

# FORD MOTOR COMPANY HAS A TIDE REPORT

I'll have plenty to say about the Pemanent Subcommittee on Investigation's report on how terrible DHS's fusion centers are. The short version: they're nearly worthless and a big waste of money.

But since DHS is so crappy, it says something that they find the National Counterterrorism Center's Terrorist Identities Datamart Environment database to be equally crappy.

While reporting information on an individual who is listed in the TIDE database sounds significant, the Subcommittee found that DHS officials tended to be skeptical about the value of such reporting, because of concerns about the quality of data contained in TIDE.<sup>156</sup>

<sup>156</sup> Although NCTC describes its TIDE database as holding information on the identities of known and suspected terrorists, DHS officials – who interacted with TIDE data on a daily basis, as they reviewed reporting not only from state and local law enforcement encounters but from encounters by DHS components – said they found otherwise. “Not everything in TIDE is KST,” DHS privacy official Ken Hunt told the Subcommittee, using a shorthand term for “known or suspected terrorist.”

“Would you buy a Ford?” one DHS Senior Reports Officer asked the Subcommittee staff during an interview, when he was asked how serious it was for someone to be a match to a TIDE record. “Ford Motor Company has a TIDE record.”

The report's footnote goes on to describe how DHS's crappy reporting and NCTC's crappy

reporting reinforced each other.

Ole Broughton headed Intelligence Oversight at I&A from September 2007 to January 2012. In an interview with the Subcommittee, Mr. Broughton expressed the concern DHS intelligence officials felt working with TIDE data. In one instance, Mr. Broughton recalled he “saw an individual’s two-year-old son [identified] in an HIR. He had a TIDE record.” Mr. Broughton believed part of the problem was that intelligence officials had routinely put information on “associates” of known or suspected terrorists into TIDE, without determining that that person would qualify as a known or suspected terrorist. “We had a lot of discussion regarding ‘associates’ in TIDE,” Mr. Broughton said.

Mark Collier, who served as a Senior Reports Officer and briefly as chief of the Reporting Branch, recalled another case. An HIR was drafted concerning an incident with a TIDE match, but the TIDE record was based on an FBI inquiry. Later on the FBI ended its inquiry and cleared the individual of any connection to terrorism – but because DHS had filed an HIR on the person, the individual’s record was kept active in TIDE.

This reinforcement process carried over into DHS reports that were quashed on First Amendment grounds. Repeatedly, fusion center staffers submitted reports on speech and religion related activities solely because there was some tie between them and TIDE.

One draft reported on a list of reading suggestions by a Muslim community group, “Ten Book Recommendations for Every Muslim.” The report noted that four of the titles were authored by individuals with records in a U.S. intelligence

counterterrorism database, the Terrorist Identities Datamart Environment (TIDE).

[snip]

Another cancelled draft HIR reported on a U.S. citizen visiting and giving a lecture at a mosque. The draft contained no derogatory information on the speaker, or the mosque, although it noted that the speaker was once the head of a U.S. Islamic school that had a record in the TIDE database. "There is concern," the drafting officer wrote in his initial submission, "that [the subject's] visit . . . could be to strengthen ties with the . . . mosque as well as to conduct fundraising and recruiting for the sake of foreign terrorist organizations."

Now, as I said, a civil liberties and privacy review (which I'll discuss at more length in a later post) quashed these particular reports because they recorded protected speech. But imagine how many similar reports remain in NCTC or FBI's files, given that they have more leeway to record First Amendment protected activity?

Soon, we'll have the entire marketing plan of Ford Motor Company in our terrorist databases.