

Policy and



Oversight Report

Intelligence Operations Directorate

Evaluation Report on
Training of Foreign Military
Personnel - Phase I

Report Number PO 97-007

February 21, 1997

Office of the Inspector General
Department of Defense

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Acronyms

ASD(C ³ I)	Assistant Secretary of Defense (Command, Control, Communications, and Intelligence)
ATSD(IO)	Assistant to the Secretary of Defense (Intelligence Oversight)
DEPSECDEF	Deputy Secretary of Defense
SECDEF	Secretary of Defense
SOA	School of the Americas
USSOUTHCOM	U.S. Southern Command



INSPECTOR GENERAL
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February 21, 1997

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE (COMMAND,
CONTROL, COMMUNICATIONS, AND
INTELLIGENCE)
ASSISTANT TO THE SECRETARY OF DEFENSE
(INTELLIGENCE OVERSIGHT)

SUBJECT: Evaluation Report on Training of Foreign Military Personnel - Phase I
(Report No. PO 97-007)

We are providing this evaluation report for information and use. We conducted the evaluation in response to a Deputy Secretary of Defense request. This report is one in a series of evaluation reports to be issued. We considered management comments on a draft of this report in preparing the final report.

Comments on the draft of this report conformed to the requirements of DoD Directive 7650.3 and left no unresolved issues. Therefore, no additional comments are required.

We appreciate the courtesies extended to the evaluation staff. Questions on the evaluation should be directed to Mr. Robert A. Vignola, Program Director, at (703) 604-8845 (DSN 664-8845) or Mr. John V. Lewin, Project Manager, at (703) 604-8758 (DSN 664-8758). See Appendix D for the report distribution. The team members are listed inside the back cover.

Russell A. Rau
Assistant Inspector General
Policy and Oversight

Office of the Inspector General, DoD

Report No. PO 97-007
(Project No. 7OI-9009)

February 21, 1997

Training of Foreign Military Personnel - Phase I

Executive Summary

Introduction. On August 9, 1991, the Secretary of Defense directed the Assistant to the Secretary of Defense (Intelligence Oversight) to investigate the use of Spanish language intelligence training manuals in the U.S. Southern Command area of responsibility. The manuals contained materials considered inconsistent with U.S. and Department of Defense policies. In its March 10, 1992, report, "Improper Material in Spanish-Language Intelligence Training Manuals," the Assistant to the Secretary of Defense (Intelligence Oversight) told the Secretary of Defense that Army personnel involved in the preparation of the manuals and the presentation of associated intelligence courses did not recognize that the materials contravened DoD policies and that no evidence was found of a deliberate and orchestrated attempt to violate those policies.

Objectives. On September 30, 1996, the Deputy Secretary of Defense asked the Inspector General, Department of Defense, to review the March 10, 1992, Assistant to the Secretary of Defense (Intelligence Oversight) report and supporting material to determine whether it is adequate to assess individual responsibility. If the report and supporting materials were judged inadequate for this purpose, the Inspector General was requested to take additional steps as may be practical and necessary to determine individual responsibility. As a follow-on to this overarching objective, the Inspector General, Department of Defense, was asked to determine whether corrective actions resulting from the March 1992 report were satisfactorily implemented.

On October 7, 1996, the original tasking was expanded to examine how training conducted at the School of the Americas is reviewed and approved and examine intelligence training for foreign personnel throughout the Department of Defense. These latter two tasks will be addressed in future reports.

Results. The investigation performed by the Assistant to the Secretary of Defense (Intelligence Oversight) was adequate for concluding no deliberate and orchestrated attempt was made to violate Department of Defense or U.S. Army policies. The intent of the investigation was to determine how objectionable materials in the manuals were introduced into the Army educational system and to make certain that similar activity did not recur. From 1982 through early 1991, many mistakes were made and repeated by numerous and continually changing personnel in several organizations from Panama to Georgia to Washington, D.C. Lack of attention to Department of Defense and U.S. Army policies and procedures by those personnel and organizations perpetuated the assumption that the materials in the Spanish language intelligence training manuals were proper and doctrinally correct. We conclude that:

- o absent the discovery of evidence that the lengthy episode was a deliberate attempt to violate Department of Defense policies, the Assistant to the Secretary of Defense (Intelligence Oversight) decision not to pursue the issue of individual responsibility was justified and

- o further investigation to assess individual responsibility is not required because we found no evidence to support that action.

In compliance with the recommendations for corrective action in the March 1992 Assistant to the Secretary of Defense (Intelligence Oversight) report, the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) issued a policy memorandum on intelligence and counterintelligence training of non-United States persons. The memorandum specified that such training could be provided when it supports national security objectives and that it should reflect current Department of Defense policies and procedures. The memorandum directed that training material must be approved by the appropriate doctrinal authority to ensure consistency with policy and that the material must be cleared for foreign release. In cases where the training is provided overseas, policy approval must be obtained through the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence). We conclude that even though the policy memorandum was well intentioned, it had little impact. The Army and the Defense Intelligence Agency were the only DoD Components that published documents in support of the memorandum while others had no record of receipt or considered no action was needed. Had the memorandum been issued as a DoD Directive, it would have compelled action addressees to report actions to comply with its provisions.

Summary of Recommendations. We recommend that the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) reissue its August 1992 policy memorandum as a DoD Directive on the provision of intelligence training to non-U.S. persons that includes requirements for the Assistant Secretary of Defense (Intelligence Oversight) to ensure that intelligence oversight inspections scrutinize intelligence training for foreign students.

Management Comments. We received comments on a draft of this report from the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) and the Assistant to the Secretary of Defense (Intelligence Oversight). The Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) concurred with the recommendation to reissue its August 1992 policy memorandum as a DoD Directive. The Assistant to the Secretary of Defense (Intelligence Oversight) had no comment. See Part III for the discussion of management comments and Part V for the complete text of those comments.

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Part I - Introduction

Background

On March 28, 1991, the U.S. Southern Command (USSOUTHCOM) requested approval for a counterintelligence Mobile Training Team to conduct an intelligence course for Colombian military personnel in Bogota, Colombia. The Joint Staff did not endorse the proposal and requested clarification on the details of the course of instruction. Upon review of the proposed instructional documentation, the Joint Staff and the Defense Intelligence Agency discovered that several passages contained inappropriate material that violated U.S. laws and DoD policies. Immediate corrective action was initiated and the Mobile Training Team counterintelligence course for Colombia was never conducted.

On August 9, 1991, the Secretary of Defense (SECDEF) directed the Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD[IO]) to conduct a full investigation of the matter and to report to the SECDEF any recommendations deemed appropriate. The ATSD(IO) issued its report, "Improper Material in Spanish-Language Intelligence Training Manuals," March 10, 1992. The report recommended that:

- o the Joint Staff establish a policy to ensure that intelligence and counterintelligence training for foreign personnel is consistent with U.S. and DoD policy;

- o DoD intelligence agencies and military Service schools conducting intelligence training for foreign personnel should ensure that training materials have been approved for consistency with U.S. and DoD policy;

- o the Army conduct a damage assessment of the classified information disclosed through use of the manuals; and

- o the General Counsel, DoD, retain one copy of the manuals and that all other copies of the manuals and associated materials should be destroyed.

The SECDEF approved the report and its four recommendations on March 27, 1992, and directed the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) (ASD[C³I]) to issue instructions to implement the corrective actions. ASD(C³I) policy memorandum, "DoD Policy on Intelligence and Counterintelligence Training of Non-United States Persons," August 27, 1992, implemented the recommendations approved by the SECDEF.

On September 30, 1996, the Deputy Secretary of Defense (DEPSECDEF) asked the Inspector General, DoD, to review the 1992 ATSD(IO) report and supporting material to determine whether it is adequate to assess individual responsibility. See Appendix C for the chronology of events related to the evolution of inappropriate materials.

Objectives

As requested by the DEPSECDEF, our primary objective was to assess the adequacy of the ATSD(IO) report and supporting materials to determine individual responsibility. If the report and supporting materials were inconclusive or otherwise insufficient to determine whether a deliberate attempt was made to provide instructional materials not in accordance with Departmental human rights policies, we were to take additional steps to determine individual responsibility and accountability.

Based on an October 7, 1996, meeting of the DEPSECDEF and the Inspector General, DoD, and the expressed interest of the Under Secretary of the Army for immediate attention to the School of the Americas (SOA) as it relates to the use of inappropriate materials, three objectives were added:

- o determine whether corrective actions resulting from the 1992 ATSD(IO) report were satisfactorily implemented,

- o determine how training conducted at the SOA is reviewed and approved for doctrinal consistency and currency by appropriate DoD and Army functional proponents, and

- o examine intelligence training for foreign personnel throughout the DoD.

See Appendix A for a discussion of the evaluation process. See Appendix B for a summary of prior reports and reviews related to the evaluation.

Structure of Report

The details of our report are presented in two parts. In Part II, we discuss the March 1992 ATSD(IO) report and assess the adequacy of the report to determine individual responsibility. In Part III, we address the ASD(C³I) August 1992 policy memorandum that implemented the recommendations in the ATSD(IO) report and examine the corrective actions taken as a result of that memorandum.

**Part II - The March 1992 Assistant to the
Secretary of Defense (Intelligence
Oversight) Report**

Assessment of Individual Responsibility

Our review of documentation and interviews with the former ATSD(IO) and former and current ATSD(IO) staff members who assisted him showed that the initial intent of their investigation was to determine how the objectionable materials in the manuals were introduced into the Army's educational system and to make certain that such an occurrence did not recur. The former ATSD(IO) and his staff interviewed numerous officials, including those in the Office of the Secretary of Defense, the Department of the Army, the Joint Staff, the Defense Intelligence Agency, the USSOUTHCOM, the U.S. Army South, the U.S. Army Training and Doctrine Command, the U.S. Army Combined Arms Center, the U.S. Army Intelligence and Security Command, the U.S. Army Intelligence Center and School, the SOA, and the 470th Military Intelligence Brigade. During the ATSD(IO) interview and investigative process, individual actions related to the manuals were continuously addressed. The former ATSD(IO) said that his investigative team found no unlawful activity by any individual or organization. Had it discovered such activity, the former ATSD(IO) said he would have pursued the individuals involved and would have made recommendations to address personal wrongdoing.

The ATSD(IO) received neither instructions nor guidance on how to proceed, and no limitations were placed on its investigation. The ATSD(IO) was aware that the USSOUTHCOM had commenced an internal investigation and, therefore, to avoid duplication of effort, waited until that investigation was completed before commencing its inquiry. USSOUTHCOM found objectionable language in the manuals but could not determine whether that language was expunged prior to use at the SOA in 1982. USSOUTHCOM directed retrieval of the manuals, a complete review of intelligence and counterintelligence training to ensure its compliance with policy, a review of the adequacy of the USSOUTHCOM intelligence oversight program and instructions to U.S. Military Groups to advise their counterparts in the USSOUTHCOM area of responsibility that the manuals did not represent U.S. policy.

The ATSD(IO) gave the President's Intelligence Oversight Board periodic status reports on the investigation and the General Counsel, DoD, was kept apprised of its progress. Further, periodic meetings were conducted among the ATSD(IO); the General Counsel, DoD; and the President's Intelligence Oversight Board.

ATSD(IO) Report Findings. On August 9, 1991, the SECDEF directed the ATSD(IO) to investigate the use of manuals containing objectionable material in the training of Latin American military students in the USSOUTHCOM area of responsibility. The ATSD(IO) initiated its inquiry August 16, 1991, and submitted its classified report March 10, 1992. The ATSD(IO) reported the results of the investigation and the planned actions resulting from the recommendations to the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence, the Secretary of the Army, the Chairman of the Joint Chiefs of Staff, and the President's Intelligence Oversight Board.

The March 1992 Assistant to the Secretary of Defense (Intelligence Oversight) Report

The ATSD(IO) report found that:

- o the Spanish language manuals had evolved from lesson plans used in an intelligence course at the SOA and were based, in part, on old material from Project X (see Appendix C for a discussion of Project X);

- o neither the Army element at the USSOUTHCOM nor the faculty at the SOA followed Army policy for doctrinal approval of the manuals;

- o no English language version of the manuals was ever prepared;

- o USSOUTHCOM Mobile Training Teams distributed copies of the manuals to military personnel and intelligence schools in Colombia, Ecuador, El Salvador, Guatemala, and Peru, and as many as 1,000 copies of the manuals may have been distributed in the USSOUTHCOM area of responsibility from 1987 through 1989 to students from Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Peru, and Venezuela at the SOA from 1989 through early 1991;

- o five of the seven manuals contained language and statements in violation of legal, regulatory, or policy prohibitions, such as motivation by fear, payment of bounties for enemy dead, false imprisonment, and the use of truth serum* ; and

- o Army personnel involved in the preparation and presentation of the intelligence courses did not recognize that the training materials contravened DoD policies and the report found no evidence that a deliberate and orchestrated attempt was made to violate DoD or U.S. Army policies.

The report noted that DoD representatives in Latin America had been instructed to advise their counterparts that the manuals were outdated and did not represent U.S. Government policy. Further, while efforts continued to recover all manuals in circulation, total retrieval was considered doubtful.

Conclusion

The former ATSD(IO) said, when interviewed as part of our evaluation, that a series of events over a long period resulted in the use of questionable materials

*Tab H to the March 10, 1992, ATSD(IO) report cites 1949 Geneva Convention, Articles 3 and 18; Title 18, United States Code, Sections 872 and 875; Title 22, United States Code, Sections 2304(a)(3), 2347b, and 2349aa-1; Executive Order 12333, paragraph 2.11; DoD Directive 5240.1-R, procedures 2,3, and 4; and numerous federal and state laws prohibiting assault and battery (not further specified).

The March 1992 Assistant to the Secretary of Defense (Intelligence Oversight) Report

for foreign student instruction. We agree with that assessment. Formulation of a 382-hour Spanish language course of instruction on military intelligence for foreign students at the SOA in 1982 was the genesis of a nearly 10-year problem. Throughout the period, numerous and continually changing personnel in several organizations from Panama to Georgia to Washington, D.C., made and repeated many mistakes. Lack of attention to DoD and U.S. Army policies and procedures by those same personnel and organizations perpetuated the assumption that the material was proper and doctrinally correct. We agree with the ATSD(IO) report that "It is incredible that the use of the lesson plans since 1982, and the manuals since 1987, evaded the established system of doctrinal controls." The ATSD(IO) report focused on systemic difficulties and recommended corrective actions to prevent recurrence of the appearance of inappropriate materials in intelligence training manuals provided to foreign students. While numerous individuals and organizations made many unintentional mistakes and false assumptions, the ATSD(IO) report found no evidence that a deliberate attempt was made to contravene DoD or U.S. Army policies. We agree with that conclusion.

Based on our review of the March 1992 ATSD(IO) report and associated materials, we conclude that further investigation to assess individual responsibility is not required.

**Part III - The August 1992 Assistant
Secretary of Defense (Command,
Control, Communications, and
Intelligence) Policy Memorandum**

Corrective Actions Taken to Implement the Assistant to the Secretary of Defense (Intelligence Oversight) Report Recommendations

ATSD(IO) Recommendations. The March 10, 1992, ATSD(IO) report recommended that:

- o the Joint Staff establish a policy to ensure that intelligence and counterintelligence training for foreign military personnel by combatant unified commands is consistent with U.S. and DoD policy and that instructional material used in that training has been approved by the appropriate Service Component;

- o DoD intelligence agencies and military Service schools conducting intelligence training of foreign personnel should ensure that training materials have been approved by the appropriate proponent school or doctrinal authority for consistency with U.S. and DoD policy, that information and documents have been cleared for release to foreign governments, and that a master copy of the lesson plans and instructional material is available in the English language;

- o the Army conduct a damage assessment of the classified information disclosed through the use of the manuals; and

- o for record purposes, the General Counsel, DoD, should retain one copy of each of the seven manuals and that all other copies of the manuals and associated instructional materials, including computer disks, lesson plans, and Project X documents should be destroyed.

If the SECDEF approved, the report indicated that the ASD(C³I) would issue instructions to implement the measures. The SECDEF approved the report and its recommendations on March 27, 1992.

Action Taken

Damage Assessment. On July 23, 1992, the ASD(C³I) asked the Army to conduct a damage assessment of any classified information that may have been compromised as a result of being in the training manuals. On November 16, 1992, the Army reported that the damage assessment was complete and that "potential damage to the security, integrity, or goals of the U.S. Government, USSOUTHCOM, or the U.S. Army falls between minimal and non-existent."

Destruction of Manuals and Associated Material. On April 29, 1992, the ATSD(IO) informed the President's Intelligence Oversight Board that the

**The August 1992 Assistant Secretary of Defense (Command, Control,
Communications, and Intelligence) Policy Memorandum**

SECDEF had approved the ATSD(IO) report and that, as part of the follow-on actions, the ASD(C³I) would notify the congressional intelligence committees on the results of the inquiry.

On July 23, 1992, the ASD(C³I) notified the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence that the Army and the USSOUTHCOM were being instructed to destroy all copies of the manuals to include lesson plans and related documentation. A record of the manuals would be on file with the General Counsel, DoD. In addition, the committees were told that DoD representatives in Latin American countries were advising their counterparts that the manuals did not represent U.S. Government policy.

Policy Guidance. The ASD(C³I) letters to the congressional intelligence committees stated that, to prevent recurrence of the problem, guidance would be issued reiterating that training for foreign military personnel must be consistent with U.S. Government policy and approved by the respective Service Component.

On August 27, 1992, ASD(C³I) issued a policy memorandum, "DoD Policy on Intelligence and Counterintelligence Training of Non-United States Persons," to the:

- o Secretaries of the Military Departments;
- o Chairman, Joint Chiefs of Staff;
- o Director, Defense Intelligence Agency; and
- o Director, National Security Agency.

The memorandum indicates that:

- o intelligence and counterintelligence training may be provided when it supports national security objectives;

- o such training shall conform with current statutes, executive orders, directives, instructions, and regulations and shall reflect current policies and procedures;

- o training material must have been approved by the appropriate doctrinal authority to ensure its consistency with policy and must have been cleared for foreign release;

- o where training is provided overseas, Office of the Secretary of Defense policy approval must be obtained through ASD(C³I); and

- o a master copy of all lesson plans and instructional material must be available in English.

Procedural guidance is an attachment to the memorandum.

The memorandum was coordinated with the ATSD(IO). The General Counsel, DoD, and the Joint Staff were provided information copies prior to publication

The August 1992 Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) Policy Memorandum

and had no objections. Once the memorandum was signed by the ASD(C³I), the author said he personally hand-carried a copy to each action addressee.

Receipt of the Memorandum and Actions Taken

We contacted the action addressees to determine whether they had received the ASD(C³I) policy memorandum and then ascertained what actions, if any, were taken to comply with the DoD policy guidance.

- o Army - The memorandum was received. Using the memorandum as guidance, the Office of the Deputy Chief of Staff for Intelligence forwarded the Department of the Army policy on the matter in a memorandum to the U.S. Army Intelligence Center and Fort Huachuca on November 18, 1992. Information copies were provided to the U.S. Army Intelligence and Security Command and the U.S. Army Training and Doctrine Command.

- o Navy - The memorandum was received; however, it was forwarded to four separate offices within the Navy Staff for information only. The office of the Commandant of the Marine Corps received a copy for information only.

- o Air Force - No record that the memorandum was received.

- o Joint Staff - No record that the memorandum was received.

- o Defense Intelligence Agency - The memorandum was received. Using the memorandum as guidance, Defense Intelligence Agency published Defense Intelligence Agency Regulation No. 24-12, "Training of Foreign Students," February 10, 1995. The regulation applies to all Defense Intelligence Agency elements and activities. Additionally, it furnishes guidance that DoD activities and other agencies involved in intelligence training of foreign students can use.

- o National Security Agency - No record that the memorandum was received.

The "Joint Security Assistance Training Regulation," dated March 27, 1990, incorporates Army Regulation 12-15, Secretary of the Navy Instruction 4950.4, and Air Force Regulation 50-29. It prescribes policies, responsibilities, procedures, and administration for the education and training of international military students as authorized by U.S. security assistance legislation. It deals specifically with training under the International Military Education and Training program and the Foreign Military Sales program. Several additional documents address training of foreign students, including:

- o Foreign Assistance Act of 1961, Title 22, United States Code as amended;

- o Arms Export Control Act of 1976, Title 22, United States Code as amended;

The August 1992 Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) Policy Memorandum

- o DoD Directive 5230.11, "Disclosure of Classified Information to Foreign Governments and International Organizations," June 16, 1992; and
 - o DoD Manual 5105.38M, "Security Assistance Management Manual," October 1, 1988.

The Navy said that it uses Defense Intelligence Agency Regulation 24-12 as its guidance document; the National Security Agency said that its training for foreign personnel is accomplished on a case-by-case basis; and the Air Force has a series of local operating instructions such as the 315th Training Squadron Operating Instruction 16-2, "Use of Unclassified Materials in Support of Course Lecture," September 1, 1995. The Office of the Deputy Chief of Staff for Intelligence, Department of the Army, memorandum and the Defense Intelligence Agency Regulation were the only evidence we found to suggest that action addressees complied with the provisions of the August 27, 1992, ASD(C³I) policy memorandum.

Memorandum Impact

Interviews of former ASD(C³I) officials involved in the formulation of the policy memorandum disclosed that, while the memorandum was envisioned as an outgrowth of the ATSD(IO) report recommendations, no specific instructions were given regarding its contents. The intent of the memorandum, according to its author and confirmed by the former ATSD(IO), was to remind addressees of their responsibilities pertaining to intelligence training of non-U.S. persons. The author said that the memorandum was crafted to ensure that Office of the Secretary of Defense policy approval is properly coordinated and obtained from ASD(C³I) when intelligence training for foreign personnel is conducted overseas. Concern was focused on mobile training providing intelligence training overseas to foreign personnel and the need to prevent training materials from being used without approval from appropriate organizations. The SOA was not at issue in the memorandum.

In hindsight, the author of the policy memorandum stated that the memorandum may have had more impact had it been published as a DoD Directive. We agree with that view. However, a directive usually takes approximately 1 year to formulate, staff, and gain approval. In this case, in the interest of timeliness, a policy memorandum was issued to demonstrate that the DoD was serious about this systemic problem. The memorandum was issued with the expectation that the guidance would be followed, but the lack of an established ASD(C³I) mechanism to monitor compliance with the policy memorandum was a drawback.

We found no evidence that action addressees followed the guidance by requesting Office of the Secretary of Defense policy approval through ASD(C³I) for intelligence training conducted overseas for foreign students. We were told that the Army and the Navy pursued obtaining policy approval on several occasions within months of the publication of the ASD(C³I) policy

The August 1992 Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) Policy Memorandum

memorandum. Current ASD(C³I) staff members said that they have only seen a few requests in recent years, mainly from U.S. Army Pacific, that cite the ASD(C³I) policy memorandum. The extent of intelligence and counterintelligence training conducted for foreign military overseas will be addressed in our Phase III report.

Conclusion

We conclude that even though the ASD(C³I) August 1992 policy memorandum was well intentioned, several missing ingredients prevented its success. While the memorandum was issued 5 months after the recommendation appeared in the ATSD(IO) report, it had little impact on action addressees. The Army and the Defense Intelligence Agency were the only DoD Components that published documents in support of the memorandum; other action addressees had no record of receipt or considered no action was needed. The ASD(C³I) had no mechanism in place to monitor compliance with its memorandum. As a result, the issue of DoD policy on intelligence and counterintelligence training of non-U.S. persons evaporated and current ASD(C³I) staff members have little or no recollection of the 1992 memorandum. Had the policy memorandum been issued as a DoD Directive, the action addressees would have been compelled to report actions to comply with its provisions within a prescribed period. Finally, had a DoD Directive been issued, the ATSD(IO) and the action addressees' inspectors general would have been better positioned to include training for foreign students in their intelligence oversight inspections.

Recommendations and Management Comments

We recommend that the Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) reissue its August 1992 policy memorandum as a DoD Directive to ensure:

1. Action addressees fulfill their continuing responsibilities related to the provision of intelligence training for non-U.S. persons.
2. The Assistant to the Secretary of Defense (Intelligence Oversight) and other intelligence oversight activities scrutinize intelligence training for foreign students.

Management Comments. The Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) concurred with the recommendation. The Assistant to the Secretary of Defense (Intelligence Oversight) had no comment on the recommendation.

Part IV - Additional Information

Appendix A. Evaluation Process

Scope

Because of the breadth of this task, we will issue reports in three phases.

- o This effort constitutes Phase I. It addresses the March 1992 ATSD(IO) report and supporting materials and the August 1992 ASD(C³I) policy memorandum.

- o Phase II, to be issued later, will address the present policies and procedures for review and approval of training given to foreign personnel at the SOA.

- o Phase III, to be issued after the Phase II report, will address intelligence training for foreign personnel throughout the DoD.

To achieve the first two objectives, we reviewed the March 1992 ATSD(IO) report and approximately 2,500 pages of supporting and associated materials from the ATSD(IO). We also reviewed approximately 1,000 pages of data related to the issue dating from April 1991 through October 1996 obtained from the Inspector General, Department of the Army, and all documentation received to formulate the Inspector General and General Counsel, DoD, October 1995 joint report, "GUATEMALA REVIEW," to the President's Intelligence Oversight Board. That report included a section on inappropriate training materials used at the SOA and throughout the USSOUTHCOM area of responsibility.

We also interviewed more than 20 current and former U.S. Government employees, including:

- o the former ATSD(IO) and the three members of his staff who assisted him in the 1991/1992 SECDEF-directed investigation;

- o the former ASD(C³I) staff member who was the principal author of the August 1992 policy memorandum that implemented the ATSD(IO) report recommendations, one other former ASD(C³I) staff member who participated in drafting the memorandum, and one current ASD(C³I) staff member who participated in coordinating the memorandum through the DoD;

- o representatives from the Military Departments, the ASD(C³I), the Joint Staff, the Defense Intelligence Agency, and the National Security Agency who deal with issues related to intelligence training of foreign personnel; and

- o members of the Inspector General staff, Department of the Army.

Methodology

Using the data collected from the ATSD(IO), the Army, and the interviews, we constructed a chronology of events that began with the development of the first lesson plans for an intelligence course at the SOA in 1982 and culminated with discovering the use of inappropriate training materials in the USSOUTHCOM area of operations in 1991.

We analyzed the events and interviewed the ATSD(IO) members who conducted the investigation at the direction of the SECDEF to determine whether the ATSD(IO) report and supporting materials adequately assessed individual responsibility. We then reviewed the ASD(C³I) policy memorandum that implemented the ATSD(IO) recommendations and interviewed its principal author. Finally, to assess the sufficiency of corrective measures, we contacted the policy memorandum action addressees to first determine whether they had received the memorandum and then to learn what, if any, action they had taken in response to the memorandum.

Computer-Processed Data and Sampling. We did not use computer-processed data or statistical sampling procedures for this evaluation.

Evaluation Period. We performed this evaluation from October through December 1996.

Contacts During the Evaluation. We visited or contacted individuals and organizations within the DoD. Further details are available on request.

Appendix B. Summary of Prior Reports and Reviews

During the past 5 years, the General Accounting Office; the General Counsel and Inspector General, DoD; the SOA Board of Visitors; U.S. Army Infantry Center Task Force; and Professional Software Engineering, Inc. issued reports discussing SOA issues.

General Accounting Office

General Accounting Office Report No. NSIAD-96-178 (OSD Case No. 1171), "School of the Americas - U.S. Military Training for Latin American Countries," August 22, 1996, states that the SOA training is intended to provide a long-term investment in a positive relationship with Latin America. Training at the SOA makes up a small percentage of the entire training the Army provides to foreign students. The courses offered at the SOA are based on U.S. military doctrine and are similar to courses at other Army training locations. The SOA courses emphasize the protection of human rights.

The report refers to a recent study contracted by the Army (Professional Software Engineering, Inc., White Paper, August 4, 1995; discussed below) that concludes that the School should remain open but recommended changes. The report states that the DoD agrees with the white paper recommendations and is considering how to implement them. Finally, the report indicates that to strengthen civilian institutions in Latin America, the DoD is considering establishing a separate institution to focus on civil-military relations and the development of greater civilian expertise in the region's Defense establishments.

General Counsel and Inspector General, DoD

The DoD Guatemala Review Panel, chaired by the General Counsel and Inspector General, issued Report Serial Number SI-433514-95, "Guatemala Review - Report to the President's Intelligence Oversight Board," on October 31, 1995. The report, which focused on a Government-wide review of allegations surrounding the death, disappearance, and kidnapping of U.S. citizens and others in Guatemala, included a description of the use of inappropriate training materials in the USSOUTHCOM area of responsibility from 1982 through 1991. The report states that Guatemala was among the nations that received intelligence training from USSOUTHCOM Mobile Training Teams using the inappropriate manuals and Guatemala military personnel were students at the SOA when the manuals were in use.

Board of Visitors, U.S. Army School of the Americas

The "Initial Report of the Board of Visitors," July 8, 1996, states that the SOA mission is being pursued in an exemplary manner by the Commandant and his staff. The SOA fulfills a need in providing doctrinal training as well as instruction on civilian control, democratic values, and human rights. The Board of Visitors made several recommendations, including that:

- o the current mission of SOA remain unchanged;
- o the SOA become more relevant to Latin American country needs by modifying doctrine, curriculum, and course materials;
- o the SOA remain under the command of Training and Doctrine Command;
- o Spanish remain the principal language for SOA courses; and
- o the SOA curriculum be monitored to ensure that current inclusion of human rights instruction is maintained and strengthened.

U.S. Army Infantry Center Task Force

The U.S. Army Infantry Center Task Force, "Report on the School of the Americas," March 15, 1994, states that the SOA has been and remains a valuable strategic instrument. The SOA accomplishes its assigned mission and complies with applicable regulations. The nomination and selection process of SOA cadre and students is sound. The SOA courses are comprehensive, doctrinally sound, and cost-effective. Less than 1 percent of all SOA graduates are alleged to have committed crimes or human rights violations. No evidence indicates that the SOA courses influenced the alleged criminal behavior. The report concludes that the SOA human rights training is an active, comprehensive, and integrated program that effectively promotes human rights. The report recommends that the human rights program be further legitimized by assigning an Army Judge Advocate as the proponent for human rights training and that the SOA should be provided adequate resources to continue to execute its mission.

Professional Software Engineering, Inc.

The Professional Software Engineering, Inc., a consulting firm under contract with the U.S. Army, "White Paper on U.S. Army School of the Americas," August 4, 1995, states that the SOA is strategically important to the United States and that the SOA mission supports U.S. foreign policy. The publicity received by the SOA has given the U.S. Army an opportunity to examine the school's operations closely and resulted in added emphasis on human rights in

Appendix B. Prior Reports and Reviews

the course materials. The white paper stresses that human rights violations by Latin American military personnel cannot be linked to SOA instruction or training.

The white paper recommends that:

- o the Army reaffirm Spanish as the language of instruction at the SOA,
- o the SOA be subordinated to USSOUTHCOM,
- o the Training and Doctrine Command seek a clear statement of policy regarding the SOA,
- o the Training and Doctrine Command ask the DoD to review the interpretation of the Expanded International Military Education and Training criteria, and
- o the Training and Doctrine Command investigate the affiliation between the SOA and the Inter-American Defense College.

Appendix C. Evolution of Inappropriate Materials

Chronology of Events

The following chronology shows the events regarding the use of inappropriate materials in training foreign students at the SOA and throughout the USSOUTHCOM area of responsibility.

The SOA was established in 1946 at Fort Amador, Canal Zone, and transferred to Fort Gulick, Panama, in 1949. The school suspended operations in September 1984 to comply with the terms of the Panama Canal Treaty and reopened at Fort Benning, Georgia, in late 1984. The SOA is a military educational institution that has trained more than 55,000 officers, cadets, and noncommissioned officers from 22 Latin American countries. All instruction is conducted in the Spanish language. The school is charged by Public Law (Title 10, United States Code, Section 4415) and its mission statement to develop and conduct for the armed forces of Latin America the most doctrinally sound, relevant, and cost-effective training programs; promote military professionalism; foster cooperation among multinational military forces; and expand the Latin American armed forces' knowledge of U.S. customs and traditions.

The Department of Nonresident Instruction at the U.S. Army Intelligence School, Fort Holabird, Maryland, developed the Joint Foreign Intelligence Assistance Program (Project X) in 1965-1966. The purpose of Project X was to provide intelligence training to friendly foreign countries. The U.S. Intelligence School on Okinawa first used it to train Vietnamese and other friendly foreign nation personnel. While we found no records regarding the release of Project X materials to foreign nationals, all Project X materials were presumably authorized for release to those foreign nations receiving that intelligence training.

In the mid-1970s, after moving to Fort Huachuca, Arizona, the U.S. Army Intelligence Center and School began providing, on request, Project X materials to U.S. Security Assistance Organizations, U.S. Defense Attache Offices, and other U.S. military organizations participating in the U.S. advisory training effort in friendly foreign countries. In addition, U.S. Army Intelligence Center and School instructors used Project X materials as reference guides in preparing lesson plans for its Foreign Officer Course. Again, we found no records related to the release of Project X materials to foreign nationals. We assume that the U.S. Army Intelligence Center and School believed that all such materials were unclassified and, therefore, authorized for release. By 1981, the U.S. Army Intelligence Center and School abolished its Department of Nonresident Instruction; however, it maintained a master file of Project X materials.

Appendix C. Evolution of Inappropriate Materials

In 1982, the U.S. Army Intelligence Center and School at Fort Huachuca was tasked by the Office of the Assistant Chief of Staff for Intelligence, Department of the Army, to develop a 382-hour Spanish language course of instruction on military intelligence for use by the SOA. In constructing the course, materials were selected from existing lesson plans at the U.S. Army Intelligence Center and School as well as from the Project X materials, which were still stored there. Project X materials were chosen for use because presumably they had previously been cleared for foreign disclosure.

During course development, the U.S. Army Intelligence Center and School was concerned that while Project X materials were previously presumably authorized for release to friendly foreign countries, some of the material appeared to be a word-for-word extract of U.S. Army Field Manual 30-18, "Intelligence Collection Operations," a classified manual. The U.S. Army Intelligence Center and School requested the Office of the Assistant Chief of Staff for Intelligence to provide a declassification review of the proposed Project X materials that would be incorporated into the course. The Office of the Assistant Chief of Staff for Intelligence told the U.S. Army Intelligence Center and School during the summer of 1982 that the materials could be incorporated into the course so long as it reviewed the materials for currency. The materials were reviewed and course construction was then completed.

The first course using the Project X materials was conducted at the SOA in September 1982. It was taught by the U.S. Army officer who was initially tasked to put the course together. During the fall of 1982, the SOA raised concern over some course material and ordered that references to "sodium pentathol" and "termination," among others, be eliminated. Thereafter, the course, presumably absent any reference to objectionable language, was taught regularly by temporary duty personnel from Fort Huachuca and, from 1986 through 1989, by the author of the course, who had transferred from Fort Huachuca to the SOA in 1986.

In 1987, the USSOUTHCOM directed the 470th Military Intelligence Brigade, the intelligence component of U.S. Army South, to form a Regional Training Detachment to teach intelligence to foreign military personnel in the USSOUTHCOM area of responsibility. During course development, 470th Military Intelligence Brigade personnel visited the SOA for information and documentation that might be useful for their purpose. They were given free access to SOA intelligence instructional materials. SOA personnel were not aware of what instructional materials were taken by 470th Military Intelligence Brigade personnel, but whatever was taken, presumably contained Project X material that had been incorporated into the initial 382-hour military intelligence course developed in 1982. Whether material that was taken was pre- or post-course review is unknown. The textual materials eventually chosen from the SOA intelligence training documents were directly turned into seven Spanish language manuals:

- o Analysis I
- o Revolutionary War and Communist Ideology
- o Terrorism and Urban Guerrilla

Appendix C. Evolution of Inappropriate Materials

- o Counterintelligence
- o Interrogation
- o Source Handling
- o Combat Intelligence

From 1987 until the Regional Training Detachment was disestablished in 1989, the Regional Training Detachment-developed manuals were issued to students and military intelligence schools in Colombia, Peru, Ecuador, El Salvador, and Guatemala.

In 1989, a former member of the 470th Military Intelligence Brigade assumed instructor duties at the SOA. He knew that the Regional Training Detachment had used several intelligence manuals to instruct foreign students and, on his own initiative, obtained four of the manuals (Analysis I, Source Handling, Interrogation, and Counterintelligence) from the 470th Military Intelligence Brigade. The former member of the 470th Military Intelligence Brigade assumed that since the manuals he obtained had been approved earlier, no further disclosure or currency of information review was required. He copied the four manuals and used them as student handouts for the military intelligence courses he taught at the SOA. From 1989 through early 1991, the manuals were issued to students from 10 countries at the SOA: Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Peru, and Venezuela.

While all Project X and U.S. Army doctrinal material used to develop the intelligence courses for the SOA, the Regional Training Detachment, and the manuals were in the English language, the lesson plans from which the manuals derived and the manuals themselves were in the Spanish language.

In March 1991, USSOUTHCOM requested approval for a counterintelligence Mobile Training Team to conduct a course of instruction for Colombian military personnel in Bogota, Colombia. The Joint Staff did not endorse the proposal and requested clarification of the instructional details. The Joint Staff and the Defense Intelligence Agency reviewed the documentation proposed for use during the Mobile Training Team training and discovered that several passages contained inappropriate material that violated U.S. laws and DoD policies. The materials in question were mostly derived from the Source Handling manual that was developed from the original 1982 intelligence course constructed for the SOA, then converted to a manual by the 470th Military Intelligence Brigade in 1987, and finally reintroduced into the SOA as a student handout in 1989. The Mobile Training Team training was never conducted. Corrective action was immediately initiated and, in August 1991, the SECDEF asked the ATSD(IO) to conduct a full investigation and to submit a report with any recommendations deemed appropriate.

Source of Inappropriate Materials

We were unable to determine with certainty the circumstances surrounding the entry of improper material into the Spanish language intelligence training manuals that were provided to foreign students in the USSOUTHCOM area of responsibility, including the SOA. Apparently, only Project X and U.S. Army doctrinally approved materials were used to formulate the intelligence course for the SOA in 1982. While no documentary record verifies whether the course materials were subjected to review by the then Assistant Chief of Staff for Intelligence (now called the Deputy Chief of Staff for Intelligence), Department of the Army approval was presumably given to use them following the U.S. Army Intelligence Center and School review for currency. Objectionable material was allegedly removed from the initial course of instruction by the U.S. Army Intelligence Center and School and the SOA, and the course was taught periodically using the same, presumably approved materials, through early 1991.

When the 470th Military Intelligence Brigade sent personnel to the SOA in 1987 to obtain materials for use by the Regional Training Detachment, materials were gathered from the SOA intelligence course files. Because the gathered materials were not altered in any way and were immediately converted into seven manuals by the 470th Military Intelligence Brigade, we presume that the materials were taken from the 1982 intelligence course developed by the U.S. Army Intelligence Center and School for the SOA. The converted materials likely contained objectionable (Project X) language included in early drafts of the intelligence course constructed in 1982, not the corrected version subsequently used in SOA lesson plans from 1982 through early 1991. In 1989, the former member of the 470th Military Intelligence Brigade reintroduced the Regional Training Detachment manuals into the SOA as student handouts. He was not aware that the manuals originated from materials obtained from SOA files. From 1982 through early 1991, all concerned personnel assumed that the materials in question were current, doctrinally correct, and authorized for instruction to foreign students in the USSOUTHCOM area of responsibility and the SOA. That assumption was incorrect.

Appendix D. Report Distribution

Office of the Secretary of Defense

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Under Secretary of Defense (Comptroller)
 Deputy Chief Financial Officer
Deputy Comptroller (Program/Budget)
Assistant Secretary of Defense (Command, Control, Communications, and Intelligence)
Assistant Secretary of Defense (Public Affairs)
General Counsel of the Department of Defense
Assistant to the Secretary of Defense (Intelligence Oversight)
Director, Defense Logistics Studies Information Exchange

Joint Staff

Director, Joint Staff
Inspector General, Joint Staff

Department of the Army

Secretary of the Army
Under Secretary of the Army
Commander, Training and Doctrine Command
Inspector General, Department of the Army
Auditor General, Department of the Army
Commander, United States Army Infantry Center
Commandant, School of the Americas

Department of the Navy

Secretary of the Navy
Assistant Secretary of the Navy (Financial Management and Comptroller)
Inspector General, Department of the Navy
Auditor General, Department of the Navy
Inspector General, United States Marine Corps

Department of the Air Force

Secretary of the Air Force
Assistant Secretary of the Air Force (Financial Management and Comptroller)
Inspector General, Department of the Air Force
Auditor General, Department of the Air Force

Appendix D. Report Distribution

Unified Commands

Commander in Chief, United States Atlantic Command
Inspector General, United States Atlantic Command
Commander in Chief, United States Central Command
Inspector General, United States Central Command
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Senate Committee on Armed Services
Senate Select Committee on Intelligence
Senate Committee on Governmental Affairs
House Committee on Appropriations
House Subcommittee on National Security, Committee on Appropriations
House Committee on Government Reform and Oversight
House Subcommittee on National Security, International Affairs, and Criminal
Justice, Committee on Government Reform and Oversight
House Committee on National Security
House Permanent Select Committee on Intelligence

Part V - Management Comments

Assistant Secretary of Defense (Command, Control, Communications, and Intelligence) Comments



COMMAND, CONTROL,
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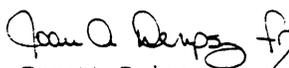
February 5, 1997

MEMORANDUM FOR INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

SUBJECT: Evaluation Report on Training of Foreign Military Personnel--Phase I (Project No. 70I-9009)

We have reviewed the draft report and concur as written. We will reissue the August 1992 ASD(C3I) policy memorandum as a DoD Directive. The Directive will establish a process whereby the Intelligence Training Councils of the separate intelligence disciplines will be required to monitor training provided to foreign nationals. The directive will also include requirements for the Assistant to the Secretary of Defense for Intelligence Oversight to assure that intelligence oversight inspections scrutinize intelligence training for foreign students.

The Intelligence Infrastructure Directorate in the Office of the Deputy Assistant Secretary of Defense (Intelligence and Security) is the action office preparing the DoD Directive. Questions should be directed to Dr. Carolyn Crooks, 614-1400.


Emmett Paige, Jr.



Team Members

This report was prepared by the Intelligence Operations Directorate, Office of the Assistant Inspector General for Policy and Oversight, DoD.

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