

# SHANE HARRIS

## TIA Lives On

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A controversial counter-terrorism program, which lawmakers halted more than two years ago amid outcries from privacy advocates, was stopped in name only and has quietly continued within the intelligence agency now fending off charges that it has violated the privacy of U.S. citizens.

Research under the Defense Department's Total Information Awareness program — which developed technologies to predict terrorist attacks by mining government databases and the personal records of people in the United States — was moved from the Pentagon's research-and-development agency to another group, which builds technologies primarily for the National Security Agency, according to documents obtained by *National Journal* and to intelligence sources familiar with the move. The names of key projects were changed, apparently to conceal their identities, but their funding remained intact, often under the same contracts.

It is no secret that some parts of TIA lived on behind the veil of the classified intelligence budget. However, the projects that moved, their new code names, and the agencies that took them over haven't previously been disclosed. Sources aware of the transfers declined to speak on the record for this story because, they said, the identities of the specific programs are classified.

Two of the most important components of the TIA program were moved to the Advanced Research and Development Activity, housed at NSA headquarters in Fort Meade, Md., documents and sources confirm. One piece was the Information Awareness Prototype System, the core architecture that tied together numerous information extraction, analysis, and dissemination tools developed under TIA. The prototype system included privacy-protection technologies that may have been discontinued or scaled back following the move to ARDA.

A \$19 million contract to build the prototype system was awarded in late 2002 to Hicks & Associates, a consulting firm in Arlington, Va., that is run by former Defense and military officials. Congress's decision to pull TIA's funding in late 2003 "caused a significant amount of uncertainty for all of us about the future of our work," Hicks executive Brian Sharkey wrote in an e-mail to subcontractors at the time. "Fortunately," Sharkey continued, "a new sponsor has come forward that will enable us to continue much of our previous work." Sources confirm that this new sponsor was ARDA. Along with the new sponsor came a new name. "We will be describing this new effort as 'Basketball,'" Sharkey wrote, apparently giving no explanation of the name's significance. Another e-mail from a Hicks employee, Marc Swedenburg, reminded the company's staff that "TIA has been terminated and should be referenced in that fashion."

Sharkey played a key role in TIA's birth, when he and a close friend, retired Navy Vice Adm. John Poindexter, President Reagan's national security adviser, brought the idea to Defense officials shortly after the 9/11 attacks. The men had teamed earlier on intelligence-technology programs for the Defense Advanced Research Projects Agency, which agreed to host TIA and hired Poindexter to run it in 2002. In August 2003, Poindexter was forced to resign as TIA chief amid howls that his central role in the Iran-Contra scandal of the mid-1980s made him unfit to run a sensitive intelligence program.

It's unclear whether work on Basketball continues. Sharkey didn't respond to an interview request, and Poindexter said he had no comment about former TIA programs. But a publicly available Defense Department document, detailing various "cooperative agreements and other transactions" conducted in fiscal 2004, shows that Basketball was fully funded at least until the end of that year (September 2004). The document shows that the system was being tested at a research center jointly run by ARDA and SAIC Corp., a major defense and intelligence contractor that is the sole owner of Hicks & Associates. The document describes Basketball as a "closed-loop, end-to-end prototype system for early warning and decision-making," exactly the same language used in contract documents for the TIA prototype system when it was awarded to Hicks in 2002. An SAIC spokesman declined to comment for this story.

Another key TIA project that moved to ARDA was Genoa II, which focused on building information technologies to help analysts and policy makers anticipate and pre-empt terrorist attacks. Genoa II was renamed Topsail when it moved to ARDA, intelligence sources confirmed. (The name continues the program's nautical nomenclature; "genoa" is a synonym for the headsail of a ship.)

As recently as October 2005, SAIC was awarded a \$3.7 million contract under Topsail. According to a government-issued press release announcing the award, "The objective of Topsail is to develop decision-support aids for teams of intelligence analysts and policy personnel to assist in anticipating and pre-empting terrorist threats to U.S. interests." That language repeats almost verbatim the boilerplate descriptions of Genoa II contained in contract documents, Pentagon budget sheets, and speeches by the Genoa II program's former managers.

As early as February 2003, the Pentagon planned to use Genoa II technologies at the Army's Information Awareness Center at Fort Belvoir, Va., according to an unclassified Defense budget document. The awareness center was an early tester of various TIA tools, according to former employees. A 2003 Pentagon report to Congress shows that the Army center was part of an expansive network of intelligence agencies, including the NSA, that experimented with the tools. The center was also home to the Army's Able Danger program, which has come under scrutiny after some of its members said they used data-analysis tools to discover the name and photograph of 9/11 ringleader Mohamed Atta more than a year before the attacks.

Devices developed under Genoa II's predecessor — which Sharkey also managed when he worked for the Defense Department — were used during the invasion of Afghanistan and as part of "the continuing war on terrorism," according to an unclassified Defense budget document. Today, however, the future of Topsail is in question. A spokesman for the Air Force Research Laboratory in Rome, N.Y., which administers the program's contracts, said it's "in the process of being canceled due to lack of funds."

It is unclear when funding for Topsail was terminated. But earlier this month, at a Senate Intelligence Committee hearing, one of TIA's strongest critics questioned whether intelligence officials knew that some of its programs had been moved to other agencies. Sen. Ron Wyden, D-Ore., asked Director of National Intelligence John Negroponte and FBI Director Robert Mueller whether it was "correct that when [TIA] was closed, that several ... projects were moved to various intelligence agencies.... I and others on this panel led the effort to close [TIA]; we want to know if Mr. Poindexter's programs are going on somewhere else."

Negroponte and Mueller said they didn't know. But Negroponte's deputy, Gen. Michael V. Hayden, who until recently was director of the NSA, said, "I'd like to answer in closed session." Asked for comment, Wyden's spokeswoman referred to his hearing statements.

The NSA is now at the center of a political firestorm over President Bush's program to eavesdrop on the phone calls and e-mails of people in the United States who the agency believes are connected to terrorists abroad. While the documents on the TIA programs don't show that their tools are used in the domestic eavesdropping, and knowledgeable sources wouldn't discuss the matter, the TIA programs were designed specifically to develop the kind of "early-warning system" that the president said the NSA is running.

Documents detailing TIA, Genoa II, Basketball, and Topsail use the phrase "early-warning system" repeatedly to describe the programs' ultimate aims. In speeches, Poindexter has described TIA as an early-warning and decision-making system. He conceived of TIA in part because of frustration over the lack of such tools when he was national security chief for Reagan.

Tom Armour, the Genoa II program manager, declined to comment for this story. But in a previous interview, he said that ARDA — which absorbed the TIA programs — has pursued technologies that would be useful for analyzing large amounts of phone and e-mail traffic. “That’s, in fact, what the interest is,” Armour said. When TIA was still funded, its program managers and researchers had “good coordination” with their counterparts at ARDA and discussed their projects on a regular basis, Armour said. The former No. 2 official in Poindexter’s office, Robert Popp, averred that the NSA didn’t use TIA tools in domestic eavesdropping as part of his research.

But asked whether the agency could have used the tools apart from TIA, Popp replied, “I can’t speak to that.” Asked to comment on TIA projects that moved to ARDA, Don Weber, an NSA spokesman said, “As I’m sure you understand, we can neither confirm nor deny actual or alleged projects or operational capabilities; therefore, we have no information to provide.”

ARDA now is undergoing some changes of its own. The outfit is being taken out of the NSA, placed under the control of Negroponte’s office, and given a new name. It will be called the “Disruptive Technology Office,” a reference to a term of art describing any new invention that suddenly, and often dramatically, replaces established procedures. Officials with the intelligence director’s office did not respond to multiple requests for comment on this story.

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