

Defense Intelligence Agency Approved Unmasking Guidelines

Requests to Disseminate Nonpublic Identity Information with Respect to Known Unconsenting U.S. persons Omitted from Intelligence Reporting. On occasion, DIA may be requested to disseminate nonpublic identity information concerning a known unconsenting U.S. person that has been omitted from intelligence reporting (hereafter a “covered request”). Whenever DIA receives a covered request from an entity of the U.S. Government or a state, local, tribal, or territorial government (a “requesting entity”), the following procedures will be followed.

1. The terms “exigent circumstances,” “identity information,” and “U.S. person” have the meanings given them in Reference (Intelligence Community Policy Guidance (ICPG) 107.1), paragraph D.
2. Personnel will document the request in writing using the template at Enclosure.
3. The request must be approved/disapproved by the Director, Defense Intelligence Agency (DIA) or a person designated, in writing, by the Director to act on these requests. Coordination of the staff action must include the Office of the General Counsel (OGC) and the Office of Oversight and Compliance (OOC).
4. If information associated with the request is found to have originated in another intelligence community (IC) agency, DIA may not release the information before obtaining concurrence of the originating agency.
5. Upon approval or disapproval by the Director, DIA or designee, OOC will maintain the documentation of the request, including the name of the person who approved or denied the request, according to DIA records management practices, for a minimum of 5 years.
6. Specific processes for requests made during Presidential transition time periods are set forth in Reference (ICPG 107.1), paragraph E.1.f. and will be followed.
7. OOC will prepare an annual report regarding covered requests received during the previous calendar year IAW Reference (ICPG 107.1), paragraph E.2. NLT February 15 for submission to the Office of the Director of National Intelligence (ODNI), congressional intelligence committees, and the Secretary of Defense (through the DoD Senior Intelligence Oversight Officer).
8. In the event of exigent circumstances or where a delay could negatively impact intelligence activities, individuals receiving a covered request may release the information immediately based on the rationale provided by the requesting entity. The rationale may be provided orally or in writing. Within 5 business days after such a disclosure, the requesting entity shall provide the basis for making the request, in accordance with Enclosure. Such requests will be reviewed and approved by OGC, who will notify OOC.

Enclosure

DOCUMENTATION OF COVERED REQUEST FOR IDENTITY INFORMATION
TEMPLATE

1. The name or title of the individual requesting nonpublic identity information of a known unconsenting U.S. person.
2. Information identifying the specific intelligence report containing the requested identity information.
3. The name and title of each individual who will receive the U.S. person identity information at the time of release.
4. Fact-based justification describing why such U.S. person identity information is required to carry out the duties of each person receiving the information.