Investigation Request #4800237 Signature Forms)

## **Expected Attachments**

If you need to submit additional documents with your request, give a brief title or description of each attachment you plan to provide (e.g., map with directions to residence). Providing this list is optional; however, doing so may assist the processing offices in accounting for all attachments. Include each attachment's page count. (One sheet with content on front and back is two pages.)

Write your social security number and the Investigation Request number on the margin of each attachment you submit.

Expected Attachments (No Entry Provided)

## Central Intelligence Agency Office of General Counsel Washington, DC 20505



To:	Mr. David Laufman			
Organization:	Kelley, Drye & Warren			
Phone:	(202) 342-8803			
Fax:	(202) 342-8451			
From:	David Suski y LARRY PASSAR			
Organization:	OGC/Contract Law Division			
Phone:	(703) 874-3101			
Fax:	(703) 874-3208			

Pages including cover sheet: | 1st of 3 faxes.

(32 pp incl. coversheet) Beginning w/
- 15 Feb 2008 (tr to D. Ashen (pp. 1-11)

- Exhibit A - Beginning w/ Bates # 000203.

Exhibit A - Beginning at Bates # 000221

MR. Lautman The Asymen approves release of this
films in its entirety to TAK. Counsel for
Intervenor has no objection. Please submit a
reducted version for spectal by hoon Theoday. - PASSAR

FEB. 15. 2008 5:06PM . NO. 2637 P.

# PROTECTED MATERIAL TO BE DISCLOSED ONLY IN ACCORDANCE WITH GOVERNMENT ACCOUNTABABILITY OFFICE PROTECTIVE ORDER

Matter Of:

The Analysis Corporation

File:

B-310924

Agency:

Central Intelligence Agency

February 15, 2008

David A. Ashen, Esq.
Deputy Assistant General Counsel
Government Accountability Office
441 G Street, N.W.
Washington, DC 20548

Re: Agency Response to TAC Document Production

#### Dear Mr. Ashen:

The Agency now has had a chance to review the documents produced by TAC in response to GAO's reverse discovery order. The documents highlight several gross inconsistencies between the position TAC took in its proposal and the position that it has taken in this protest. The inconsistencies are dramatic, and show the following:

- 1. While TAC now claims that it founded its entire proposal strategy upon its belief that the historic database was dramatically increasing, TAC's documents demonstrate that its proposal strategy was tied down well prior to the first publication of the 1.8 million figure, which TAC blames for its growth and productivity inferences. This fact goes to the very heart of TAC's prejudice argument, and pierces it.
- While TAC now claims that none of its subcontractors would share any information with it regarding the incumbent Watchlist activities, TAC's documents demonstrate that TAC in fact engaged in substantive discussions with SRA (one of its incumbent subcontractors) regarding, not only the incumbent program generally, but the historic dataset in particular. (Perhaps this contrary fact simply slipped TAC's mind because, as shown below, it agreed with SRA not to document the substance of their conversations in writing.) TAC's documents further show that it possessed what it now calls "inside information" from its subcontractor BAE, from at least one former senior Government official on TAC's staff who obviously was familiar with the Program, as well as from other Watchlist Program participants.
- 3. While TAC now claims that it had no reason to think to ask a question to the Agency regarding the historic dataset, TAC's documents show that it did ask exactly that

question to one of its incumbent teammates, but elected to remain silent when it came to the Agency.

4. While TAC recently broadened its view of what triggered TAC's purported inferences to include a purported decline in CIRs processed per FTE per week, (a) the inferred decline was mentioned nowhere in Mr. Drew's multiple declarations and (b) the inferred decline is mentioned nowhere in the documents TAC recently produced. One would think that an inference that apparently so pervasively influenced TAC's proposal approach would be found somewhere in TAC's documents. It is not to be found. The Agency submits that this is because, as demonstrated in our prior filing, TAC did not base its proposal on any such inference.

Against this background, the Agency is extremely concerned regarding the apparent disingenuousness of TAC's protest. While the Agency submits that the clear unreasonableness of TAC's claimed "inference" should be enough to deny this protest, we now have clear evidence that TAC never drew such an inference in the first place. Additionally, we have clear evidence that several other statements made by TAC in its protest documents are directly at odds with TAC's contemporaneous documents.

Furthermore, it now is readily apparent that TAC's initial OCI arguments have absolutely no merit. TAC was not found to be "Marginal" with this highest risk of all offerors because it lacked access to inside information. TAC was found to be "Marginal" with the highest risk of all offerors because it made a series of bad decisions, including relying on draft documents, figures deleted from the RFP, and advice from outside the Agency rather than asking a simple question to the Agency. TAC's protest should be denied, or dismissed.

I. TAC developed its proposal strategy for which it was downgraded prior to the release of the final RFP; accordingly, its alleged inferences purportedly drawn from the size of the historic database and the number of CIRs reviewed per week were immaterial to its proposal.

As discussed previously, on September 17, 2007, the Agency eliminated TAC from the competitive range because its proposal was far inferior to that of the other three offerors. Specifically, the Agency concluded that TAC's proposal was only "Marginal" in the most important evaluation factors, was "medium high" risk, would require a "significant level of Agency involvement in contract performance," and would necessitate substantial proposal revisions to even get TAC to a place where it could be even remotely competitive. AR, Tab 17. As compared to the other three offerors, these ratings put TAC last in line for award.

The following table summarizes the offerors' ratings prior to the competitive range determination:

Offeror	No. of Ratings Satisfactory or Above	No. of Ratings Marginal or Below	Rísk
SAIC	7 of 7	0 of 7	Medium Low
Special	7 of 7	0 of 7	Low
Raytheon	7 of 7	0 of 7	Low
TAC	3 of 7.	4 of 7	Medium High

AR, Tab 17 at 2; see also Daley Declaration. In its protest filings, and in Mr. Drew's sworn declaration, TAC has asserted that (a) its purported inferences regarding historic dataset growth and a failing incumbent real-time effort caused it to make the proposal decisions it made and (b) that it would not have made those decisions but for the inferred increasing historic dataset and failing real-time effort. Accordingly, TAC argues, it was prejudiced by the Agency's failure to inform offorors of the reasons for the numbers ultimately included in the RFP (and ultimately deleted from the RFP).

In its most recent filing, the Agency walked through each of TAC's assigned weaknesses and demonstrated how almost all of them had nothing to do with TAC's purported inferences. See 13 Feb. Agency Filing at 13-18. Now that the Agency has had the chance to review TAC's documents, it is clear that, in actuality, TAC's strategic decisions had nothing at all to do with its purported inferences. In fact, every material element of TAC's proposal strategy was in place prior to the issuance of the Final RFP on May 23, 2007 (which included the first public reference to the 1.8 million names and the 2 CIR/FTE/week figure, upon which TAC now contends to have so strongly relied).

#### A. Technical/Management and Risk Factors

#### 1. Real Time and Historical Technical Approach Subfactors

TAC contends that it was prejudiced under the Real Time and Historical Technical Approach subfactors because its purported growth assumption led it to propose new approaches and technologies that the Agency deemed risky, including its Threat Reduction Approach to Processing ("TRAP"), End-to-End processing, and technology insertion approach. TAC 28 Jan. Filing at 8-9. In its prior filing, the Agency demonstrated that none of the weaknesses assessed against TAC's proposal under the Real Time Technical Approach subfactor had anything to do with the new approaches and technologies proposed by TAC. See 13 Feb. Agency Filing at 14-15. The Agency further established that, even if TAC had not proposed those new approaches and technologies, it nevertheless would have received a "Marginal" rating under the Historical Technical Approach subfactor based upon its failure to propose sufficient personnel for the task. Id.

Contrary to TAC's sworn declaration, the documents produced by TAC now establish that TAC's decision to propose TRAP, End-to-End processing, and its technology insertion approach had absolutely nothing to do with any purported historical growth or declining productivity assumptions. In fact, TAC had decided on these approaches by no later than April 2007. That is nearlytwo months before the RFP disclosed the 1.8 million names and 2 CIRs/analyst/week figures from which TAC claims to have inferred the historical growth and declining productivity that purportedly formed the basis for its proposal.

TAC's claim that it would have maintained the status quo, but for its purported growth and productivity assumptions, is belied by, among number other documents, an April 2007 draft of TAC's proposal that includes all of the elements for which TAC claims to have been downgraded. For example:

- TAC's April 2007 draft proposal explains that it will make "substantial changes" to workflow. "At the core of that change," TAC explained, "is an end to [end] production process" in which "[e]ach analyst will review documents and provide CIR drafts." TAC 000208 (Exhibit A hereto); see also id. at 000209, ¶ 1.1.1 (same). TAC explained that End-to-End processing would "fundamentally change the processes and procedures for reviewing historical cable traffic" by providing for "Full Scope Analysts" that would be responsible for both drafting cables and analyzing CIRs. Id. at 000213, ¶1.1.2.4.
- TAC's April 2007 draft proposal also claimed that a "heavy emphasis must be placed on . . . introducing information technology tools to support analysis and CIR drafting." *Id.* at 00209, ¶ 1.1. Among the proposed technologies discussed at length in TAC's draft proposal are "Inxight ThingFinder" and "Endeca" (TAC 000215-00216, ¶¶ 1.1.3.1.1, 1.1.3.1.2) the very same two technologies the evaluators found to create risk in connection with TAC's proposal under the Real Time Technical Approach and Historical Technical Approach subfactors. AR, Tab 15 at 1.2, 1.3. TAC's plan to use these technologies, their functions, and their purported benefits also are detailed in a chart set forth in the "New Technology Deployment Recommendations" section of the same draft proposal. *Id.* at 000231, ¶ 1.4.7; see also id. at 000235-000236, ¶¶ 1.4.8.1, 1.4.8.2.
- TAC's April 2007 draft proposal also included TAC's plan to use TRAP. TAC 000212, ¶ 1.1.2.2. According to TAC, TRAP would reduce risk more quickly than the nominal burn down rate. *Id*.

Many of these strategies also were disclosed in a March 29, 2007 draft of TAC's proposal. See "WLP\_Technologies" (Mar. 29, 2007) (Exhibit B hereto). TAC further expounded on all of these proposed approaches in multiple subsequent drafts of its proposal dated well before the Agency released the 1.8 million names and 2 CIRs/analyst/week figures first disclosed in the May 23, 2007 RFP. See, e.g., TAC 00340-00361 (Apr. 20, 2007 draft); Id. at 000365-000401 (Apr. 25, 2007 draft); Id. at 000415-000496 (May 9, 2007 draft).

It is axiomatic that a cause must occur before its effect. Here, the documents produced by TAC conclusively establish that TAC had solidified its plan to use TRAP, End-to-End processing, and its technology insertion approach by no later than early April 2007 – more than 6 weeks before the earliest date upon which it could have inferred historical growth and declining productivity based on the numbers disclosed in the May 23, 2007 RFP. Thus, TAC's sworn statement that those assumptions caused it to propose approaches that the Agency deemed risky is simply false, and TAC cannot establish that it was prejudiced.

#### 2. Management Approach

TAC contends that its growth assumption caused it to propose more personnel, which, in turn, required it to propose the large team of subcontractors for which it was downgraded under the Management Approach factor. TAC 28 Jan. Filing at 9; Second Drew Decl. at ¶ 4. In its prior filing, the Agency established that TAC's staffing calculations were based on the information disclosed in the BOE section of the final RFP, did not reference the 1.3 million names and 4.4. CIRs/analysts/week figure on which TAC claims to have relied, and did not include any historical growth or declining productivity assumptions. See 13 Feb. Agency Filing at 15-16. The Agency further demonstrated that, because TAC did not base its staffing calculations on any assumed growth or declining productivity, TAC's claim that it would have proposed fewer subcontractors but for those purported assumptions is demonstrably false. Id. at 16.

In addition, the documents produced by TAC now establish that TAC had planned to use an unusually large team of subcontractors well before issuance of the final RFP. Specifically, a May 9, 2007 version of TAC's proposal shows that TAC intended to propose no fewer than 13 subcontractors by that date. TAC 000368-000369,  $\P 2.1.2 - \P 2.1.4$  (Exhibit C hereto). Thus, TAC's claim that it would have proposed fewer subcontractors but for its alleged historical growth and declining productivity assumptions is demonstrably false.

## 3. Personnel Qualifications and Availability

TAC's only allegation of prejudice with respect to the Personnel Qualifications and Availability factor is that its purported growth assumption caused it to propose more personnel and thus a lower percentage of incumbent personnel. TAC 28 Jan. Filing at 9; Second Drew Decl. at ¶ 5. In its prior filing, the Agency established that TAC was not downgraded on that basis. See 13 Feb. Agency Filing at 16. The Agency further explained that TAC's "Marginal" Personnel qualifications and Availability rating resulted instead from TAC's failure to propose personnel with the requisite level of experience, failure to provide adequate information regarding the qualifications of certain of its proposed personnel, and failure to provide adequate letters of commitment from other personnel. Id. at 16-17.

Thus, there is simply no basis for TAC's claim that it would have proposed fewer overall personnel, and thus a higher percentage of incumbent personnel, had it not allegedly inferred historical growth and declining productivity. Nothing in TAC's document production suggests otherwise.

#### B. Cost

TAC claims that its purported growth assumption caused it to propose more personnel, which, in turn, increased its evaluated cost. TAC 28 Jan. Filing at 9; Second Drew Decl. at ¶ 4. In its prior filing, the Agency demonstrated that this argument is disingenuous because no historical growth or declining productivity assumptions were included in the contemporaneous calculations on which TAC based its proposed staffing. See 13 Feb. Agency Filing at 10-12, 15, 18. As a result, TAC's alleged growth and productivity assumptions could not have impacted its "high" evaluated cost. AR, Tab 17 at 3.

TAC has produced additional copies of contemporaneous calculations confirming that its proposed staffing was not based, in any way, on its purported historical growth and declining productivity assumptions. See "Current and Proposed Production" (June 21, 2007) (Exhibit D hereto). Conversely, TAC has not produced any documentation that even remotely suggest that TAC's staffing calculations incorporated any historical growth or declining productivity assumptions. Accordingly, TAC's assertion that it would have proposed fewer personnel, but for its alleged historical growth and declining productivity assumptions, is demonstrably false, and TAC was not prejudiced.

\* \* \*

While the Agency maintains that TAC's claimed "inference" is so unreasonable that the GAO need not even consider the question of prejudice, if the question is considered, it is clear that TAC was not prejudiced by anything other than its own willingness to ignore the Solicitation, and its own proposal strategy – developed well in advance of any claimed reliance on the Agency's 1.8 million figure explicitly deleted from the Solicitation.

II. Notwithstanding the picture that TAC has tried to paint of itself throughout this protest as an outsider with no access to useful information regarding the Agency's Watchlisting Program, TAC's documents show that it did have what it now claims to be "inside information."

TAC has asserted in this protest that none of its subcontractors would share any information with it regarding the historic dataset due to the existence of an NDA. Protest at 15. The documents, however, show that TAC did engage in conversations with its subcontractors, and that its subcontractors did share information with TAC.

For example, following the issuance of the final RFP, which included the discrepant 1.3 and 1.8 million historic dataset figures, TAC, rather than raising a question with the Agency, went to its subcontractor SRA – an incumbent on the current program – for its opinion regarding the discrepant numbers. The conversation is notable:

On June 3, 2007, David Reid, a key architect of TAC's proposal, wrote to teammate Harold E. Pickett, III (of incumbent SRA) the following:

Harold

Thanks again for all your input and assistance on FRI - it was very helpful! I do have a few more questions:

\* \* \*

- The HIST data indicates there are 1.8mn "name nominations in the dataset" - can you explain what this really means for production? That just seems excessive - it's 7% of the IZ population!!

Exhibit E hereto at 2. Mr. Pickett responded to Mr. Reid's request as follows:

Excessive [is] right and I can tell you one major reason for this is the nomination criteria. Many of the analysts on project agree that the criteria is too broad and catches subjects who really shouldn't be nominated. I can get into this more in person. As for production, depending on the timeframe given to complete the HIST data you would have to do one of two things:

- 1) Have a large number of personnel dedicated to HIST only and let them work till done.
- 2) Go over the current HIST process and see if the process can be streamlined. If the old systems that I worked under is still in place it is no wonder they haven't made a dent in the work as it was a long and drawn out process. Besides what we talked about on Friday I am still at a loss to explain how the number in HIST has increased.

I could elaborate on this more but as I stated earlier I would rather do that in person.

Id. at 2-3 (emphasis added). SRA's response is notable for many reasons. First, contrary to TAC's assertions in this protest, the TAC/SRA correspondence demonstrates that TAC did have access to information regarding the historic dataset. Second, it demonstrates that TAC did engage in discussions with its subcontractors. (Apparently, when TAC argued in this protest that its subcontractors would not share information with it, it meant only that its subcontractors would not put that information in writing.) Third, it demonstrates that TAC did have a question regarding the Agency's deletion of the 1.3 million figure, and the insertion of the 1.8 million figure – which it now claims it did not have prior to proposal submission – but, instead of asking the Agency, TAC strategically decided only to ask an incumbent contractor – off the record.

But TAC's substantive conversations with its knowledgeable subcontractors were not limited to the historic dataset. TAC had multiple conversations with its subcontactors. TAC simply ignored what its subcontractors told it. Consider the following example.

TAC claims that its proposal was downgraded for, among other things, its "End-to-End" review approach. TAC 28 Jan. Filing at 8-9. However, TAC understood the inherent risk of its approach well before it submitted its proposal. In fact, TAC was so concerned about the risk inherent in its end-to-end approach that it held a risk mitigation strategy session with its teammates to focus on this very issue. The teammates involved in this strategy session included BAE and SRA, a Watchlist incumbent.

At this risk mitigation strategy session, BAE and SRA identified "many risks" inherent in TAC's End-to-End strategy. See Exhibit F hereto. Consequently, BAE and SRA (as well as TAC's Capture Manager) recommended removing the End-to-End concept from TAC's proposal. Id. Even TAC's President and CEO, John Brennan, the former Deputy Executive Director of the CIA, and the creator of the Agency's Terrorist Threat Integration Center (the

forerunner to the National Counterterrorism Center) was involved in these discussions. When Mr. Brennan learned that TAC would be considering backing away from its end-to-end proposal strategy, Mr. Brennan asked what partners were consulted and whether the view was "definitive." Id. Mr. Drew, TAC's proposal lead, responded in the affirmative. The discussion between Mr. Brennan and Mr. Drew is worth quoting here because, once again, it highlights the disingenuousness of TAC's litigation-minded claim that it had no access to information regarding the Agency or its Watchlisting program:

On Friday, June 1, Mr. Drew sent the following email to Mr. Brennan and others:

All,

After a long risk mitigation strategy session and in talking with some of our partners, I reached the conclusion that it might be too much of a problem for the Sponsor to not only change personnel, but also change the process. We found many risks associated with conducting both changes . . . .

Id. Mr. Brennan promptly responded by Blackberry as follows:

Wow. What partners were consulted? I presume the view was definitive.

Id. Finally, Mr. Drew responded to Mr. Brennan as follows:

BAE and SRA. Also, once we started out identifying the transition risks we determined it would be too hard of a sell.

Id. (emphasis added). Once again, TAC's post-protest contention that it had no access to information regarding the Agency's Program is simply not true.

One interesting post-script to this particular example is worth adding here. Notwithstanding the clear, "definitive" advice of its teammates not to propose an End-to-End approach because it was too risky, TAC went ahead and proposed it anyway. The Agency, not surprisingly, criticized TAC for its approach - just as BAE and SRA had advised. AR, Tab 15 at 1.3.1.1

Of course TAC did not rely exclusively on its past experience with the Agency, and its teammates' experience on the incumbent contract. TAC also went outside official channels in an effort to gain a further strategic advantage.

In light of TAC's claim that the primary reason it submitted such a "Marginal" and risky proposal was because of its pervasive inference regarding the historic dataset, it is notable that the Agency's concern over TAC's end-to-end methodology had absolutely nothing to do with such an inference. As discussed above, TAC had planned to employ its End-to-End approach well before it the issuance of the Final RFP, which, if its protest papers are to be believed, is the document that caused it to draw its "reasonable conclusion" regarding historic dataset growth. AR, Tab 15 at 1.3.1.

In early June, for example, Rudy Rousseau, TAC's Program Manager and a 24 year Agency veteran and a former Chief, Strategic Resources, within the Agency's Counterterrorism Center (who retired only one month earlier), interviewed a former Agency program analyst who had recently departed the Agency's Watchlist program. See Exhibit G hereto. The two discussed real-time and historic work flow, quality assurance issues, training issues, and the like. This "interview" is notable for several reasons. Id. First, it, once again, highlights the falsity of TAC's claim that it did not have information regarding the Agency's Watchlist Program. But more importantly, it highlights the fact that, rather than asking the Agency a simple question where it felt it needed information, it instead chose to engage in unofficial conversations with former program personnel.

Finally, yet one more example of TAC's knowledge of the Watchlist Program is useful here. On February 27, 2007, before the issuance of the draft RFP, Mr. Rousseau provided the entire TAC team with a detailed overview of the Agency's Watchlist Program. Mr. Rousseau's overview is notable in several ways. Among other things, Mr. Rousseau advised his team as follows:

- 1. The historic dataset contained only cables from 1990-2005 in other words it was static. TAC's current protest claim that it based its entire proposal on the fact that real-time names were "spilling over" into the historic dataset clearly was never run by Mr. Rousseau.
- The reason the historic dataset still existed is because the "bulk of the contractor FTE" has been focused on real time reviewing. Once again, Mr. Rousseau's contemporaneous explanation is a far cry from TAC's current, litigative position regarding real-time "spill-over."
- 3. In order to eliminate the "1990-2005" historic dataset, TAC should "use technical means..." Again, TAC's recent argument that it proposed its technical solution only because of the inferred 100,000 per month historic dataset growth resulting from the purported spill-over of new names from the real-time effort rings hollow.
- 4. The "perennial problem" with the overall Watchlist Program stems from the Agency's own "staff officers." This statement stands in sharp contrast to TAC's current position that it determined that the incumbent contractor was failing in its real time effort.

See TAC 001946-1951 (Exhibit H hereto). In short, as Mr. Rousseau's program briefing reveals, TAC did not develop its strategy because of historic dataset growth, or because of real-time spill-over. TAC developed its strategy because it thought that strategy was best. The Agency exercised its judgment and disagreed. That was the Agency's prerogative. TAC cannot now be allowed to change its story to avoid what its own documents demonstrate.

III. TAC's recent assertion that it did not ask the agency a question because it had no reason to question the growth it inferred from the introduction of the 1.8 million figure is belied by TAC's raising exactly that question with its incumbent teammate, SRA.

TAC has argued throughout this protest that it never occurred to it to ask a question regarding the introduction of the 1.8 million figure in the May 23, 2007 Final RFP. See, e.g., TAC 28 Jan. Filing at 3. As noted above, however, following the circulation of the Final RFP, which contained the obvious discrepancy between the 1.3 million figure and the 1.8 million figure, TAC immediately noticed the discrepancy. But did TAC raise the issue with the Agency? No. Did TAC ask a single question to the Agency? No. What TAC did, as discussed above, was contact its incumbent subcontractor, SRA, and discuss the issue with it – off the record. The Agency finds this behavior troublesome. The Agency provides for Questions and Answers so that issues can be raised, vetted, and responded to. If a contractor elects to keep perceived deficiencies and ambiguities to itself rather than raising them with the Agency, then the Agency cannot know that confusion exists.

Here, instead of raising the issue with the Agency, TAC asked an incumbent teammate to explain the 1.8 figure, which TAC viewed as "excessive." See Exhibit at E. The incumbent teammate responded as follows:

Excessive [is] right. \* \* \*
Besides what we talked about on Friday I am still at a loss to explain how the number in HIST has increased.
I could elaborate on this more but as I stated earlier I would rather do that in person. . . .

Id (emphasis added). Armed with this information, TAC kept its cards close to its vest and remained silent.<sup>2</sup> Such an approach is (a) not smart, (b) not in keeping with the purpose of a Q&A period, and (c) risky. Such an approach also is wholly contrary to the story that TAC has told in its protest papers.

#### IV. Conclusion.

It now is indisputable that the shortcomings in TAC's proposal cannot be attributed to Government failures. The Government stands firmly behind its position that the exclusion of TAC from the competitive range was done in compliance with all applicable rules, regulations, and policies requiring that offerors be treated fairly and equitably. The Government cannot predict and prevent every bad decision made by an offeror in constructing its proposal. It should not be (and is not) required to explain the rationale for every difference between a draft RFP and a final RFP. An agency should, however, be able to rely upon offerors doing business with the Government to communicate openly with it during an acquisition (consistent, of course, with RFP instructions), and to communicate with candor both during the acquisition and in any

In fact, TAC went so far as to mark the few questions that it did submit with a "proprietary" legend. The Agency, of course instructed TAC that, if it wanted its questions answered, it would have to remove its "proprietary" legend.

challenges thereafter. In our view, TAC, and TAC alone, has failed to meet these reasonable expectations of a party to this important process.

For the reasons discussed in the Agency's prior filings, as supplemented here, TAC's protest should be denied, or dismissed.

Respectfully,

David A. Suski

Arthur L. Passar

Office of General Counsel

Central Intelligence Agency

CC: David H. Laufman, Esq. Jonathan S. Aronie, Esq.

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## Exhibit A

#### **David Reid**

From:

David Reid

Sent:

Friday, April 06, 2007 2:35 PM

To:

Nancy Cahill

Subject:

MGMT SECTION & COMMITMENT SUMMARY

Attachments:

Management\_Section\_Summary (6 APR 2007).doc; Management\_Section (6 APR 2007).doc





Management\_Secti Management\_Section\_Summary (6 ... on (6 APR 2007...

Thanks,

David

David A. Reid The Analysis Corporation

C: 703-622-2915

E: dreid@theanalysiscorp.com

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Tracking:

Recipient

Nancy Cahill

Read

Read: 4/6/2007 2:36 PM

#### COMMITMENT SUMMARY

The following items provide a summary of the key initiatives and corporate commitments contained in the Management Section of the HAWKEYE Proposal Response.

These items should be reviewed to ensure we're in agreement on the approach and are aware of the potential impact to the TAC corporate infrastructure or additional costs associated with the HE effort.

ANAC	GEMENT	
		gic)
	o Chaired by John and W	•
	o Monthly Meetings	
	o Meeting Minutes (edited	d) forwarded to Government
	o Vacancy posting/Partne	er submit candidates
	<ul> <li>Maintains queue of slat</li> </ul>	ted candidates
	<ul> <li>Captures exit interview</li> <li>Retention Metrics</li> </ul>	data from all Partners to feed detailed Recruiting and
	Best-Candidate selection for all	l positions
	<ul> <li>All positions open to all</li> </ul>	
	<ol> <li>Monthly Program Management Reps.</li> </ol>	t Review (PMR) with John, Alex, W/L PM, and Government
	·	
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	<ul> <li>We need to think of thi contract vehicle. Both</li> </ul>	is as two contracts being executed under the same need to receive equal focus.
		time with proper training and without displacing anyone
	another to meet world events	e ability to move people/teams from one functional area to or to assist in an overworked area
	□ IPT (Improvement Process Te Process Improvement	am) – 2-3 Process Engineers/Planners for Continuous
RECE	RUITING & RETENTION	
Г	GOAL: Maintain Staffing Leve	els at 90%+

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;	Backfill Pool (Ready Reserve) – Maintain 5-10 analysts on the bench ready to the plantied and unplanned vacancies
	Create a Watchlisting Employee Development and Retention Program
	o Provide Education and Training
	o Establish and Post Advancement Criteria
	o Create a Process Improvement Suggestion Award
	Create a Watchlisting Program Newsletter
,	o Create a Watchlisting Program Awards Program
	<ul> <li>Set aside a portion of the Award Fee for employees</li> </ul>
ο.	Establish detailed Recruiting & Retention Metric for the Watchlisting Program
	<ul> <li>This would impact the TAC HR and Recruiting Departments</li> </ul>
	<ul> <li>We would need to collect data from all Partners</li> </ul>
	Provide Cross-Training
	o Functional Areas
	Research, Writing, Editing
PHASE	-IN/TRANSITION PERIOD
	Establish Leadership Team & Contract Infrastructure prior to Contract Award
	Transition will need to begin 30-days in advance of projected Contract Award to meet Transition timescale requirements
	Transition Team – corporate resource to include a dedicated Transition Manager, Security Specialist, and Contract/Admin Specialist
	Attempt to accelerate Transition – complete in less than 60-business days
	Advanced Transition/Phase-In - 2 DPMs will be committed w/n 1-5 business days (same as Key Personnel); 50% - 12-13 Team Leads will be committed w/n 5-15 business days (15-30 business sooner than required)
	Focus on RT to avoid any backlog
REPO	RTING
	Dashboards (3) – Staffing, Recruiting & Retention, Production – these will require some development in Excel or Access or the Partner Portal
CONT	TINGENCY PLANNING
	to address backlogs due to external factors
Ç	Contingency Database – database of analysts on the contract that are willing to work shift work and/or weekends to alleviate backlogs due to external factors

VOLUME III: TECHNICAL AND MANAGEMENT PROPOSAL

Page □ PAGE □2□

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## MANAGEMENT SECTION RED, AMBER, GREEN STATUS (RAG)

VOL I; Attachment J-6: Key Management Personnel List (KMPL)	
VOL III: Glossary/Acronym List (RFP Section L, Para. 3.0, p. 57-58)	
1.5 New Technology Insertion	
2.1 Management Approach	
2.1.1.a & 2.1.1.b Minimize Turnover/Retain Highly Qualified, Experienced	
2.1.1.c Improvement Process Team (IPT)	
2.1.2.a Acquire the Total Required Staff	
2.1.2.b Assume full responsibility and accountability within the Phase In/Transition	
Phase  2.1.3.1 Clear Lines of Authority: Corporate Alignment and Access	
2:1:3:2 Proven Management Practices and Procedures	
2.1.3.3 Applied Metrics to Ensure Personnel Retention	
2.1.3.4 Effective Management Controls for Phase-In/Transition	
a. Track and Report Costs	
b. Schedule and Performance Management Information for planned and	
completed activities  c. Proper Phase-In/Transition, so that all technical and admin WP requirements are completed	

d. Adequate and Effective Man

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not being used to support watchisting. These hools are not pie-in the sky technical promises but ready to go to support the mission.

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Response to RFP No. 2007\*WP

Watchlisting

NCS/CTC/TTD

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#### Technical Evaluation Factors

#### And actors 2 and 3. Real figure and distorical decturical Approaches

This proposal introduces significantly different approaches to analyst's responsibilities; technical support for analysis; and processes for producing CIR's. It includes a major change in the approach to the historical backlog. TAC proposes to make overall Threat Reduction the guiding principle of the historical effort instead of the essentially random processing of identities currently employed.

TAC will draw on its experience with counterterrorism and watchlisting missions across the government and its proven ability to develop, deploy and deliver information technology tools to support those missions. To achieve the Sponsor's mission objectives. TAC assesses that, a heavy emphasis must be placed on changing current workflow processes and introducing information technology tools to support analysis and CIR drafting

TAC will approach real time and historical work as two elements of the same project, not two separate projects. The Project Manager and two Deputies (Historical and Real Time) will ensure that resources are optimally balanced between real time and historical. The workflows will be similar and similarly supported by new analytic tools. The analysts and managers will be trained and certified to the same standards. Real time analysts will work on the historical backlog as time permits. Historical analysts will be available for real time surges if necessary

#### 1.1.1 Real Time Technical Approach

TAC's principal objective in real time support is to ensure that by the end of each day, all messages have been read; reviewed; appropriate nomination decisions made and first rate CIR's drafted. TAC's goal is no backlog at day's end.

In order to achieve that objective, TAC will bring highly qualified analysts and managers to the real time mission. It will support their work with technical innovations that will increase productivity; improve quality and facilitate coordination. It will adopt a straightforward message review process in which each analyst is responsible for making nomination decisions, drafting CIR's and forwarding them to their supervisor.

#### 1.1.1.1 Real Time Organization

TAC's real time support effort will mirror the sponsor's organization. The working concept is to develop subject matter expertise by focusing on the flow of messages to specific Sponsor units which will facilitate decisions about whether an individual meets the standards for nomination. This organization will also develop the familiarity required to learn the equities of specific units and, over time, earn their trust. Both organizing principles should help facilitate the coordination process.

Initially, TAC will use the existing real time staffing pattern as the baseline. As necessary, we will adjust the number of real time analysts, based upon our preliminary review (But given the very low rates of productivity shown in the sample data provided with the draft RFP, we doubt that we will need more real

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time analysts.) In any case, we fully expect to adjust staffing levels over time as we improve productivity and as the flow of messages varies with events.

TAC processes will accommodate temporary surges of messages by enabling lead analysts to request short term support from the Deputy Program Managers. Those managers will be responsible for balancing the load among analysts, most likely by identifying real time analysts who have time available. If no real time analysts are available, analysts engaged in historical research can provide temporary support.

For longer term, but still temporary requirements, TAC will also maintain arcanalistic reserve prepared to move support surges in traffic and other requirements. These employees will be trained and certified as are all other employees working on the project. This reserve will be provided at no cost to the government. TAC is able to maintain these employees because it is engaged in many different activities across the CT community that require essentially the same skill sets as the Watchlisting Project.

Each TAC analyst engaged in real time work will also have a queue of historical messages ready for review. When their real time work is done, the analyst will be required to turn to the historical work. This queue will parallel the priority order on which TAC historical analysts are working.

#### 1.1.1.2 Quality

As the recipient of watchlisting CiR's from across the government, TAC employees currently engaged in the watchlisting process are particularly sensitive to the content quality of nominations. Many of the employees and most of the supervisors who will be working on this project have prior experience in the watchlisting process. They will focus on providing accurate information that responds to all of the watchlisting standards. Their lead analysts and editors will quality control nomination recommendations and CIR drafts.

TAC employees have a built-in advantage of an ability to reach back—or reach out—to their TAC colleagues working watchlisting issues at other agencies. Those colleagues can provide advice and guildance about content issues that should facilitate both coordination and value of the product for recipients.

TAC will incorporate a sophisticated Quality Assurance program into the project. This program will be based on industry best practices. Its results will be available to the sponsor and to TAC managers. This QA program will be used to evaluate performance of individual analysts, as well as the entire Watchlisting Program, and will provide information that will inform decisions about training content, remedial measures for individual analysts, performance of each TAC unit and the program as a whole.

TAC embeds analytic performance management in all levels of the processes and procedures. Quality control/assurance reviews as well as developmental, full, and line edits will be aligned with desired performance outcomes at regular and specified increments of the work flow process to ensure quality products.

TAC understands the requirements of tactical analysis and Watchlisting, and we possess an existing and comprehensive inventory of courses and content modules that respond directly and meaningfully to the functionial needs of Watchlisting. Inarguably, this enhances the likelihood that our team will demonstrate a high level of success in the knowledge and skill areas recognized as critical to performance outcomes and to the requisite certification requirements. Our existing counterterrorism/Watchlisting training is without equal, as is our performance management approach that accounts for its implementation and demonstrated performance success.

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Response to RFP No. 2007\*WP

Watchlisting

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1.1.1.3 Wominations and Completing CIR's

Robust staffing, technical innovations and process improvements will yield impressive increases in both productivity and quality. Technical innovations will enable analysts to focus on analyzing information and making recommendations, rather than spending the bulk of their time on document searches and drafting. Process improvements will enable analysts to produce higher quality finished products more rapidly; will improve job satisfaction and increase accountability and rewards.

TAC analysis and CIR drafting will be guided by the following principles:

- Analysts should spend their time analyzing, not retrieving documents.
   Document retrieval will be automated.
- IT tools should order and organized Information to match the analytic task.
- Analysts should convey the substance of their decisions easily and quickly—not through keystroke by keystroke drafting.
- All analytic decisions should be fully documented and available for review by supervisors, coordinators and downstream agencies.

Those principles will be possible in the TAC process because:

- The documents analysts review to make nomination decisions will be organized and ordered by the technical tools TAC will bring to the project.
- Within those documents, the information analysts require to make and support nomination decisions will be highlighted and ordered so that they will not need to search for it.
- Analysts will be able to reorder their data to answer key analytic questions by using tools available on their desktop
- Most of the substance of a nomination message will be developed by dropping data from messages into a CiR template.
- All documentation supporting a nomination will be added to the coordination package through the
  use of a specific tool.

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Section \*\*\* lays out the workflow we propose to use for real time and historical reviews. The details of the capabilities and availability of each IT tool TAC will employ are described in the Section \*\* Technical Innovation. Each step of the workflow is designed to ensure that analysts have the information they require to make nomination decisions and that they can easily and quickly convey and document their decisions.

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1.1.2 Historical Technical Approach

1.1.2.1 Proposed Burn Down Rate

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We will approach the proposed burn down rate through substantial changes in the substantive approach to the mission; the workflow process; the responsibilities of analysts and the analytic tools available to them.

## 1.1.2.2 ThreatBeductionApproach

We believe that the historical review with be best executed as a threat reduction mission. The current process of a numerical record-by-record review of Historical cables implicitly assumes that all individuals reported in message traffic pose equal threats. TAC's Threat Reduction Approach (TRA) recognizes that some inividuals and some groups represent a greater national security threat than others. TAC will review individuals associated with the most threatening terrorist group in the historical backlog first, then move to the next most threatening group, as illustrated in Table XX.

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Not only will TRA enable the US to nominate the more dangerous individuals first, this new approach to the mission will also enhance our security by helping degrade the capabilities of the entire terrorist group because a substantial travel of a substantial number of its associates will be inhibited by potential detection by numerous national and international lookout systems.

Using the TRA, the threat to the US would be reduced much more quickly than the nominal burn down rate. The following graphics illustrate that point.

Insert Graphics

TAC recognizes that individuals not associated with a terrorist group are becoming increasingly dangerous as terrorists. The Threat Reduction process will screen for and prioritize individuals who are acting essentially outside of an organized terrorist group. The main focus will be on identifying individuals who have engaged in violent acts or are specifically targeting US interests in the homeland or abroad. Those individuals will be nominated in parallel toindividuals from the most dangerous groups.

# 1.1.2.3 Assessment of Remaining Threat

Our experience with the watchlists leads us to believe that at some point, the threat posed by identities in the lowest priority groups may be so minimal that the Sponsor will be able to decide that few, if any, of those identities need to be reviewed. For example, names of Japanese Red Army members in ten year old measages may fall below the threshold of current risk and concern. TAC will use a sampling technique to estimate remaining risk in trhe backlog. The sponsor will be able to determine if the Historical review needs to continue or whether the risk has been reduced to the point at which time and resources are better spent on other counterterrorist missions. TAC is aware that the Sponsor used essentially that same technique to determine that approximately one third of the messages in the original historical database need not be reviewed.

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## 1.1.2.4 Processes and Procedures for Completing Review of Historical Cable Traffic

The current process for historical review grew from the early origins of the program. TAC assesses that this process now serves as a significant impediment to completing the mission. The production rates documented in the data provided with the draft RFP are many orders of magnitude lower than required to meet the sponsor's suggested goal.

[IAC proposes to unreamentally change the processes and procedures for reviewing this total mable traffic. This defilion to the Timest Seduction. Approximant CIR sponding to the improvements discussed above: the approposis principles will drive this change!

<u>Euil Scope Analysts</u>, Analysts will be trained and certified to analyze the cables and to draft the CIR's. TAC's realtime and historic analysts will have the same skills and training. TAC will deploy first class full scope analysts. This fundamental project precept will eliminate a major factor in job dissatisfaction and turnover found in the current workforce..

<u>Developing Expertise</u>. By focusing their analytic efforts on identities from one terrorist group at a time, we expect that their expertise will grow quickly and, with that, so will their productivity.

<u>Using Analytic Tools</u>. TAC will use existing and new analytic tools to screen and prepare documents so that scarce analytic resources are used productively. TAC will also use advanced analytic tools to facilitate CIR drafting and coordination

#### 1.1.2.5 Workflow

The workflow for historical and real time are essentially identical except for the beginning of the process. In historical work, identities are pending in the backlog and are available for screening. In real time, they arrive daily in cables. The first step in the historic workflow is to ensure that analysts are able to focus on identities not already in TIDE or identities with insufficient biographic information to support a nomination. Prior to assigning identities for analysis, they will be screened for previous nomination and sufficient biodata.

Preliminary screening is particularly important because the production data from the week of September 18, 2006 provided to us in the draft RFP indicates that 84% of the names reviewed did not meet the standard for nomination to any watchlist. This error rate from the current Phase 1 review is a principal reason for the size of the backlog. It also represents the principal management challenge to accomplishing the mission with the time and resources available. The production statistics from that week indicate that about 38% of the names in the backlog were already listed in TIDE. No analytic resources should be used on any of those names. About 17% of the names had no bio with them. We will be able to use our technical capabilities to eliminate those names.

-For the historic project, TAC analysts will review the most recent messages first. The most recent messages are more likely to reflect more recent terrorist activity. They are also more likely to include, even if only by reference, all of the information available about a terrorist. Determining whether or not such an individual meets the standard for nomination will take less time. From a Threat Reduction perspective, terrorists who have been active more recently may well represent a more acute threat than terrorists active in an earlier era.

#### 1.1.2.6 Process:Change-Nominations

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The Sponsor's main outstanding risk lies with having a backlog of over 1 million individuals already identified by Phase 1 as potentially eligible for nomination. That risk needs to be reduced as quickly as possible. In addition to cable triage, cable analysis, and CIR coordination mentioned in Section \*\*\*\*\*, TAC proposes to increase the pace by focusing analysts on determining whether the individual meets the criteria for nomination—and once that standard is met, ending the analytic portion of the task and nominating the individual immediately.

While forwarding all available information in the initial nominating CIR may be a traditional approach to watchlisting nominations, the more important Threat Reduction objective is to nominate as soon as the information available supports a nomination to a watchlist. Then the analyst moves on to the next potential terrorist and nominates him. This approach explicitly trades off reducing threat inherent in the historical backlog as quickly as possible against engaging in traditional and time consuming research which informs downstream agencies about all available information about an individual. As a practical matter, we will be forwarding the additional information within documentation attached to the CIR, but would not be including it in the CIR itself.

#### 1.1.2.7 Process Change---CIR's

We are struck by the large number of names in the CIR queue—612 for the week of September 18. When TAC increases the flow of nominations—which we must—the CIR queue quickly will become an even more unacceptable bottleneck. TAC recognizes that part of the cause of the coordination bottleneck lies with the current coordination practices and procedures and proposes to work with the Sponsor to suggest some approaches that would preserve the equities of Sponsor components, but facilitate the coordination process. In addition, TAC has some preliminary proposals to address this issue.

TAC analysts will be responsible for producing draft CIR's that meet all of the Sponsor's substantive and technical standards for coordination and dissemination. TAC is particularly aware that poorly drafted CIR's waste valuable time for the Sponsor's already hard pressed staff officers involved in the coordination and review process. The TAC analysts will be selected for their ability to fulfill this requirement and will be trained to do so. Experienced, trained supervisors will review the product and help resolve any substantive or procedural issues. Analysts will be responsible for completing the coordination process—as are analysts in the Sponsor's organization. Their supervisors will be available for support as required, just as supervisors in the Sponsor's organization.

TAC will eliminate the complex, and time consuming, current, interest as work process. In which one analyst screens documents, another analyst conducts research and drafts a CIR and a third analyst rereviews that work and polishes the CIR. TAC's analyst's responsibilities and review procedures will mirror the Sponsor's. Staff officers with questions about a message will not have to wade through layers of reviewers—they will know who is responsible for the message; who can answer their questions and address their concerns.

TAC will work with the Sponsor to provide a supporting IT infrastructure to facilitate CIR drafts. That infrastructure will include templates and pull down menus that anticipate most of the format and technical language used in writing watchilsting CIR's. The goal is to focus the main drafting efforts of the analyst on the key substantive elements of the message.

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## 1.1.3 Workflow Detail: Real Time and Historical

(This needs to be accompanied by a workflow graphic or graphics)

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We have provided the organizing principles of our technical approaches to real time and historical work. The following section provides the more detailed processes and analytic tools we will employ for the Watchlist Project.

in this proposal, the only significant workflow difference between historical and real time analysis is the origin of the messages the analyst will review. In real time, the real time teams will work from the daily flow of cables and will be dependent on their substance as the basts for organizing and executing their analysis. In historical, identities are available for processing in large numbers, the size and composition of the backlog is relatively stable. The entire backlog is the basis for prioritizing and preprocessing historical analysis.

#### 1.1.3.1 Messages Prepared for Distribution to Analysts

One of the principles of TAC's process is to enable analysts to focus on deciding whether an identity requires nomination, instead of spending time retrieving documents and reading unproductive portions of them. TAC will use analytic tools to support that principle and increase analysts' productivity.

## 1.1.3.1.1 Triage, Processing and Priorities

The first activity that can be improved with leading-edge technology is the triage of Watchilsting requests, both in the backlog and in real time. The first part of both the real time and historic triage process will Identify and isolate the names contained in cables and identify and eliminate the names that are already in TIDE.

The TAC team will deploy identity matching and similarity algorithms to match the identities found in cables with the identities Datamart and will eliminate those names that have already been added to a watchlist.

The TAC team will deploy an entity extractor, such as inxight ThingFinder, optionally coupled with an Arabic name normalizing algorithm, to identify and mark, or "tag", the names in every cable; not only will tagging the names in the cables allow analysts to quickly and accurately distinguish the people who are the topics of cables, but also enables further value to be added by other technologies.

Since names must be augmented with biographic data for watchlist nomination, the TAC team will implement an automated rules engine that will highlight and prioritize cables that contain both a name and biographic information, such as date of birth or other identifying information.

To support the Threat Reduction Approach to historical work, the TAC team will use currently deployed technology to place identities into the terrorist groups with which they are associated so that historical analysts may work on them according to the priorities provided in Table \*\*\*. This is, essentially, the only workflow difference between real time and historic.

Finally, before analysts touch a message, the TAC team proposes to deploy Endeca, the Industry leading text analysis and knowledge discovery suite, to analyze the text content in the remaining cables, measured relative to a set of key words and phrases specified by the customer and/or determined by analytic subject matter experts on the TAC team, to assess the risk of attack likely to be associated with the identities contained in each cable. The product of this assessment will be a relative threat score for each cable, and the analyst workflow will be prioritized such that analysts are always working on the

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cables that pertain to the most dangerous individuals within their assigned terrorist group or real time message queues.

Based on statistics gathered from the current process, this automated process is likely to eliminate approximately 80% of the backlog names, ensuring that valuable analytic and subject matter experts spend their time working on the most important cables. The result of revolutionizing the analytic process with cutting-edge technology will be greater productivity and, more importantly, quickly reducing the threat of attack. Furthermore, because the key information in each document will be highlighted, analysts will not normally need to read the entire text of long messages.

## 1.1.3.1.2 Cable Analysis

At this point, analysts will begin their review of messages. TAC will configure and optimize the Endeca Information Access Platform and will utilize its staff of Endeca analytic experts to train all analysts to get the most out of the Endeca platform. The power of Endeca lies in its ability to empower the user to "ask questions" of the entire corpus of cable data simply by clicking on the topics, themes, and keywords contained in the traffic. In short, the key terms in a cable, a set of cables or millions of cables, nearly jump out at a user. [a screen shot will be attached]. By allowing a user to quickly and clearly explore the prioritized cable data, with watchilst criteria automatically highlighted in every cable, analysis will be further expedited.

At this point, analysts are working with the messages on their desktop. They have all the tools at hand to make nomination decisions. If they require additional information, they can use Endeca, or other search tools currently available in the Sponsor's CT database to develop additional information.

### 1.1.3.1.3 Report Drafting and Coordination

After an analyst decides that an identity meets standards for a watchlist, a CIR is created and a lengthy coordination process is initiated. During coordination, two major bottlenecks—writing the CIR manually and vetting of information in the CIR by all relevant parties—may prevent the nomination from reaching completion in a fashion timely enough to make reducing the cable backlog realistic. The cable backlog, however, will be significantly reduced by applying technology to standardize, expedite, and automate the CIR writing process and to allow the coordination reviewers to easily review only those portions of the cables that are relevant to the nomination, without needing to find the cable in the cable system and read it in full. The TAC team will help the customer to accomplish these goals and reduce the cable backlog with a simple and highly effective technology, which is already deployed and in use by hundreds of users at the customer site, and is integrated with the customer's cable system.

Polaris is a tool that performs an incredibly simple task that nearly every analyst has, at some time, asked to have automated. It allows a user to drag and drop snippets from a cable in the customer's cable system to Microsoft Word and carries with it all classification markings and portion markings. In addition, Polaris creates document sourcing footnotes in the Word report and copies the entire source cable to the end of the report—all by simply dragging and dropping your relevant snippet into your report in Microsoft Word. Having been developed by a component of BAE, a TAC team member, the TAC team employs engineers with the expertise to customize Polaris to suit the specific needs of the Watchilsting Program. This team of experts will create an automated CIR utility, which will allow a user to select the derog in a cable to support a nomination, specify several key criteria, such as the watchilst to which an identity will be nominated, and Polaris will automatically insert the data into a properly classified and portion-marked CIR, complete with source footnotes and full copies of all relevant source cables attached. This CIR will then be reviewed by the analyst's supervisor and forwarded to all appropriate coordination partles, who

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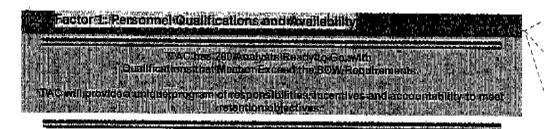
can then see the relevant portions in the report and, if necessary, can even see the entire cable, simply by turning to the appendix in the report.

By deploying cutting-edge, mission-focused technology, the TAC team will relieve the many of the major bottlenecks and frustrations in the vital activities of cable triage, analysis, and coordination. Analysts will spend their time working on cables that describe the most acute threats of attack, and reports will be automatically generated with sourcing that will allow coordination without ever logging into the cable

## Deploying Technology

The Technology Insertion section will provide a detailed review of the timing and process of bringing new analytic tools to the watchlisting process. We want to be clear that we will begin the transition period using the same IT tools now available. We will use some of the extractors in different ways in order to prioritize the historical backlog to carry our TAC's Threat Reduction Approacth. We will introduce new analytic tools in a measured way to ensure that the workforce is trained and comfortable with their use. We have selected analytic tools that are, for the most part, available on the Sponsor's system or can be made available within a relatively short time. As a Team with deep roots in information technology, we will be continually on the lookout for new analytic tools to apply to this program.

Our experience with the Sponsor's Internal processes Indicates to us that we are likely to receive approval to apply the new analytic tools in weeks and months, not years. We cannot control the pace of the Sponsor's process, but we will be prepared to provide all the information required to gain approvals as quickly as possible. We would anticipate that we could deploy \*\*\*\*\* within \*\*\*\* weeks of contract award and \*\*\*\*\* relatively soon after that. \*\*\*\* will take months, not weeks. We will gain substantial improvements in productivity through the process changes we have proposed. Those gains will be accelerated as we bring our full suite of analytic tools to bear on the process.



# 1.2.1 Personnel: Qualifications and Availability

TAC and its partners are committed to support the Watchlist Project with trained and certified analysts managed by seasoned professionals with years of experience in watchlisting and counterterrorism. Drawing on ongoing support for watchlisting throughout the government, the TAC team will have the personnel it needs from inception to completion of the Watchlist Project.

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## 1.2.2 Personnel Proposal

TAC and its team have been supporting watchlisting for two decades. It has a well established cadre of substantive and technical professionals experienced in all aspects of watchlist programs. TAC will draw on that cadre to staff the core of the Watchlist Project.

Watchlist training is a particularly well developed program at TAC. TAC's support for watchlisting has required effective training programs. They will require some added elements unique to the sponsor and its requirements, but the training process is robust and prepared for additional substantive requirements.

We train analysts to demonstrate high levels of operational performance in areas such as researching for analytic outcomes, identifying and extracting derogatory from source documents, scanning and identifying deconfliction issues, ilaising and negotiating for follow-on data exploitation. Centrally important, our analysts understand the intelligence product and can produce a watchillst recommendation that provides a not only well-written report on a known or suspected terrorist that requires minimal quality control at the Sponsor's Coordination level, but also a quality report accepted at NCTC and TSC (the primary consumers) and the IC. In short, we demonstrate the know-how and the technology to develop, mentor, and retain in systematic fashion the analysts we recruit.

TAC training is only the beginning of the preparation process for CT work. Before TAC employees work hands on anywhere, they are tested and certified by TAC, as required by the Statement of Work and TAC's own standard practices. In the case of the Watchilst Project, we will also require that analysts and managers demonstrate their capability to support real time watchilsting by spending time working on the historic backlog. Their products—both recommendations and CIR's can be closely supervised without the deadline pressures required in the real time environment. This training program will have the added advantage of reducing the historic backlog, particularly at the beginning of the program when 200 or so employees work on those names during the transition.

## 1.2.3 Staffing Roster: Quality Personnel Ready to Go

We have 200 fully cleared professionals ready to support the Watchlist Project. The resumes speak to the quality of the proposed personnel and demonstrate that they meet or exceed the qualifications established in the Statement of Work. Table \*\* provides that compliance data in summarized form. They include professionals with experience in the Terrorist Screening Center, National Counterterrorism Center, National Targeting Center, Department of State, Defense Intelligence Agency, and CIA. Some will need training in the Sponsor's unique and demanding environment, however, all are well acquainted with the substance of watchlist programs.

## 1.2.4 Retention

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TAC is confident that these personnel resumes exceed SOW qualifications by offering a talent pool of Intelligence Analysts (IA) at all levels, ranging from junior IAs to Subject Matter Experts (SME) assembled from throughout the Intelligence, Counterterrorism, and Watchlisting Communities, providing a depth and breadth of knowledge unique for this WP. Current presence and experience include individuals assigned from the Terrorist Screening Center (TSC), National Counterterrorism Center (NCTC), National Targeting Center (NTC); Department of State (DOS), Defense Intelligence Agency (DIA), and Central Intelligence Agency (CIA). This provides the WP a strong personnel foundation from which to draw and become Immediately productive for the government.

1.2.5 Training and Certification

# 1.1.5 Training and Certification

Counterterrorism and Watchlisting training is where the TAC Team shines. We are aware of no other existing, currently deployed Watchlisting training that has been specifically designed and tested to serve the full life-cycle of Watchlisting processes. TAC has been serving watchlisting programs for two decades, and its time-tested training leads the way in serving knowledge and pragmatic operational needs. Our training program is robust with built-in flexibility to respond to unique sponsor requirements. We fully expect our Sponsor-approved training program to be in place far in advance of the specified 30 days after contract award. Prior to contract award date, the existing TAC Orientation Program will enable analysts to achieve the required knowledge and skills thresholds, represented by TAC's comprehensive inventory of counterterrorism/Watchlisting benchmarks for professional development that currently define Its CT/Watchlisting training.

Our goal is to improve productivity by reducing the number of revisions of the finished product, and to facilitate the flow of the watchlisting process as a whole. TAC Team analysts will be trained and certified per the Sponsor's requirements to an "industry standard" based on years of experience supporting recipients of the Sponsor's watchlist nominations. Our team of facilitators and subject matter experts monitor and guide students every step of the way in a collaborative learning environment that combines personal mentoring with on-line enabling tools.

TAC training begins before contract award with an Orientation Program that closely mirrors our proposed training program. We fully understand that our watchlist project training and certification program must be approved by the sponsor and that cannot happen until contract award. TAC's Orientation Program is designed to insure that analysts, supervisors and managers are ready for final training and preparation for operational work by contract award date

TAC's Orientation Program enables analysts to achieve the knowledge and skills required for their assigned positions through a combination of assessments and course work. New analysts are

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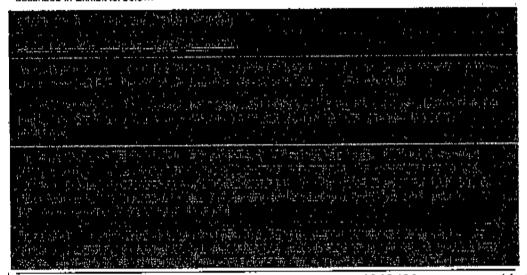
administered assessments to establish a baseline of knowledge and skills in tactical analysis and watchlisting. Based on the outcome of the assessments, analysts enroll in a selection of 12 counterterrorism/watchlisting courses and 32 content modules in TAC's on-line learning system to close knowledge and skills gaps. Each course is conducted in a collaborative learning environment under close supervision of our team of facilitators and subject matter experts. The TAC team tracks individual performance in the courses and modules, adjusts the program as necessary, and verifies and documents achievement of learning objectives.

## 1.2.6 Training Program

We fully understand that our watchlist project training and certification program must be approved by the sponsor and that cannot happen until contract award. TAC will have the training proposal ready for Sponsor review and approval within days of the contract award. TAC's Orientation Program is designed to insure that analysts, supervisors and managers are ready for final training and preparation for operational work by contract award date. After they have completed their Orientation Program, they will be ready to participate in a Sponsor-approved Training Program that fully prepares them for the watchlisting project.

The Watchilst Project training and certification program that we will propose to the Sponsor is customized to serve three experience levels, from new analysts to quality assurance staff. Course selection is based on our high level of expertise and experience in watchlisting and counterterrorism environments across the IC, with roots in our past and current performances in TIPOFF, TIDE, TSDB and (X,y,z). To protect the security of sensitive or classified learning topics, our training program spans a variety of security domains. We take full advantage of the unclassified, password protected domain for 24/7 on-line training on the basic skills foundation that suits all schedules and is especially suited to ensure that our partners are trained to the same high standards as TAC employees. Training on sensitive topics continues in the classified domain.

Depending on their experience level and future assignments, TAC will use the collaborative approach employed in the Orientation Program to train and certifyteam members to one of three levels as described in Exhibit xx below.



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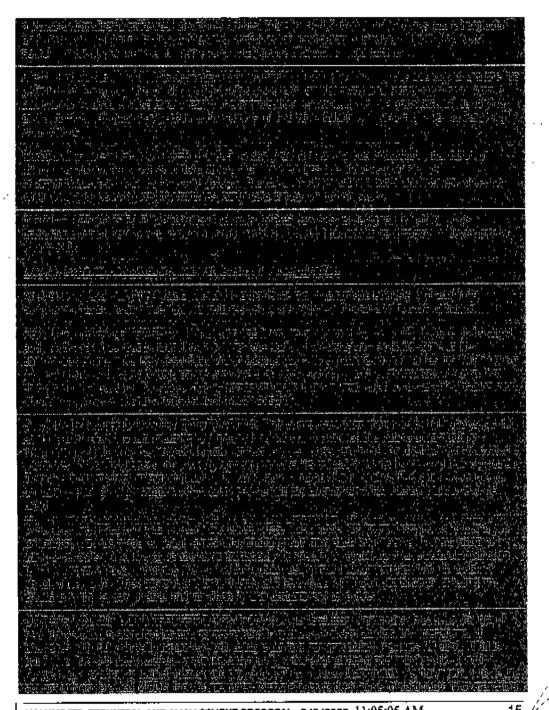
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# Intelligence to Meet the Challenges of the 21st Century

The national security challenges facing the United States in the 21<sup>st</sup> Century are unprecedented in their scope, complexity, and gravity. To address these challenges successfully, the United States must have a national intelligence system that brings together the capabilities of our collection, analytic, and technical communities in a manner that optimally promotes U.S. and global security interests. Indeed, the U.S. intelligence system must evolve significantly from its Cold War roots. It needs to be the engine that helps U.S. policymakers uncover and thwart dangerous threats such as terrorism and proliferation; identify the drivers and potential solutions to political, economic, and social problems; understand the underpinnings of ideological and territorial disputes; and seize opportunities for peace and human development wherever and whenever they arise.

To accomplish its important mission, the Intelligence Community must never be subject to political manipulation and interference. It must always maintain its independence, objectivity, and integrity, providing the President and policymakers throughout the Government unvarnished intelligence and analytic assessments on national security issues. The individuals who lead our Intelligence Community have a special responsibility to protect that mandate.

 Accordingly, the positions of Director of National Intelligence and the Director of the CIA should be made ten-year term appointments, with confirmation by the Senate. We need to take these positions out of the cycle of partisan political appointments and, at the same time, ensure needed continuity at the helm of U.S. Intelligence.

The Intelligence Community has grown significantly since the tragic terrorist attacks of 9/11, as there is a strong national consensus for more and better intelligence about the threats facing our Nation, both at home and abroad. The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) created the Office of the Director of National Intelligence and called for a transformation of the Intelligence Community, but the ineffective implementation of those reforms has resulted in confusion and competition among intelligence agencies.

 We need a blueprint for the Intelligence Community of the future, so that intelligence missions, budgets, and initiatives comprise a system of complementary organizations working hand-in-hand in support of our collective national security. We have no such blueprint today, and we owe one to the hard-working intelligence professionals whose expertise we rely on each day to keep us safe and secure. The intelligence mission of our country must involve more than the departments and agencies of the Federal Government. The security of our Nation will be best protected when we truly have a "national" security architecture that knits together the capabilities and requirements of all levels of government as well as those of the private sector. Until these communities can interoperate with one another in a timely, efficient, and coordinated manner, our adversaries will be able to exploit dangerous gaps that exist among those with responsibility to protect our country.

• To date, the Federal Government has been remiss in its duty to bring together the tremendously broad and deep capabilities that exist in our Nation. We need to move beyond a Washington-beltway mentality and Washington-centric solutions. We need a national initiative that explores how we can best utilize, coordinate, and leverage the knowledge and talent that exist throughout our great country.

Unfortunately, there has been precious little progress since 9/11 related to defining and setting the legal and policy parameters of "domestic intelligence." Backroom discussions that result in Presidential directives of dubious legality are not in keeping with our Constitutional foundations. In light of the seriousness of the transnational terrorist threat, we need to set the appropriate balance between conducting domestic intelligence operations and protecting the privacy rights and liberties of U.S. persons. The FBI, Department of Homeland Security, National Security Agency, CIA, and Department of Defense are all engaged in intelligence activities on U.S. soil, and these activities must be consistent with our laws and reflect the democratic principles and values of our Nation.

 The President and the Congress must work together to determine what domestic intelligence activities are necessary to safeguard the Homeland. Clear mandates, defined responsibilities, and firm criteria for domestic intelligence operations need to be established so that our intelligence organizations are provided the direction they need as well as the limits they must respect. Stringent oversight of these activities—by the Executive, Legislative, and Judicial Branches of Government—must be an essential part of the system.

Outside the Homeland, there is an enduring need for high-quality and reliable intelligence about developments worldwide that affect the security of the United States and its allies. insight and warning that will serious threats to our security

The CIA has been the subject of much criticism over the years, but it has played an integral role in safeguarding U.S. national security interests for the past 60 years.

There are times when our country's security demands that we take actions abroad to address real and emerging threats to our interests. Sometimes, such actions must be carried out under the cover of secrecy. There has been much controversy surrounding CIA covert action programs over the years, but many of those programs have made major contributions to U.S. foreign policy objectives.

The Importance of Intelligence Partnerships Worldwide

Damaging Leaks of Classified Information

The Role and Importance of Nonpartisan Congressional Oversight of Intelligence

# The Conundrum of Iran

Iran will be a major player on the world stage in the decades ahead, and its actions and behavior will have a major and enduring impact on near- and long-term U.S. interests on a wide variety of regional and global issues. With a population of over 70 million, xx percent of the world's proven oil reserves, a geostrategic location of tremendous (enviable?) significance, and a demonstrated potential to develop a nuclear-weapons program, the United States has no choice but to find a way to coexist—and to come to terms—with whatever government holds power in Tehran. At the same time, the Iranian Government also must come to terms with Washington, as Tehran's ability to advance its political and economic interests rests on a non-hostile relationship with the United States and the West.

There are numerous hurdles that stand in the way of improved U.S.-Iranian relations, but none is more daunting than the theocratic regime's nearly 30-year track record of engaging in transnational terrorism, both directly and indirectly, to advance its revolutionary agenda. Tehran's proclivity to promote its interests by playing the terrorist card undermines its standing as a responsible sovereign state and calls into question virtually all of its actions, even when pursuing legitimate political, economic, and strategic interests. While the use of terrorism(\*footnote on definition) is reprehensible and of serious concern irrespective of the source, the wielding of the terrorism club by a nation state such as Iran is particularly alarming and insidious because of the ability of a government to use its instruments of national power to support, conceal, facilitate, and employ terrorist violence. Specifically, a sovereign government has the ready ability to provide all of the logistical requirements—e.g. the fabrication of official documentation, explosives, and weapons; the protected use of diplomatic facilities, staff, and pouches; and the provision of expertise, funding, and targeting intelligence—that can be used to great effect to plan and carry out successful terrorist attacks. Too often, and for too long, Iran has excelled at such activities

# The Historical Context and Record of Terrorism

The Iranian regime's current worldview and actions are shaped significantly by Iran's ancient history, its Persian and Shi'a Islamic essence, and developments of the past half century. While only slightly more than half its population is ethnic Persian, the wide expanse of the Persian Empire under Cyrus the Great (6<sup>th</sup> Century B.C.), which stretched far into southwest and central Asia and across to Egypt and north Africa, laid the basis for an Iranian mindset of far-reaching influence and engagement that remains to this day. The Persian identity was further molded more than a millennium later, when Shi'a Islam established deep roots in the region and made Persian leaders the protectors of the Shi'a faithful against Sunni Arab and other adversaries.

The World Wars of the 20<sup>th</sup> Century and their aftermath made Iran a pawn of global politics, as illustrated by the CIA-engineered overthrow of Prime Minister Mossadegh in 1953, which allowed the pro-U.S. Shah to return to power and rule with an iron hand for the next 25 years. When he was he was ousted in 1979 and the Islamic Republic under

Ayatollah Khomeini was established, it was all but inevitable that the United States would draw the , the world's only remaining superpower, would be

Since the advent of the theocratic regime, the Iranian Government has sought to reclaim what it believes is its' rightful

Iran's record of direct and indirect involvement in terrorist attacks is long and bloody, with regime opponents and U.S. and Israeli interests bearing the brunt of attacks. Since 1979, the most notable examples include:

1983: Hizballah attacks against the U.S. Embassy and Marine barracks that left xxx dead and more than xxx wounded.

Attacks against Israeli Embassy in Argentina.

Assassination of Israeli ambassador in London.

1996: Saudi Hizballah attack against U.S. forces housed at Khobar Towers in Saudi Arabia, which killed xxx and injured xxx. According to the U.S. Department of Justice, the perpetrators of those attacks "reported their surveillance activities to Iranian officials and were supported and directed in those activities by Iranian officials." (footnote)

#### The U.S.-Iranian Chessboard

An unfortunate hallmark of U.S.-Iranian relations since 2001 has been growing divide between Washington and Tehran, chronicled by bombastic rhetorical broadsides that have been hurled publicly by each side against the other. The tragedy of the al-Qa'ida launched terrorist attacks against the U.S. homeland in September 2001 prompted the U.S. Administration to engage in a far-reaching campaign to eradicate the sources of terrorism, and Iran, understandably—but regrettably—was swept up in the emotionally charged rhetoric that emanated from Washington under the seemingly all-encompassing rubric of "The Global War on Terrorism." The gratuitous labeling of Iran as part of a worldwide "axis of evil" by President Bush (date?) combined with strong U.S. criticisms of Iran's nascent nuclear program and its meddling in Iraq led Tehran to the view that Washington had embarked on a course of confrontation in the region that would soon set a kinetic focus on Iran. Even Iran's positive engagement in helping repair the post-Taliban political environment in Afghanistan was met with indifference by Washington. According to James Dobbins, the Bush Administration's first U.S. envoy to Afghanistan, Iranian diplomats made important contributions to the success of U.N. sponsored negotiations that resulted in the inauguration of the Karzai Government in Kabul. But unlike the foreign ministers of other nations involved in those negotiations, Iran's foreign minister did not receive a personal note of thanks from his U.S. counterpart, despite, according to Dobbins, the fact that he "may have been the most helpful."

# Recommendations

Whoever takes up residence at 1600 Pennsylvania Avenue in January 2009 will need to "hit the ground running" on Iran, especially since Tehran will react immediately to the new Administration's policy statements that

- 1) Tone Down the Rhetoric: Iranian leaders of the ilk of President Ahmadinejad undoubtedly will continue to
- 2) Establish a Direct Dialogue with Tehran:

Iran's importance to U.S. strategic interests and to overall stability in the region necessitates the establishment of a direct and senior-level dialogue between Washington and Tehran; the use of third parties, such as the Swiss, to convey messages between the two capitals in the absence of diplomatic relations is wholly insufficient. A direct U.S. dialogue with Tehran, moreover, should not have a narrow focus, as the array of issues of most concern about Iran—engagement in terrorism and support to subnational "extremist" groups as well as proliferation activities and regional ambitions—are inextricably intertwined. A comprehensive framework for discussing these issues is required.

Over the past several decades, experience has shown that seemingly intractable foreign policy challenges for the United States have been best handled by the appointment of a Presidential envoy who has the experience, gravitas, and the authority to deal effectively not only with non-U.S. interlocutors but also with U.S. officials who have the potential to stand in the way of progress. The appointment of a U.S. Presidential envoy to Iran is long overdue. The argument that such an appointment would be premature as long as Iran is on the Department of State's list of state sponsors of terrorism is without merit and foundation; the United States has diplomatic relations with Syria, also on the list, and has appointed Presidential envoys to North Korea and Sudan.

An ideal candidate for Presidential envoy to Iran is former Secretary of State Colin Powell, who retains wide notoriety and respect throughout the region. Secretary Powell has an in-depth understanding of the politics and history of the region as well as of the equities of the

Other potential candidates include former Vice President Al Gore, Secretary of State Madeline Albright, and former National Security Advisors Tony Lake and Brent Scowcroft.

- 3) Seek Realistic, Measureable Steps:
- 4) Hold Out Meaningful Carrots, as Well as Sticks:

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SELECT COMMITTEE ON INTELLIGENCE WASHINGTON, DC 20510–6475

May 7, 2008

# Dear Colleagues:

The interrogation of high-value detainees since 9/11 has been the subject of much controversy. It has also been one of the most valuable sources of intelligence in protecting America and in disrupting terrorist plots, according to CIA Director Michael Hayden and the Director of National Intelligence (DNI) Michael McConnell. Congress has yet to find a solution that bans harsh techniques in a manner that does not prevent our intelligence officials from using otherwise lawful means to obtain the information they need to keep America safe.

One proposal has been to require our intelligence agencies, when conducting interrogations of individuals in their custody, to use only the nineteen techniques explicitly authorized by the Army Field Manual (AFM). This has received immediate objection by the DNI and CIA Director who expressed concern that the AFM fails to exhaust the universe of techniques that could be authorized consistent with the Geneva Conventions. I believe there is a better legislative alternative that, unlike current proposals, satisfies two key objectives: (1) to forbid the use of harsh interrogation techniques that may run afoul of the Geneva Conventions; and (2) to give our intelligence agencies the tools and flexibility they need to conduct full and timely interrogations of terrorists and other detainees.

Rather than authorizing intelligence agencies to use only those techniques that are *allowed* under the AFM, I believe the more prudent approach is to preclude the use of specific techniques that are *prohibited* under the AFM. In this way, the Congress can state clearly that certain harsh interrogation techniques will not be permissible. At the same time, this approach allows for the possibility that new techniques that are not explicitly authorized in the AFM, but nevertheless comply with the law, may be developed in the future. This alternative ensures that our intelligence operators know the exact parameters of what is lawful, rather than forcing them to rely on and interpret a Manual that was written solely for military intelligence operations.

Specified prohibitions in conjunction with intelligence interrogations would include: forcing the detainee to be naked, perform sexual acts, or pose in a sexual manner; placing hoods or sacks over the head of a detainee and using duct tape over the eyes; applying beatings, electric shock, burns, or similar forms of physical pain; "waterboarding"; using military working dogs; inducing hypothermia or heat injury; conducting mock executions; and depriving the detainee of adequate food, water or medical care.

As we continue debate on these issues, I urge you to consider my proposal to ban the use of certain harsh interrogation techniques expressly prohibited by the Army Field Manual.

Sincerely

Christopher S. Bond

Vice Chairman

110th CONGRESS 2d Session	S.
	~

To prohibit the use of certain interrogation techniques and for other purposes.

# IN THE SENATE OF THE UNITED STATES

Mr. BOND introduced the following bill; which was read twice and referred to the Committee on

# A BILL

To prohibit the use of certain interrogation techniques and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Limitations on Interro-
- 5 gation Techniques Act of 2008".
- 6 SEC. 2. PROHIBITION ON THE USE OF CERTAIN INTERRO-
- 7 GATION TECHNIQUES.
- 8 (a) In General.—No individual in the custody or
- 9 under the effective control of personnel of an element of
- 10 the intelligence community or instrumentality of an ele-
- 11 ment of the intelligence community, regardless of nation-

1	ality or physical location of the individual or personnel,
2	shall be subject to the following interrogation techniques—
3	(1) forcing the individual to be naked, perform
4	sexual acts, or pose in a sexual manner;
5	(2) placing hoods or sacks over the head of the
6	individual or using duct tape over the individual's
7	eyes;
8	(3) applying beatings, electric shock, burns, or
9	similar forms of physical pain;
10	(4) using the technique known as
11	waterboarding;
12	<ul><li>(5) using military working dogs;</li></ul>
13	<ul><li>(6) inducing hypothermia or heat injury;</li></ul>
14	(7) conducting mock executions; or
15	(8) depriving the individual of adequate food,
16	water or medical care.
17	(b) Definitions.—In this section:
18	(1) Instrumentality.—The term "instrumen-
19	tality", with respect to an element of the intelligence
20	community, means a contractor or subcontractor at
21	any tier of the element of the intelligence commu-
22	nity.
23	(2) Intelligence community.—The term
24	"intelligence community" has the meaning given

- 1 that term in section 3(4) of the National Security
- 2 Act of 1947 (50 U.S.C. 401a(4)).