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Report No. DODIG-2013-092
June 14, 2013

Inspector General

United States
Department of Defense



OFFICE OF THE DEPUTY INSPECTOR GENERAL FOR INTELLIGENCE AND SPECIAL PROGRAM ASSESSMENTS

Release of Department of Defense Information to
the Media

Additional Information

The Department of Defense Office of the Deputy Inspector General for Intelligence and Special Program Assessments prepared this report. If you have questions, please contact the signer of the report.



Acronyms and Abbreviations

ADM	Admiral
ASD(PA)	Assistant Secretary of Defense for Public Affairs
CIA	Central Intelligence Agency
DASD(PA)	Deputy Assistant Secretary of Defense for Public Affairs
DCG	Deputy Commanding General
DoD	Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
EOP	Executive Office of the President
GEN	General
OASD(PA)	Office of the Assistant Secretary of Defense for Public Affairs
ODIG-ISPA	Office of the Deputy Inspector General for Intelligence and Special Program Assessments
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
OSR	Office of Security Review
PAO	Public Affairs Officer
RADM	Rear Admiral
TTPs	Tactics, Techniques, and Procedures
UBL	Usama bin Laden
U.S.C.	United States Code
USD(I)	Under Secretary of Defense for Intelligence
USSOCOM	United States Special Operations Command



INSPECTOR GENERAL
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JUN 14 2013

MEMORANDUM FOR: DEPUTY SECRETARY OF DEFENSE
UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
ASSISTANT SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND
DIRECTOR, THE JOINT STAFF

SUBJECT: Congressionally Requested Action on Released Department of Defense
Information to the Media (Report No. DODIG-2013-092)

We are providing this report for your information and use. This report is in response to the House Committee on Homeland Security Chairman's letter dated August 9, 2011, addressed to the DoD Inspector General expressing "concern regarding ongoing leaks of classified information regarding sensitive military operations."

Specifically, the letter expressed concern that makers of a film about the operation leading to the death of Usama bin Laden received "top-level access to the most classified mission in history." The Office of the Deputy Inspector General for Intelligence and Special Program Assessments (ODIG-ISPA) conducted an inquiry of the concerns addressed in the letter. The results are provided herein.

Questions regarding this matter, please contact me at (703) 882-4860.

A handwritten signature in black ink, appearing to read "Anthony C. Thomas", is written over a faint, circular stamp or watermark.

Anthony C. Thomas
Deputy Inspector General
for Intelligence and Special
Program Assessments

cc:

OFFICE OF THE SECRETARY OF DEFENSE

Under Secretary Of Defense for Policy

Assistant to The Secretary Of Defense For Intelligence Oversight

**CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES, CHAIRMAN
AND RANKING MINORITY MEMBER**

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Senate Committee on Armed Services

Senate Select Committee on Intelligence

Senate Committee on Homeland Security and Governmental Affairs

House Committee on Armed Services

House Permanent Select Committee on Intelligence

House Committee on Homeland Security

House Committee on Oversight and Government Reform

House Subcommittee on National Security, Homeland Defense and Foreign Operations,
Committee on Oversight and Government Reform

Introduction

Background

Congressional Request

In a letter dated August 9, 2011, the Honorable Peter King, Chairman of the Committee on Homeland Security, U.S. House of Representatives, cited concerns involving “ongoing leaks of classified information regarding sensitive military operations.” Chairman King referenced an August 6, 2011, *New York Times* op-ed column that claims, “Administration officials may have provided filmmakers with details of the raid that successfully killed Usama Bin Laden (UBL).” According to this article, filmmakers Kathryn Bigelow and Mark Boal received “top-level access to the most classified mission in history.” Chairman King requested that Department of Defense (DoD) and Central Intelligence Agency (CIA) Inspectors General explore related matters and respond to the following questions:¹

- “What consultations, if any, occurred between members of the Executive Office of the President, and Department of Defense and/or CIA officials, regarding the advisability of providing Hollywood executives with access to covert military operators and clandestine CIA officers to discuss the UBL raid?”
- “Will a copy of this film be submitted to the military and CIA for pre-publication review, to determine if special operations tactics, techniques and procedures, or Agency intelligence sources and methods, would be revealed by its release?”
- “How was the attendance of filmmakers at a meeting with special operators and Agency officers at CIA Headquarters balanced against those officers’ duties to maintain their covers? How will cover concerns be addressed going forward?”
- “What steps did the Administration take to ensure that no special operations tactics, techniques, and procedures were compromised during those meetings?”

¹ Our project did not address a fifth question that pertains exclusively to the CIA: “To the extent possible to determine, how many human intelligence sources and how many Agency intelligence methods have been compromised due to leaks about the May 1st raid? What effects have these compromises had on the CIA’s collection capabilities? Will Agency participation in a film about the bin Laden raid add to or exacerbate the effects of these compromises?”

Filmmakers' Interest in the UBL Raid

On May 1, 2011, the President of the United States of America announced that the United States conducted an operation that resulted in UBL's death. On May 2, 2011, senior administration officials held a press briefing. That same day, Mr. Boal contacted DoD officials concerning a film he was producing that focused on the Government's efforts to track UBL. The prospective film chronicled UBL's escape in Tora Bora, Afghanistan. Subsequent to the White House's announcement, the filmmakers decided to revise their project's scope and sought additional information from DoD and CIA regarding the UBL raid.

Scope & Methodology

This report responds to specific questions posed by Chairman King. In conducting this project, we focused exclusively on DoD equities and interests. Additionally, we reviewed applicable laws, regulations, DoD Directives and Instructions; reviewed and analyzed numerous documents and emails obtained from DoD components; and interviewed² numerous personnel from DoD components.

Certain matters identified in conjunction with our review were referred to other DoD IG components and/or government agencies for analysis and action deemed appropriate. Information related to these referrals has been excluded from this report to avoid the possibility of materially prejudicing on-going reviews and investigations.

We have initiated a follow-on review that will address various policy and procedural matters identified throughout the course of this inquiry, to include DoD interaction with media when the subject concerns DoD sensitive and/or classified information or programs. The results of our follow-on review will be documented via a second report.

Criteria

DoD Instruction 5410.16, "DoD Assistance to Non-Government, Entertainment-Oriented Motion Picture, Television, and Video Productions," dated January 26, 1988, provides guidelines regarding entertainment-oriented productions that seek Department assistance when producing films or documentaries.

DoD Instruction 5230.29 "Security and Policy Review of DoD Information for Public Release," dated January 8, 2009, references a security classification review process designed to ensure officially-released information is not classified.

DoD Instruction 5410.16 states, "Assistant Secretary of Defense for Public Affairs (ASD(PA)) is the sole authority for approving DoD assistance to non-Government motion picture, television, and video productions."

² Interviews are referenced throughout this report as testimony. Interviews were not conducted under oath.

DoD Instruction 5410.16 identifies that non-Government motion picture, television, and video productions receive official DoD support “when cooperation of the producers with the Government results in benefitting the Department of Defense or when this would be in the best national interest, based on consideration of the following factors:

- The production must be authentic in its portrayal of actual persons, places, military operations, and historical events. Fictional portrayals must depict a feasible interpretation of military life, operations, and policies.
- The production is of informational value and considered to be in the best interest of public understanding of the U.S. Armed Forces and DoD.
- The production may provide services to the general public relating to, or enhancing, the U.S. Armed Forces recruiting and retention programs.
- The production should not appear to condone or endorse activities by private citizens or organizations when such activities are contrary to U.S. Government policy.”

Prior to ASD(PA) receiving an official request for support, DoD Components are authorized to assist non-Government producers or scriptwriters in their efforts to develop a script that might ultimately qualify for DoD assistance. Authorized activities prior to the official request for support include providing guidance, suggestions, or access for purposes of technical research. DoD components providing such assistance are required to coordinate with Office of the Assistant Secretary of Defense for Public Affairs (OASD(PA)).

According to DoD Instruction 5410.16, official requests for support require production companies to submit copies of their script for ASD(PA) review and approval. DoD supported productions are required to arrange for an official DoD screening prior to public release. Preferably, this review should take place before composite printing to ensure ample time is available to make necessary changes.

DoD Instruction 5230.29 requires Washington Headquarters Services’ Office of Security Review (OSR) to conduct a classification and policy review of DoD information to be released publicly. While not specifically required, production scripts could be reviewed by OSR.

INQUIRY RESULTS

Question 1: “What consultations, if any, occurred between members of the Executive Office of the President and the Department of Defense ... regarding the advisability of providing Hollywood executives with access to covert military operators . . . to discuss the UBL raid?”

Summary:

Our review did not identify consultations between DoD personnel and representatives from the Executive Office of the President (EOP) regarding the advisability of providing filmmakers with access to military special operators. The EOP, however, did communicate with the DoD regarding providing the filmmakers interviews with Under Secretary of Defense for Intelligence (USD(I)) Michael G. Vickers. We identified internal DoD communications in which various Department representatives discussed the extent to which DoD should support the filmmakers. DoD representatives also discussed whether the filmmakers should be provided access to military special operators. It was ultimately determined that a special operations planner would speak to filmmakers on background. Our review revealed attempts to set up a meeting between the planner and filmmakers; however, based on information obtained, no meeting took place.

Discussion:

The following timeline summarizes relevant interactions between DoD officials, EOP staff, and filmmakers:

On May 2, 2011, Mr. Boal emailed Deputy Assistant Secretary of Defense for Public Affairs (DASD(PA)) Geoff Morrell. Mr. Boal requested contact information for United States Special Operations Command’s (USSOCOM’s) public affairs officer (PAO). A representative from the Glover Park Group³ of Washington, D.C., was courtesy copied.

On May 3, 2011, Ms. Bigelow contacted a representative from the OASD(PA) regarding the Wounded Warrior Project.⁴ Ms. Bigelow mentioned that she would be traveling to Washington, D.C. in late May and suggested they meet.

On May 23, 2011, Mr. Boal emailed Assistant Secretary of Defense for Public Affairs (ASD(PA)) Douglas Wilson and DASD(PA) Morrell. Mr. Boal thanked ASD(PA) Wilson and DASD(PA) Morrell for arranging a May 19, 2011, meeting between the filmmakers and government representatives. Mr. Boal indicated that the government

³ According to its website, Glover Park Group is a strategic communications firm. The website states, “GPG was built to help organizations navigate this shifting landscape. We combine substantive understanding of complex issues with disciplined execution of crisp influence campaigns that shape the way critical audiences view our clients and their goals.”

⁴ The Wounded Warrior Project was established to raise awareness and enlist the public’s aid for the needs of injured service members.

representatives suggested filmmakers speak with USD(I) Vickers and Rear Admiral (RADM) Dennis Moynihan, former Chief of Information, U.S. Navy. It was also suggested that the filmmakers should contact the USSOCOM PAO. In this email, Mr. Boal states that ASD(PA) Wilson had previously offered to contact Admiral (ADM) Eric T. Olson, former Commander of USSOCOM, to “check on his willingness to talk after he leaves the military,” and to introduce Mr. Boal to journalists Mr. Mark Ambinder and Ms. Kim Dozier.

On May 25, 2011, ASD(PA) Wilson sent an email to his assistant and agreed to personally call Ms. Dozier and Mr. Ambinder to help Mr. Boal, but that he was going to hold off connecting Mr. Boal with USD(I) Vickers and ADM Olson.

On June 5, 2011, Mr. Boal emailed DASD(PA) Morrell. Mr. Boal wrote that he recently saw General (GEN) Peter W. Chiarelli, former U.S. Army Vice Chief of Staff, at dinner, GEN Chiarelli reportedly suggested that Mr. Boal meet with USD(I) Vickers. Later that evening, Mr. Boal sent another email to DASD(PA) Morrell and requested an interview with USD(I) Vickers to discuss the scope of the prospective film.

On June 9, 2011, Mr. Boal met with USD(I) Vickers in his Pentagon office. Mr. Boal provided USD(I) Vickers a background brief on his movie project, the timeline of the project, and possible project scope. An OASD(PA) desk officer summarized this meeting in an email to individuals in the EOP,⁵ the Office of the Director of National Intelligence (ODNI), CIA, USSOCOM, and OASD(PA). The summary noted that Mr. Boal had not yet requested formal DoD support.

On June 9, 2011, Mr. Boal emailed ASD(PA) Wilson and thanked him for sponsoring the meeting with USD(I) Vickers.

On June 10, 2011, ADM Olson forwarded an email to USD(I) Vickers that he [ADM Olson] received from USSOCOM’s PAO. The USSOCOM PAO indicated that the DoD Director of Entertainment Media was not inclined to support Mr. Boal and Ms. Bigelow’s project.⁶

On June 10, 2011, USD(I) Vickers contacted ADM William H. McRaven, current USSOCOM Commander, regarding DoD interest in supporting the UBL movie. ADM McRaven told USD(I) Vickers that he did not want to be involved in the project given his impending assignment as USSOCOM commander; however, if DoD offered

⁵ According to the OASD(PA) desk officer, the White House National Security Staff always provides guidance on projects involving interagency coordination; thus, this meeting summary was distributed to those individuals for interagency coordination.

⁶ DoD’s Director of Entertainment Media informed us that he was not pleased with the way the military was portrayed in Mr. Boal and Ms. Bigelow’s film, “Hurt Locker” and he was not eager to deal with the filmmakers; however, he was willing to review a script. The director stated, “No, I would not have recommended [a meeting with USD(I) Vickers]. If SOCOM had said, ‘We are not interested in this picture at all,’ then there wouldn’t be any point in having any meetings.” The statement was preceded by, “I wasn’t given the choice of whether to authorize it or not. I mean, these senior people do whatever they want.”

formal support for the project, he may be able to identify a special operations planner who could provide background information.

On June 13, 2011, USD(I) Vickers sent an email to ASD(PA) Wilson. USD(I) Vickers stated that he had contacted Deputy Director of the CIA Michael Morrell on June 10, 2011. USD(I) Vickers stated, “at the direction of Director Panetta, CIA is cooperating fully” and that “several CIA staff have talked to Mark [Boal], for the intelligence case, they are basically using the White House-approved talking points used the night of the operation.” In response, ASD(PA) Wilson wrote, “[W]e need to be careful here so we don’t open the media floodgates on this. I’m going to check with WH to update them on status, and will report back.”

On June 14, 2011, Mr. Boal sent an email to the OASD(PA) desk officer. Mr. Boal inquired about the possibility of additional meetings with USD(I) Vickers. Mr. Boal mentioned that he was also coordinating with the White House, but he did not identify a point of contact.

On June 14, 2011, ASD(PA) Wilson sent an email to Mr. Boal in which he stated, “If you have any problems with [the DoD’s Director of Entertainment Media] on any of this, come to me.”⁷ In a separate email on that same day, ASD(PA) Wilson informed the OASD(PA) desk officer that he approved a second meeting between USD(I) Vickers and Mr. Boal, but was awaiting additional guidance from the White House.⁸

On June 15, 2011, ASD(PA) Wilson emailed Mr. Boal and inquired about his travel schedule. ASD(PA) Wilson indicated that he wanted to escort Mr. Boal to the White House. In response, Mr. Boal informed ASD(PA) Wilson he would be in Washington, D.C., from June 20 through June 21, and June 27 through July 1.

On June 15, 2011, a member of the White House National Security Staff, the White House Deputy Press Secretary, as well as ASD(PA) Wilson exchanged multiple emails in which ASD(PA) Wilson coordinated a meeting between Mr. Boal and the White House.

On June 20, 2011, the DoD Director of Entertainment Media emailed a summary of a conversation he had with Mr. Boal, to personnel within the OASD(PA), which eventually reached ASD(PA) Wilson.

“I just heard from Mark Boal. He explained what had already been in the trade press, that he’d been working on a

⁷ ASD(PA) Wilson testified that “[Mr. Boal and Ms. Bigelow’s] previous experience with the [DoD Director of Entertainment Media] had been mixed and I wanted [Mr. Boal and Ms. Bigelow] to know, look, you know, if you’re -- if you’re having problems getting answers or things like that, let me know and, you know, we’re not going to put walls up here.”

⁸ In testimony, ASD(PA) Wilson stated, “The guidance from the White House is how do you deal with these people. In terms of the content of what is told to them, that’s Vickers. You would have to ask Vickers and the people who actually talked to them about the events.”

Tora Bora script when the Bin Laden operation took place, and now they've switched to that story. He mentioned the interviews here and at CIA, and hoped I would be in on these (at least at DoD) in the future. He said he hoped to complete the script this summer, and was still wondering about potential filming locations. The picture is expected to have a 4th quarter 2012 release. They are financing independently with Sony doing the distribution. He agreed to keep me up to date with his research efforts. Of course at some point he hopes to interview SEALs, and whether ADM Olson would be amenable to this kind of research remains to be seen.”

On June 21, 2011, ASD(PA) Wilson responded to the DoD’s Director of Entertainment Media email on June 20, 2011 with, “excellent, many thanks. What’s your take on this? In my brief encounters with him so far, it sounds solid. FYI, Director Panetta has been very supportive of this over at CIA...” On the same day, the DoD Director of Entertainment responded to ASD(PA) Wilson, writing:

“Well, we had a good conversation -- about the script, the research, and some logistical and geographical considerations, and you know that we tend to withhold judgment until reading a shooting script and attempting negotiations. But with all the special forces-oriented projects there’s the problem of persuading the community to provide enough information and production support to convey our version of events with some realism, while avoiding the disclosure of things we don’t want out there... Usually, SOCOM’s response is “We’re not going to get involved at all.””

In a June 21, 2011, email, DoD’s Director of Entertainment Media wrote to the USSOCOM PAO and OASD(PA) representatives that Mr. Boal hoped to “interview SEALs, and whether SOCOM would be amenable to this kind of research remains to be seen.”

On June 21, 2011, the USSOCOM PAO sent an email to the DoD Director of Entertainment Media and the OASD(PA) desk officer, stating that USSOCOM’s position was “that there was already too much information released concerning the bin Laden raid and has obvious concerns about DoD providing any support for this effort.” Another

OASD(PA) desk officer responded to this email by arranging a meeting with the USSOCOM PAO set to take place on June 24, 2011 to discuss the UBL movie.⁹

On June 22, 2011, an internal OASD(PA) communication references a meeting to be scheduled at the White House between ASD(PA) Wilson and the White House Deputy Press Secretary. ASD(PA) Wilson writes, “We’ve got the green light to proceed” and “the White House does want to engage with Mark [Mr. Boal] but it probably won’t be for a few more weeks.”

On June 27, 2011, a member of the National Security Staff sent an email to an OUSD(I) representative. According to the National Security Staff member, Mr. Boal would contact OUSD(I) and request an interview with USD(I) Vickers. Additionally, on this day, an OASD(PA) desk officer contacted Mr. Boal to find a day for Mr. Boal to interview USD(I) Vickers.

On July 7, 2011, Mr. Boal emailed the OASD(PA) desk officer to identify the dates he would be in Washington, D.C. The meeting logistics were coordinated in later e-mails between a Glover Park Group representative and the OASD(PA) Desk Officer. This included the question by the Glover Park Group representative, “Are you the appropriate person to give their security clearance information to? I also have the information for the car and driver that will be bringing them to the Pentagon and assume I need to provide that as well.”¹⁰

On July 12, 2011, Mr. Boal emailed ASD(PA) Wilson to arrange a meeting on July 19, 2011. The stated purpose was to update ASD(PA) Wilson on the status of the film and additionally set-up a separate time to meet for a drink.

On July 13, 2011, ASD(PA) Wilson sent a calendar invite to Mr. Boal and Ms. Bigelow in response to Mr. Boal’s July 12, 2011 email. ASD(PA) Wilson additionally wrote to Mr. Boal, “Jeremy Bash [Special Assistant to the Secretary of Defense] and I talked yesterday, and he and I will work to unclog the SOCOM pathway for you.”¹¹

⁹ The USSOCOM PAO testified, he met with the DoD Director of Entertainment Media. This meeting was attended by the USSOCOM PAO and personnel from the OASD(PA). The USSOCOM PAO stated his general response about supporting the project was, “well you can send me something formally, and I can send you something back formally. But we’re not touching this.” The USSOCOM PAO further testified, “[The DoD Director of Entertainment Media] was strongly against [the movie].”

¹⁰ According to a representative of the OUSD(I), this reference is in regards to their parking clearance information and Pentagon security.

¹¹ Mr. Bash testified that he did not remember a specific conversation with ASD(PA) Wilson while at the DoD, but that “it is likely [he] caught [ASD(PA) Wilson] in the hallway and said something like, [he] talked to those guys and they are serious about portraying the matter accurately, not revealing anything inappropriate or sensitive.” According to ASD(PA) Wilson, while Mr. Bash was at CIA, Mr. Boal complained to Mr. Bash that “SOCOM wasn’t being as forthcoming as they wanted.” Mr. Bash testified that while at DoD he could recall only one meeting with the filmmakers and it was, “to hear about what their ideas were.”

Ms. Bigelow responded to ASD(PA) Wilson's calendar invite to express gratitude. ASD(PA) Wilson responded to Ms. Bigelow's email writing, "I've talked to Jeremy [Bash] and to Mike Vickers and we want to make the path easier for you here with the SOCOM folks, so I'm hoping to have an update on that for you."¹²

On July 14, 2011, USD(I) Vickers and ADM Olson exchanged emails, which included the following statements:

USD(I) Vickers: "Doug Wilson (ASD PA) told me yesterday that Secy Panetta wants the Department to cooperate fully with the makers of the UBL movie. Last time we talked, you and [ADM McRaven] had agreed to allow [the special operations planner's initials] to represent you on background. SOF participation would be limited to that. Is that still the case? I have to meet with the producer and director tomorrow and want to know what [to] say."

ADM Olson: "Yes, this is still the case. On background is key. His main task is to provide accuracy and context where needed. My (our) hope and intent is that [the special operations planner's initials] not be identified by name as having participated in any way."

On July 15, 2011, USD(I) Vickers, the DoD Director of Entertainment Media and an OASD(PA) desk officer met with Ms. Bigelow and Mr. Boal at the Pentagon. The OASD(PA) desk officer recorded and transcribed this interview.

On July 16, 2011, Mr. Boal emailed the OASD(PA) desk officer in an attempt to obtain access to the special operations planner. Additionally on July 16, 2011, USD(I) Vickers and ASD(PA) Wilson engaged in an email conversation in which USD(I) Vickers stated:

"Had a very good meeting with Mark Boal and Kathryn Bigelow last night re: UBL movie. Think they came away very happy. Putting them in touch with VADM M's key planner, which should complete for now their requests of DoD."

¹² USD(I) Vickers testified "one of [Mr. Boal's] requests is to meet with various SOCOM people and I know certainly being with operators was going to be dead on arrival, but I told him that I would check with the commanders and see what if anything, I'm not making you any promises."

Our review revealed attempts to set up a meeting between the planner and filmmakers; however, based on information obtained, no meeting took place.

On July 20, 2011, ASD(PA) Wilson emailed Mr. Boal and Ms. Bigelow and stated:

“Great to see you last night, and sorry I had to bolt at the end. Copying [Pentagon Press Secretary] George Little,¹³ he will facilitate your visit to the Virginia facility¹⁴ we discussed, it looks like that can happen. Thanks so much for the hospitality, and we all look forward to seeing you again and to working with you.”

On July 20, 2011, in a separate email Mr. Boal thanked Mr. Little “for pulling for [him and Ms. Bigelow] at the agency. It made all the difference.” Mr. Little responded by telling Mr. Boal that DoD and CIA “are excited about the project. It’s been a real pleasure to help facilitate things.” As a postscript, Mr. Little wrote, “I want you to note how good I’ve been about not mentioning the premiere tickets. :-).”¹⁵

On July 23, 2011, the special operations planner emailed the OUSD(I) representative. The planner indicated that he had spoken to ADM McRaven about the project.

On August 17, 2011, the special operations planner emailed the OASD(PA) desk officer. The planner informed the desk officer that he had spoken to USD(I) Vickers. The planner expressed a desire to meet with the desk officer prior to meeting with filmmakers. The desk officer responded, “I think we have a little time.” The desk officer commented on press stories that suggested the White House, DoD and CIA provided special access and classified information to the filmmakers. The desk officer denied that this had occurred, and stated, “We may want to let the dust settle a little.”¹⁶

¹³ Mr. Little joined the Department in July 2011 as Deputy Assistant Secretary of Defense for Public Affairs and took on the duties of ASD(PA) when ASD(PA) Wilson left the DoD. Prior to that, Mr. Little was Director of Public Affairs at the CIA.

¹⁴ Mr. Little testified he thought the Virginia facility was a location of a DoD unit. We contacted that facility and confirmed neither Mr. Boal nor Ms. Bigelow visited the facility.

¹⁵ Mr. Little testified this reference was “a joke that [he has] made with plenty of entertainment producers” and that he has never received anything from Mr. Boal or Ms. Bigelow.

¹⁶ The Honorable Chairman Peter King’s letter to the DoD and CIA IG’s was dated August 9, 2011.

Question 2: “Will a copy of this film be submitted to the military . . . for pre-publication review, to determine if special operations tactics, techniques and procedures . . . would be revealed by its release?”

Summary:

DoD officials informed us they did not expect filmmakers to offer DoD the opportunity to engage in a pre-release review of the film script. The Department does not require non-government, entertainment-oriented motion picture, television, and video productions (“productions”) to submit scripts or films for review unless the production company formally requested DoD support. According to these officials, Mr. Boal and Ms. Bigelow never formally requested DoD support.

Discussion

During an interview, ASD(PA) Wilson confirmed that his office is the focal point for interaction with the entertainment industry.¹⁷ He also told us that his office is “pretty open to just about anybody who wants to come and ask about research for a project.” He explained the difference between research and support:

“So people can and do come here to ask for assistance in their initial research phase of the project and, by and large, we’re very open and helpful to them. Depending on what the topic is, it can involve -- can be limited to our office. It can -- more often, it’s beyond our office, involving other offices, and sometimes it involves other agencies.

* * *

There is a difference between the research phase and the actual support phase and I’ll give you an example. *The Hurt Locker*, which was directed by Kathryn Bigelow . . . her partner Mark Boal, came to the Department in the research phase of [*The Hurt Locker*] and so they did that . . . but I believe they began initially in the support phase, as well. They -- they were going to support, but they reached a point in the script and in the filming where . . . the Department felt they could no longer support the film, you know, as an official Department entity, so they did not. So there is a difference between the two phases.”

¹⁷ DoD Instruction 5410.16 states, “ASD(PA) is the sole authority for approving DoD assistance to non-Government motion picture, television, and video productions.”

As previously identified only official requests for support require production companies to submit copies of their script for ASD(PA) review and approval. During post-production, the production company must arrange for an official DoD screening prior to public release.

Additionally, DoD's Director of Entertainment Media testified that DoD involvement in the research and/or development phase of a production does not necessarily prompt a classification review.

On October 20, 2011, multiple emails that indicated phone calls were exchanged between ASD(PA) Wilson, DoD's Director of Entertainment Media and Mr. Boal. These conversations were concerning the review of a script; however, DoD's Director of Entertainment Media informed us he never received a script. On February 21, 2012, the DoD Director of Entertainment Media contacted Mr. Boal regarding the project, but Mr. Boal said he was not shooting yet.

Question 3: "How was the attendance of filmmakers at a meeting with special operators and Agency officers at CIA Headquarters balanced against those officers' duties to maintain their covers? How will cover concerns be addressed going forward?"

Summary

Our review revealed that DoD special operators attended a June 24, 2011, CIA Headquarters awards ceremony that recognized individuals involved in the UBL raid. We were informed that the special operators present at the ceremony were not in a cover status. According to testimony from ADM McRaven, Mr. Boal attended this event. We were unable to identify any precautionary measures that were taken to protect the identity of operators that attended this event. This is the only event we identified that was attended by special operators and either of the filmmakers.

Discussion

According to DoD Directive S-5105.61, "DoD Cover and Cover Support Activities," dated May 6, 2010, cover is a protective guise used by a person, organization, or installation to conceal true affiliation with clandestine or other sensitive activities. DoD cover may be used to protect the Department of Defense, its intelligence sources and methods, and its clandestine tactics, techniques, and procedures, from exposure to the enemy and overt association with sensitive activities.

According to testimony from senior officials, Mr. Boal was present at a CIA Headquarters awards ceremony. Special operators involved with the UBL raid also attended this awards ceremony. We were told by the special operators' chain of command that the special operators were not in cover status at the time of this event. However, ADM McRaven and the former USSOCOM Chief of Staff informed us that the

protection of names of the special operators associated with the UBL mission was a top priority.

CIA Headquarters Awards Ceremony

On June 24, 2011, the CIA held an awards ceremony at CIA Headquarters, Langley, VA. Two to four days prior to this awards ceremony, a CIA PAO contacted a DoD PAO and notified him that a filmmaker (later identified as Mr. Boal) might attend the event. According to the DoD PAO, the CIA PAO hoped to prevent Mr. Boal from attending. The DoD PAO did not inform his superiors or the special operators who were scheduled to attend the ceremony that a filmmaker might attend. The DoD PAO indicated that he did not forward this information to his commander because he hoped that the CIA PAO would be able to prohibit the filmmaker from attending.

According to the DoD PAO, the day of the event, the CIA PAO contacted him and indicated that it had been determined that the filmmaker would be allowed to attend the event. The DoD PAO was unable to communicate this fact to DoD personnel attending the ceremony.

According to the Deputy Commanding General (DCG) of the relevant combatant command, special operators believed that only a few individuals would attend the event; however, our review determined that the event was heavily attended. The DCG also told us, special operators “were actually in uniform, with nametapes, because it was a formal ceremony. [They] were in the front row, front, left side, prominently on display for everybody.”

One senior official who attended the event described it as “a huge enormous crowd, I mean they built a tent and it was not a sensitive, I would say it was not a highly sensitive event. It was pretty much a cattle call for a lot of folks and for around the community and obviously not open to the public per se.” We also determined that the event was broadcast on CIA’s closed circuit television and a video depicting the event was accessible via the CIA’s classified network.

ADM McRaven testified that at the end of the ceremony, “somebody brought somebody up to me and said this is Mr. so-in-so he’s the same guy who did the *Hurt Locker* and of course I was admittedly a little surprised.” The DCG of the relevant combatant command testified that when he and his subordinates were told the producers of the “*Hurt Locker*” were present they, “all tried, you know, to get as much distance as possible, to include ADM McRaven. Um, this was the first time he was made aware of it as well and he was pretty, he was visibly, surprised and shocked.”

Force Protection and Operation Security Support

During this inquiry, ADM McRaven referenced concerns regarding the possible release of names of personnel associated with the UBL operation.

According to ADM McRaven, DoD provided the operators and their families an inordinate level of security. ADM McRaven stated that he previously met with operators' family members and discussed force protection measures. USSOCOM officials informed family members that protective monitoring will be initiated, and instructed them to call security personnel if security-related incidents arise. ADM McRaven also directed personnel to forego releasing names of operators and photographs associated with the raid.

Additionally, our review identified other Department actions conducted to support operational security concerns identified above and further protect the unit that conducted the raid.

Question 4: “What steps did the Administration take to ensure that no special operations tactics, techniques, and procedures were compromised during those meetings?”

Within the DoD, we did not identify instances whereby any special operations tactics, techniques, and procedures-related information was provided to filmmakers. ADM McRaven informed us, to protect sensitive information, “if the decision was made to support the film, then [SOCOM] would provide some technical advice as long as it didn't compromise any sensitive techniques.”



Inspector General
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