

(b)(3) [redacted]

(b)(6) From: [redacted]
 Sent: **ODNI** Tuesday, May 20, 2008 12:18 PM
 To: **(b)(6)** [redacted]
 Subject: USG documents for review by financial firms for May 29 privacy meeting
 Attachments: CLPO Overview Unclassified.doc

Dear US Government Colleague:

We look forward to meeting with you on May 29 at the GSC USG-Industry Privacy Forum meeting in New York City.

Financial sector participants requested documents from Government participants in order to provide specific advice and guidance.

If you have any Unclassified documents you wish to forward, please do so and we will distribute to the participating financial firms. This is purely optional.

If you do not have any documents to share, then please simply appear at the meeting.

Enclosed please find a draft overview of the ODNI Civil Liberties and Privacy Office (CLPO) that ODNI considered using with its website developers to begin establishing a public website presence. We thank Alex Joel for providing this document.

The following are notes related to the ODNI CLPO overview:

- The document focuses primarily on ODNI's Civil Liberties and Privacy Office.
- The document was not intended for a general public audience, but rather, as a handout for congressional staffers and the like as part of small meetings
- While ODNI's developers could take document and create a "flat HTML" page, this would not be very interesting or exciting from a web navigation/presentation perspective.
- ODNI intends to work on this document from readability and messaging standpoint.
- On a public web site, the document would need to be expanded considerably. For example, ODNI has discussed with developers the need to have separate sections about the ODNI privacy office, the community at large, and about how privacy and civil liberties are protected in general in the conduct of intelligence activities.
- ODNI would also have a section for complaints, which would have to be careful about explaining that we only can handle issues arising out of the programs administered by ODNI
- Finally, ODNI would have a section for key documents and reports, and a separate section for posting FAQ/fact sheet/blog-style responses to issues and questions getting a lot of attention at the moment, like FISA surveillance, or data mining.

If you wish, please forward any Unclassified documents, with guidelines for distribution, by COB on Tuesday May 27.

We look forward to seeing you on May 29.

Thank you.

Best regards,

ODNI
(b)(6) [redacted]
 (b)(6) [redacted]

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
CIVIL LIBERTIES AND PRIVACY OFFICE

OVERVIEW

"Of course, in [our] work, we will continue to conduct ourselves consistent with the Constitution and our nation's laws to protect privacy and guarantee the civil liberties of our citizens."

Director Mike McConnell

"Collection of [intelligence] information is a priority objective and will be pursued in a vigorous, innovative and responsible manner that is consistent with the Constitution and applicable law and respectful of the principles upon which the United States was founded."

Executive Order 12333.

Background: The position of Civil Liberties Protection Officer for the Office of the Director of National Intelligence (ODNI) was established by the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), and reports directly to the DNI. The Civil Liberties Protection Officer leads the ODNI's Civil Liberties and Privacy Office (CLPO). The goal of the CLPO is to help the Intelligence Community accomplish its national security mission in a way that remains true to the Constitution and protects privacy and civil liberties. Under the IRTPA, the CLPO's duties include ensuring that the protection of civil liberties and privacy is appropriately incorporated in the policies of the ODNI and the Intelligence Community, overseeing compliance by the ODNI with legal requirements relating to civil liberties and privacy, reviewing complaints about potential abuses of privacy and civil liberties in ODNI programs and activities, and ensuring that technologies sustain, and do not erode, privacy.

Vision: Keeping our country safe means more than protecting people and property – it also means protecting the principles on which this country was founded. Protecting privacy and civil liberties is part of the fabric of the Intelligence Community. It helps define who we are. In order to be able to use the tools and information we need to keep our country safe, we must have the trust of the American people, and must demonstrate that we are worthy of that trust in everything we do.

Balance: People talk of safety and freedom - security and liberty - as a balance, and worry that if you have more of one, you necessarily have less of the other. We think of it this way – we must do more on the security side of the scale to keep our country safe – that is the mission of the Intelligence Community. But keeping the balance means we must give equal weight to the liberty side of the scale – we must add protections, add safeguards – to ensure that the scale remains balanced. These dual imperatives are set forth in the Preamble of the Constitution, which states that the Constitution is ordained and established to “provide for the common defense” and to “secure the Blessings of Liberty” – we can, and must, do both. And it is to the Constitution that each intelligence officer takes an oath.

Our Job: We help intelligence officers do their jobs – to accomplish their intelligence mission while remaining true to their oaths – “to support and defend the Constitution of the United States.”

The Civil Liberties and Privacy Office. The Office consists of the Civil Liberties Protection Officer, and two deputies, each of whom is an experienced attorney and a recognized expert. In addition, our Director of Compliance and Investigations is an experienced auditor with an Inspector General background.

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CIVIL LIBERTIES AND PRIVACY OFFICE

Approach: The CLPO works through the Intelligence Community's civil liberties protection infrastructure -- and recommends improvements where needed -- to ensure that privacy and civil liberties issues are identified and addressed as early as feasible, and that safeguards are formulated and implemented to protect privacy and civil liberties. The Intelligence Community already has in place a robust protective infrastructure. It consists of a core set of rules, as interpreted, applied, overseen by agency Offices of General Counsel and Offices of Inspector General, with violations reported to the Intelligence Oversight Board of the President's Foreign Intelligence Advisory Board.

The CLPO focuses on ensuring that the infrastructure remains strong and fully functional, and identifies and addresses new pressure points on that infrastructure, from new authorities and mandates, new tools and sources of information, and the new threat environment. The CLPO enhances, and does not replace, the civil liberties protection functions of existing offices and mechanisms, and seeks to ensure that new protective functions and mechanisms -- such as civil liberties positions as they are created in other agencies, and the Privacy and Civil Liberties Oversight Board -- interact effectively with the Intelligence Community to further strengthen privacy and civil liberties safeguards.

The Civil Liberties SAFE-T Cycle: The "Civil Liberties SAFE-T Cycle" illustrates the CLPO's approach. Protecting civil liberties is an ongoing cycle, not a one-time event. One-size-fits-all solutions are not possible in an environment as rich, complex, and changing as the intelligence world.

- Spot issues at earliest stage
- Assess existing rules, identify gaps, recommend changes
- Formulate protections that are practical, effective, and tailored
- Execute protections via training, business processes, system changes
- Test compliance via audits, reviews, complaint investigations



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CIVIL LIBERTIES AND PRIVACY OFFICE

Statutory Authorities

50 § 403-3d. Civil Liberties Protection Officer

(a) Civil Liberties Protection Officer. (1) Within the Office of the Director of National Intelligence, there is a Civil Liberties Protection Officer who shall be appointed by the Director of National Intelligence. (2) The Civil Liberties Protection Officer shall report directly to the Director of National Intelligence.

(b) Duties. The Civil Liberties Protection Officer shall—

- (1) ensure that the protection of civil liberties and privacy is appropriately incorporated in the policies and procedures developed for and implemented by the Office of the Director of National Intelligence and the elements of the Intelligence Community within the National Intelligence Program;
- (2) oversee compliance by the Office and the Director of National Intelligence with requirements under the Constitution and all laws, regulations, Executive orders, and implementing guidelines relating to civil liberties and privacy;
- (3) review and assess complaints and other information indicating possible abuses of civil liberties and privacy in the administration of the programs and operations of the Office and the Director of National Intelligence and, as appropriate, investigate any such complaint or information;
- (4) ensure that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information;
- (5) ensure that personal information contained in a system of records subject to *section 552a of title 5, United States Code* (popularly referred to as the "Privacy Act"), is handled in full compliance with fair information practices as set out in that section;
- (6) conduct privacy impact assessments when appropriate or as required by law; and
- (7) perform such other duties as may be prescribed by the Director of National Intelligence or specified by law.

(c) Use of agency Inspectors General. When appropriate, the Civil Liberties Protection Officer may refer complaints to the Office of Inspector General having responsibility for the affected element of the department or agency of the Intelligence Community to conduct an investigation under paragraph (3) of subsection (b).

Title I of Public Law 108-458; 118 Stat. 3688

SEC. 1062. PRIVACY AND CIVIL LIBERTIES OFFICERS.

(a) Designation and Functions.—The Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Central Intelligence Agency, and the head of any other department, agency, or element of the executive branch designated by the Privacy and Civil Liberties Oversight Board under section 1061 to be appropriate for coverage under this section shall designate not less than 1 senior officer to serve as the principal advisor to—

- (1) assist the head of such department, agency, or element and other officials of such department, agency, or element in appropriately considering privacy and civil liberties concerns when such officials are proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines related to efforts to protect the Nation against terrorism;
- (2) periodically investigate and review department, agency, or element actions, policies, procedures, guidelines, and related laws and their implementation to ensure that such department, agency, or element is adequately considering privacy and civil liberties in its actions;
- (3) ensure that such department, agency, or element has adequate procedures to receive, investigate, respond to, and redress complaints from individuals who allege such department, agency, or element has violated their privacy or civil liberties; and

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CIVIL LIBERTIES AND PRIVACY OFFICE

(4) in providing advice on proposals to retain or enhance a particular governmental power the officer shall consider whether such department, agency, or element has established—(A) that the need for the power is balanced with the need to protect privacy and civil liberties; (B) that there is adequate supervision of the use by such department, agency, or element of the power to ensure protection of privacy and civil liberties; and (C) that there are adequate guidelines and oversight to properly confine its use.

(b) Exception to Designation Authority.—

(1) PRIVACY OFFICERS.—In any department, agency, or element referred to in subsection (a) or designated by the Privacy and Civil Liberties Oversight Board, which has a statutorily created privacy officer, such officer shall perform the functions specified in subsection (a) with respect to privacy.

(2) CIVIL LIBERTIES OFFICERS.—In any department, agency, or element referred to in subsection (a) or designated by the Board, which has a statutorily created civil liberties officer, such officer shall perform the functions specified in subsection (a) with respect to civil liberties.

(c) Supervision and Coordination.—Each privacy officer or civil liberties officer described in subsection (a) or (b) shall— (1) report directly to the head of the department, agency, or element concerned; and (2) coordinate their activities with the Inspector General of such department, agency, or element to avoid duplication of effort.

(d) Agency Cooperation.—The head of each department, agency, or element shall ensure that each privacy officer and civil liberties officer— (1) has the information, material, and resources necessary to fulfill the functions of such officer; (2) is advised of proposed policy changes; (3) is consulted by decision makers; and (4) is given access to material and personnel the officer determines to be necessary to carry out the functions of such officer.

(e) Reprisal for Making Complaint.—No action constituting a reprisal, or threat of reprisal, for making a complaint or for disclosing information to a privacy officer or civil liberties officer described in subsection (a) or (b), or to the Privacy and Civil Liberties Oversight Board, that indicates a possible violation of privacy protections or civil liberties in the administration of the programs and operations of the Federal Government relating to efforts to protect the Nation from terrorism shall be taken by any Federal employee in a position to take such action, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(f) Periodic Reports.—

(1) IN GENERAL.—The privacy officers and civil liberties officers of each department, agency, or element referred to or described in subsection (a) or (b) shall periodically, but not less than quarterly, submit a report on the activities of such officers— (A)(i) to the appropriate committees of Congress, including the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives; (ii) to the head of such department, agency, or element; and (iii) to the Privacy and Civil Liberties Oversight Board; and (B) which shall be in unclassified form to the greatest extent possible, with a classified annex where necessary.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include information on the discharge of each of the functions of the officer concerned, including— (A) information on the number and types of reviews undertaken; (B) the type of advice provided and the response given to such advice; (C) the number and nature of the complaints received by the department, agency, or element concerned for alleged violations; and (D) a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of such officer.

(g) Informing the Public.—Each privacy officer and civil liberties officer shall—(1) make the reports of such officer, including reports to Congress, available to the public to the greatest extent that is consistent with the protection of classified

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CIVIL LIBERTIES AND PRIVACY OFFICE

information and applicable law; and (2) otherwise inform the public of the activities of such officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.

(h) Savings Clause.—Nothing in this section shall be construed to limit or otherwise supplant any other authorities or responsibilities provided by law to privacy officers or civil liberties officers.

(b)(3)

From: [REDACTED]
Sent: Tuesday, January 15, 2008 5:09 PM
To: [REDACTED]
Subject: ****SLIAG INFO/ACTION**SLIAG Agenda and Documents for Review - January 18, 2008
Attachments: sliag agenda 1-18-08 v1.doc; NFCCG White Paper National Fusion Center Capability Program.doc; BGTHarmanITACGProgress011508FINAL.pdf

ODNI
(b)(3)

Dear SLIAG Members,

Please find attached the agenda for this week's SLIAG.

In preparation for the SLIAG, we have attached a White Paper titled: National Fusion Center Capability Program. This document was provided to the SLIAG in October by the National Fusion Center Coordination Group and has been available for your review and comment on the ISE Portal. Please ensure you have reviewed this document in advance of the SLIAG, and be prepared to discuss and approve or provide comments for revision.

Also, by Thursday, we plan to send you an update Agenda for the National Fusion Center Conference, as well as a revised Outline for the Coordinated Support Plan. Both of these documents will be briefed and discussed during the SLIAG, so please come prepared with comments.

Finally, we are attaching a letter received from Chairmans Thompson and Harman today, regarding the ITACG.

Thank you,

ISC Executive Secretariat

UNCLASSIFIED//~~FOUO~~

(b)(3) From: [Redacted] Subject: Re: Fw: CIO Council Updates - January 23, 2008 and February 5, 2008 are Executive Sessions - Consult COI for Agenda [Icon]

(b)(3) Date: 01/23/2008 01:03 PM To: [Redacted]

(b)(3) Cc: Joseph W. Lambert

(b)(3)

[Redacted] I reviewed this. My comments are on the Notes pages of the slides. The big issues are;

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(b)(5)

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

We support using the CIA classification tool community wide.

(b)(3)



F_Email_TT_Report_20080123 [Redacted].ppt

(b)(3)

[Redacted]

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(b)(3)

[Redacted]

To: [Redacted] Joseph W. Lambert/STF/AGENCY@WMA

cc

Subject Fw: CIO Council Updates - January 23, 2008 and February 5, 2008 are Executive Sessions - Consult COI for Agenda

01/22/2008 04:40 PM

(b)(3)

FYI: take a look at chart 4 but there might be other charts related to IMS
--- Forwarded by [Redacted] on 01/22/2008 04:37 PM ---

(b)(3)



Adolfo Tarasluk-Jr./STF/AGENCY
CIA Chief Information Officer

01/22/2008 08:12 AM

To: [Redacted]

cc: [Redacted]

(b)(3)

Subject Fw: CIO Council Updates - January 23, 2008 and February 5, 2008 are Executive Sessions - Consult COI for Agenda

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Please review attached proposal for IC email and send me comments as soon as possible. Big 6 meets tomorrow afternoon.

---- Forwarded by Adolfo Tarasiuk-Jr-/STF/AGENCY on 01/22/2008 08:09 AM ----

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[Redacted]
Office of the DNI CIO
[Redacted] (commercial)
[Redacted] (secure)
01/21/2008 08:55 AM

To [Redacted]

cc [Redacted]

(b)(3)
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ODNI
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Subject CIO Council Updates - January 23, 2008 and February 5, 2008 are Executive Sessions - Consult COI for Agenda

CLASSIFICATION: UNCLASSIFIED//~~FOUO~~
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The CIO Council Meeting is scheduled for January 23, 2008 and will meet in the DIAC Conference Room N632 at 13:30. This session (January 23, 2008) and the February 5, 2008 session will be Executive Sessions with only CIO's and invited guests in attendance. The scheduled January 23, 2008 Executive Session will have only one prepared briefing which is attached and can be retrieved from the Community of Interest (COI).



F_Email_TT_Report_20080123_v6.ppt

Several people have not register for their JWICS PASSPORT Account. I'm again passing the instruction on for registration.

ODNI
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The CIO Council Community of Interest (COI) ([Redacted]) has been developed as an interim solution to provide a central location for document storage supporting the CIO Council Meetings. The documents are displayed by meeting date, starting with July 2007.

Access to this site is limited to those who attend the meetings and to those who support the CIO Council Members.

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

If you do not have a JWICS Passport Account :

Self-register for an account at this location : [REDACTED]

ODNI
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Forward the following information to [REDACTED]

- Name
- SSN
- IC Email
- Passport User Name

After verification, [REDACTED] will send a welcome message to your IC Email address.

The attached flyer provides step-by-step instructions on how to create your Intelink Passport Account. The attachment is a trifold document and can be reviewed easier after folding the document.



Intelink Passport Account Flyer for CIO Council.doc

Note, this email is (U//~~FOUO~~); however, it contains links to documents at higher classification level .

v/r

ODNI
(b)(3)

[REDACTED]
 ODNI/CIO/ICTG/SI
 IC E-Mail: [REDACTED]
 AIN E-Mail: [REDACTED]
 (s) [REDACTED]
 (Commercial) [REDACTED]

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From: OPA Notice
Sent by: [redacted]
Office of Public Affairs
Date: 01/17/2008 03:39 PM

Subject: Message from the DNI : Dr. Martin Luther King Jr . Holiday
- A Day of Reflection and Action
To: Joseph W. Lambert

This message is digitally signed.

**Director of National Intelligence
Washington, D.C. 20511**

January 17, 2008

Dear Colleagues:

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Created by Congress in 1983 and first observed on January 20, 1986, Martin Luther King Jr. Day is observed on the third Monday in January each year. It is one of four federal holidays to commemorate an individual person. The King Holiday honors the life and contributions of one of America's greatest champions of freedom, equality, justice, and dignity for all races and all people. Many of us vividly remember or have been told of the saga of the Civil Rights Movement, the trials that Dr. King endured for all Americans, and the ultimate sacrifice that he paid for his country. On this holiday we celebrate his life, his quest for universal equality, and their meaning for us now.

As our country commemorates this day, we should also focus on the significant strides that our nation has made to ensure equality and justice for all of our citizens. Our nation and our Community in 2008 are vastly different from what they were in 1968 – the final year of Dr. King's life. While the dialogue of three decades ago may have been dominated by exclusionary rhetoric, today we spend considerable time discussing how we must be more inclusive if we are to accomplish our multi-faceted mission. For the U.S. Intelligence Community (IC), Dr. King's vision is no longer a dream; it is a strategic mission imperative which we have placed prominently in our 500-Day Plan. In fact it is the number one priority of our transformation. Although considerable progress has been made in our Community, we cannot be satisfied with the pace of change that we had in the past. Our Fiscal Year 2007 Annual Report on IC Diversity, which will be submitted to Congress soon, shows that the rate of increase in the overall representation, hiring, promotion, and retention of minorities and women continues to improve each year. Along with our increases are areas where we need to improve, especially in hiring and retaining employees with disabilities. However, the good news is that there has been, and will continue to be, steady improvement and progress along the diversity front.

The Martin Luther King Jr. Holiday is truly an American holiday. It is a day for each of us to celebrate our heritage while acknowledging and gaining a better appreciation of how diversity has been the cornerstone of America. I ask each of you to join me in reaffirming your commitment to diversity, equality, integrity, and respect for all individuals.

Dr. King's words resonate as clearly and as strongly today as they did 40 years ago. Let us continue to honor his enduring legacy within our Community by embracing the ideals for which he lived and by defending America – the great nation that he proudly called home.

Sincerely,
Mike McConnell

(This is UNCLASSIFIED.)

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(b)(3)

From: [redacted] Subject: Re: Eastman Papers ? [redacted]
CIA DECLASSIFICATION CENTER To: John F. Hackett-DNI-
Date: 02/22/2008 03:04 PM Cc: Joseph W. Lambert, [redacted]

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John: Someone reads the Weekly! I'll have [redacted] our NARA Team Chief, look further into this-- [redacted]
John F. Hackett-DNI-STF/AGENCY

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(b)(3)
(b)(3)

John F. Hackett-DNI-STF/AGENCY

To: [redacted]

Director, DNI Information Management Office

cc: Joseph W. Lambert/STF/AGENCY@WMA, [redacted]

Subject: Eastman Papers?

ODNI (b)(3)

[redacted] (s)
[redacted] (u)
[redacted] (cell)
[redacted] (pager)
02/22/2008 02:19 PM

(b)(3)



Sorry to comment on your internal report but...can we give NARA some backbone?

I saw this item in your weekly and was very interested why NARA was having you perform an expedited review on what appears to be official records of a Senate Committee (vice personal papers)--- so they can be returned to the University of Mississippi Law Library. Did I get this right?

When NARA saw that these were Committee records why did they not ask for their return on behalf of the Senate? A member of Congress cannot donate Committee records.

ODNI (b)(5)



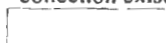
Remember that House and Senate records are exempt from the Federal Records Act but are managed by NARA on deposit at NARA. The documents use is controlled by the Clerk of the House and Secretary of the Senate, respectively.

John

(U//~~ATUO~~) Special Review at NARA, College Park, Md.

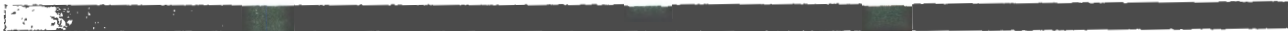
(U//~~ATUO~~) NARA requested that the CDC NARA Team do an expedited review of three boxes of records containing the official papers of former Senator James O. Eastland (D-MS). Eastland served in the US Senate from 1943-78 and was chairman of the Senate Judiciary Committee for almost 23 years. Upon his retirement, he donated all of his official papers accumulated during his years in the Senate to the University of Mississippi Law Library. The cache of papers included classified documents. Of the 570 pages containing CIA equity that the CDC team reviewed, 336 pages were released and 234 pages were exempted. (Per NARA's instructions, documents were either released or exempted. There was no sanitization of pages.) Most of the documents containing CIA equity originated in the Subcommittee on Internal Security, which Eastland chaired in addition to the full Judiciary Committee. It is unclear whether additional classified documents from the Eastland collection exist that will be forwarded by the Law Library through ISOO to NARA for declassification review. [redacted]

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From: Alexander W. Joel-DNI-
Civil Liberties Protection Officer
Office of the Director of National
Intelligence

Subject: Re: Fw: [AIN] CLPO Focal Points - Update
To:
Cc: Joseph W. Lambert,

Date: 03/14/2008 10:56 AM

ODNI
(b)(3)

This message is digitally signed.

(b)(3)

Hi

(b)(3)

ODNI
(b)(3)

-- My address below - - is my AIN address, on the low side, not my CWE address.
-- We are in the process of working with our contractors to identify the specific questions they would like to have answered, and then will go through a formal tasking process as discussed with CIA. Other agencies have agreed to meet with them informally without a formal tasking, hence the tone of my email on that point.
-- That said, in thinking about a taskin for CIA, we may well decide to do this as a formal data call to the IC in general, which we have tried to avoid to date since we know how everyone dislikes those data calls. Informal meetings where information is exchanged in both directions tend to work best, in my view - as I discussed at our meeting, that's how I tend to approach things in general. But perhaps this is what we need to do here anyway - we're working on what information the contractors feel they need.
-- In any event, we do want to convene the CLPO Focal Points to discuss this project and get feedback.

Regards,
Alex

Alexander W. Joel
ODNI Civil Liberties Protection Officer

AIN and BB:

ODNI
(b)(3)

(b)(3)



(b)(3)



To Alexander W. Joel-DNI-STF/AGENCY@WMA
cc
Subject Fw: [AIN] CLPO Focal Points - Update

03/14/2008 10:33 AM

Alex-

Your address below bounced back.

(b)(3)

(b)(3)

(b)(3)

Forwarded by on 03/14/2008 10:32 AM



To
cc Joseph W. Lambert/STF/AGENCY@WMA
Subject Re: [AIN] CLPO Focal Points - Update

ODNI
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03/14/2008 08:45 AM

Hi Alex-

I read your note below, and it looks like you are planning some interesting things for privacy. However, as Joe and I explained in our meeting with you last week, your request for privacy aspects of open source information from the CIA should be made formally, and to the CIA Privacy & Civil Liberties Officer. If you could ask your contractors to articulate what they would like to know, and run those questions through you for a sanity check, and then you send the questions to the Director's Action Center the (DAC), Joe and I will do our best to answer.

(b)(3) You can do that by sending your request to [redacted] to the attention of the Privacy & Civil Liberties Officer.

Thank you Alex.

Yours,

(b)(3) [redacted]

[redacted] ODNI (b)(3)



[redacted]

03/07/2008 03:53 PM

Please respond to [redacted]

ODNI (b)(3), (b)(6)

To [redacted]

(b)(3)

cc

Subject [AIN] CLPO Focal Points - Update

(b)(3) CLASSIFICATION: UNCLASSIFIED

[Large redacted box]

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Greetings:

It has been some time since our last meeting. As we plan for our next meeting, I wanted to circulate an update, and encourage you to reach back to us and to each other between meetings, on matters that you're working on or questions that you may have. Some folks have left our group (the PCLOB members), I don't have the email addresses of some new players (new USDI/OGCers, CIA's new privacy and civil liberties representative), etc. - so if you have suggestions on who else should be getting this email, please reply back to me - remember, this is for IC element representatives for privacy and civil liberties, and Federal agency "observers" from non-IC elements....

QUARTERLY REPORT. We submitted our first quarterly report to Congress, as required by the 9/11 Commission Act. I've attached the report together with its cover letter. This first report is non-substantive, as agreed by an interagency process coordinated by OMB. Our next report will be more substantive and will be metric-driven. Our initial thought was to provide narrative descriptions of our activities in response to the reporting requirement, but OMB had worked with staffers on the statutory language, and provided guidance that in their view the reports should be metric-oriented (indeed, the language does refer to "numbers"). Accordingly, we included brief narrative descriptions of our activities in the cover letter rather than in the body. The first report, again as agreed in the interagency process, described the process we would follow rather than the actual numbers themselves.

DATA MINING REPORT. We also submitted our first annual data mining report to Congress, and have posted it on our website. http://www.dni.gov/reports/data_mining_report_feb08.pdf. We have asked you to provide copies of your agency's reports to us, or to notify us if your agency is NOT providing a report. Please do so. The intelligence committees will expect DNI to have this information readily available, even though the reporting requirement runs to each of your departments and agencies. So far, only a few of you have responded to us. We are meeting with staffers today to discuss our data mining report, and will let you know how that goes.

ISE PRIVACY MANUAL. After months of hard work, the ISE Privacy Guidelines Committee has completed its online ISE Privacy Manual, to help agencies implement the ISE Privacy Guidelines. This online tool is designed to help agencies put in place an information sharing privacy policy, as required by the ISE Privacy Guidelines, so that as agencies engage in necessary terrorism information sharing activities, they also put in place required measures to protect privacy and civil liberties. See www.ise.gov, and click on the ISE Privacy Protections tab. I've also attached a power point presentation with additional guidance - it is designed as an introduction and overview and is reasonably self-explanatory and not entirely dull, if I may say so myself. There will be a more formal rollout to departments and agencies with training and additional guidance.

INTELLIGENCE COMMUNITY DIRECTIVE ON PRIVACY AND CIVIL LIBERTIES. As part of the 500 Day Plan, we included a goal of implementing an ICD on privacy and civil liberties. We have discussed this with many of you already - in

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essence, we believe it is important to formalize the CLPO Focal Point structure, and would like to do so in the form of an ICD. Our thought is to reconstitute this body as an IC Privacy and Civil Liberties Council (or something similarly named), consisting of the Privacy and Civil Liberties Officers of each IC element (i.e., the person designated to be the representative on those matters on the Council), etc. I've attached the actual wording from the 500-day plan. The purpose of the Council would be to collaborate on matters relating to protecting privacy and civil liberties, etc. - it would be addressed in a general way in the ICD. The ICD would also establish a mechanism for issuing guidance to the community on privacy and civil liberties matters, improving communications, etc. We will draft a document and follow the normal ICD coordination process, but will use you all as a sounding board, of course.

CLPO VACANCY ANNOUNCEMENT. CLPO has a new Assistant Civil Liberties Protection Officer position open at the GS-15 level. If you know anyone interested in this exciting opportunity, please let them know of the position announcement. We are moving to Tysons Corner, so that may be a more convenient location for folks. The vacancy announcement is at USAJOBS. <http://jobsearch.usajobs.gov/getjob.asp?JobID=69262244&AVSDM=2008%2D03%2D03+12%3A31%3A06&Logo=0&q=civil+liberties+protection+officer&FedEmp=N&sort=rv&vw=d&rd=3876&ss=0&Fed>

Pub=Y&SUBMIT1.x=0&SUBMIT1.y=0&SUBMIT1=Search+for+Jobs

OPEN SOURCE GUIDANCE. At the request - and funding - of the Assistant Deputy DNI for Open Source, we have initiated a project to develop general privacy and civil liberties guidance for open source collectors and analysts in the Intelligence Community. We have engaged two cleared contractors to help us with that work - [REDACTED] and [REDACTED] is a former attorney with FBI's Office of General Counsel, who then worked at Microsoft for several years. He has a wealth of experience with national security law matters. [REDACTED] who is very familiar with the Intelligence Community. Together they form an excellent team, and have been conducting research into open source methods, challenges, requirements, and existing guidance.

ODNI
(b)(6)

(b)(3)

(b)(3)

We have asked them to reach out to various agencies informally, to meet with open source professionals so that they can better understand what agencies are currently doing, what their needs are, and what guidance they currently operate under, so that we can identify best practices, borrow existing guidance (rather than re-invent the wheel), etc. Our intent is not to provide or replace agency-specific guidelines, but rather to provide overall guidance that agencies will find useful in the open source area. We will bring together the focal points- or some subset - to discuss this project as it develops, so that you all can review and discuss the work and provide feedback. Our goal is to come up with a useful tool for the open source community, and we need your help to make that happen. Specifically, we would appreciate your assistance in setting up informal meetings between our contractors and your open source personnel - we'll be in touch with you individually for that.

On thing we are trying are the areas where different agencies might take different approaches, or might be unsure as to what approach to take given the "newness" of the medium. These might include: commercial data providers, user-posted content on the Internet (e.g., user-posted videos, social networking content), websites on which users post communications (blogs, bulletin boards) etc. Some agencies may have issued guidance that might be useful for others. It might also be interesting to note whether there are differences in approaches, recognizing, of course, that such might well be justified by agency mission, authorities, etc. This is a rich and interesting project that I think the group will enjoy discussing.

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PRIVACY ACT SORNS. ODNI published its first set of Privacy Act SORNS in January, along with its Privacy Act regulations, and received no comments. <http://irwebgate6.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=901639508556+0+0&WAISaction=retrieve>.

IC PRIVACY and IT ADVISORY GROUP. Given the number and complexity of questions we are receiving from various agencies that relate to CIO and IT issues, we are considering forming an IC Privacy and IT advisory group, to be chaired by [REDACTED], my Deputy for Privacy. The impetus for this grows largely from the questions being generated by the various issuances from OMB regarding IT systems, FISMA, CIO responsibilities, and by other legal and regulatory issues impacting the intersection of CIO/technical and privacy domains, as they specifically - and uniquely - relate to intelligence agencies. Since this set of issues is discrete, complex, technical, and not of the type that normally is dealt with by some of the representatives that I see at CLPO Focal Point meetings (who sometimes tend to be more of the "US person rules" persuasion than of the "OMB M-07-16" ilk), we felt it best to create a different group that was more tightly focused on addressing these particular issues, that would involve a privacy representative and a technical/CIO representative from the IC elements. There is an added synergy here, in that [REDACTED] has direct and recent OMB privacy experience, having been their senior privacy analyst. I emphasize that this is an advisory group only, designed to facilitate inter-IC element consultation. This suggestion has been enthusiastically received by those who have heard of it so far. I am throwing it out to you all to see if you have a reaction.

ODNI (b)(3)

NEXT MEETING: We are working toward having a meeting in the coming weeks, and will send around an email with more information.

Regards,
Alex

Alexander W. Joel
Civil Liberties Protection Officer
Office of the Director of National Intelligence

ODNI (b)(3)

[REDACTED]
(See attached file: 500 Day Plan - 5b.doc) (See attached file: ISE privacy guide intro slides.ppt) (See attached file: CLPO Section 803 Report 31 December 2007.pdf) (See attached file: 22 January 2008 CLPO Cover Ltr to



SSCI.pdf) 500 Day Plan - 5b.doc ISE privacy guide intro slides ppt CLPO Section 803 Report 31 December 2007.pdf



22 January 2008 CLPO Cover Ltr to SSCI.pdf

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From: John F. Hackett-DNI-
Director, DNI Information
Management Office

Subject: Re: Fw: Preservation of Pre -Iraq War materials in the NIC
[icon]

To: Joseph W. Lambert

(b)(3)

ODNI
(b)(3)

[redacted] (cell)
[redacted] (pager)

Date: 03/13/2008 05:36 PM

This message is digitally signed.

(b)(3)

Thanks. Sorry I forgot [redacted] john
Joseph W. Lambert/STF/AGENCY

Joseph W.
Lambert/STF/AGENCY

To John F. Hackett-DNI-/STF/AGENCY@WMA

(b)(3)

Director, Information
Management Services

cc [redacted]

(b)(3)

ODNI
(b)(3)

[redacted]
03/13/2008 05:30 PM

Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC [icon]

(b)(3)

John - I've passed this info to [redacted] to see if we can be of assistance. Thanks, Joe

John F. Hackett-DNI-/STF/AGENCY

John F.
Hackett-DNI-/STF/AGENCY

To Joseph W. Lambert/STF/AGENCY@WMA

(b)(3)

Director, DNI Information
Management Office

cc [redacted]

(b)(3)

[redacted] (cell)
[redacted] (pager)

ODNI
(b)(3)

03/13/2008 12:46 PM

Subject Fw: Preservation of Pre-Iraq War materials in the NIC

Joe--see my note to the head of the NIC. I think you guys would have an interest in this issue too and may want to provide a resource on a temporary basis to assist with the survey and retirement of the CI/DNI legacy materials. John

----- Forwarded by John F. Hackett-DNI-/STF/AGENCY on 03/13/2008 12:42 PM -----

(b)(3)

John F.
Hackett-DNI-/STF/AGENCY

To [redacted]

Director, DNI Information
Management Office

cc [redacted] Mark W.
Ewing-DNI-/STF/AGENCY@WMA,

(b)(3)

[redacted] (cell)
[redacted] (pager)

ODNI
(b)(3)

[redacted]

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ODNI
(b)(3)

03/13/2008 12:42 PM

Subject Preservation of Pre-Iraq War materials in the NIC

(b)(3)

We recently received records from [redacted], NIO for WMD and Proliferation relating to the NIC's work on the Pre-Iraq War intelligence.

ODNI
(b)(3)

All the materials appear to relate to the work of [redacted] predecessor [redacted]

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I am asking for your immediate assistance with this matter . Currently, we do not have the staff with the background to review the records to determine what is record copy , working files , duplicates etc . Please understand that until my staff has the opportunity to review the entire collection of Pre -War materials in the NIC , they will not accept further transfers of Pre -War materials for archiving .

We currently have an IMO Team led by a Senior Records Management Consultant developing ODNI records control schedules for the NIC. The work of this team could be expanded include a survey of the Pre-War records. I ask that you assign a POC asap for this project who could assist with the identification of the pertinent Pre- War players and their files.

I know the staff of the NIC is very busy and we do not intend to take up much of their time . However, please remember that some of the Pre -War materials still fall under the two subpoenas issued last year by the House Governmental Affairs Committee (Cong. Waxman). In addition, materials in NIC may also be pertinent to the recent SSCI request for documents relating to their series of reports on Pre -War Intelligence . None of these records , including working papers or duplicates , can be destroyed at this time.

If you have any questions, please do not hesitate to contact me.

John

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From: John F. Hackett-DNI-
Director, DNI Information
Management Office

Subject: Re: Fw: Preservation of Pre -Iraq War materials in the NIC

(b)(3)

[Redacted]
(cell)
(pager)

To: [Redacted]
Cc: [Redacted] Joseph W. Lambert, [Redacted]

ODNI
(b)(3)

Date: 03/21/2008 04:01 PM

This message is digitally signed.

(b)(3)

[Redacted] let me get back to you on this. The stuff that came from [Redacted] former office did not come in cubes but in banker's or moving boxes. The stuff is being held in my office in GA-07. Other stuff, volume unknown is being held by the NIC still. John

(b)(3)

[Redacted]

(b)(3)



[Redacted]

(b)(3)

To John F. Hackett-DNI-/STF/AGENCY@WMA

cc [Redacted]

Subject Fw: Preservation of Pre-Iraq War materials in the NIC

03/19/2008 10:49 AM

Hi John -- Just a few questions regarding this collection. Can you give me an estimate of the volume of Pre-Iraq war materials that has currently been collected. Also, where is the information being held -- within NIC office space here at Headquarters?

(b)(3)

--- Forwarded by [Redacted] on 03/19/2008 10:39 AM ---

Joseph W.
Lambert/STF/AGENCY

To John F. Hackett-DNI-/STF/AGENCY@WMA

(b)(3)

Director, Information
Management Services

cc [Redacted]

(b)(3)

[Redacted]
03/13/2008 05:30 PM

ODNI
(b)(3)

Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC

(b)(3)

John - I've passed this info to [Redacted] to see if we can be of assistance. Thanks, Joe

John F. Hackett-DNI-/STF/AGENCY

John F.
Hackett-DNI-/STF/AGENCY

To Joseph W. Lambert/STF/AGENCY@WMA

(b)(3)

Director, DNI Information
Management Office

cc [Redacted]

(b)(3)

[Redacted]
(cell)
(pager)

ODNI
(b)(3)

Subject Fw: Preservation of Pre-Iraq War materials in the NIC

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03/13/2008 12:46 PM

Joe--see my note to the head of the NIC. I think you guys would have an interest in this issue too and may want to provide a resource on a temporary basis to assist with the survey and retirement of the CIA/DNI legacy materials. John

--- Forwarded by John F. Hackett-DNI-/STF/AGENCY on 03/13/2008 12:42 PM ---

(b)(3)

John F. Hackett-DNI-/STF/AGENCY

To [redacted]

(b)(3)

[redacted] NI Information
ent Office
[redacted]
(cell)
(pager)

cc [redacted], Mark W. Ewing-DNI-/STF/AGENCY@WMA,

ODNI (b)(3)

[redacted]

03/13/2008 12:42 PM

Subject Preservation of Pre-Iraq War materials in the NIC

(b)(3)

[redacted]

We recently received records from [redacted], NIO for WMD and Proliferation relating to the NIC's work on the Pre-Iraq War intelligence.

ODNI (b)(3)

All the materials appear to relate to the work of [redacted], predecessor [redacted].

While I commend [redacted] for wanting to preserve these materials, I am worried that we, the ODNI, have been archiving these records piecemeal when we do not have a good idea as to the volume of Pre-War materials in the NIC. The best approach, I feel, would be to identify and then retire all of the Pre-War materials together in several consecutive transfers to the CIA's records center. Any review of the NIC's holdings should also include a survey of the Pre-War records of current employees such as [redacted] and others.

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If you have any questions, please do not hesitate to contact me.

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Approved for release by ODNI on 12-17-2015, FOIA Case DF-2015-00208.

UNCLASSIFIED

John

UNCLASSIFIED

UNCLASSIFIED



From: Joseph W. Lambert
Director, Information Management Services
Subject: Fw: Preservation of Pre-Iraq War materials in the NIC
To: [Redacted]

Date: 03/18/2008 03:01 PM

This message is digitally signed.

[Redacted] Might be a good idea for you to go see John Hackett. Joe

--- Forwarded by Joseph W. Lambert/STF/AGENCY on 03/18/2008 02:58 PM ---



To Joseph W. Lambert/STF/AGENCY@WMA
cc [Redacted]
Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC

03/17/2008 01:35 PM

Hi Joe -- CIA also has a very large, unruly collection of pre-war material that we are trying to get our arms around. In working with the SSCI, OCA accumulated a very large volume of information. Unfortunately they did not get their IMO involved at the time they were working with SSCI and the pre-war assessment, so OCA cannot identify the subset of the collection that was provided to SSCI. We are trying (on a time available basis) to compile an inventory of the complete collection, and archive the records once inventoried. I'm sure that the DI, particularly WINPAC, has their own collection of pre-war material that they need to control/archive also. So while I can understand wanting to again help the DNI, they are stretching us awfully thin. They currently have a team of [Redacted] IMOs working to conduct an inventory and possibly assist with developing their RCS, and the [Redacted] has been asked to review and archive about [Redacted] records. Maybe John should investigate the use of IM POCs within the DNI just as we do at CIA for offices that do not have dedicated IMOs. When the NIC was under CIA, they always had an IM POC officer that was responsible for their records, particularly in terms of ensuring that their records were properly archived.

Joseph W. Lambert/STF/AGENCY

Joseph W.
Lambert/STF/AGENCY

Director, Information
Management Services

03/13/2008 05:30 PM

ODNI
(b)(3)

To John F. Hackett-DNI-/STF/AGENCY@WMA

cc [Redacted]

Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC

John - I've passed this info to [Redacted] to see if we can be of assistance. Thanks, Joe

John F. Hackett-DNI-/STF/AGENCY

John F.
Hackett-DNI-/STF/AGENCY

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(b)(3)

Director, DNI Information Management Office

[Redacted]

ODNI (b)(3)

(b)(3)

(cell) (pager)

03/13/2008 12:46 PM

To Joseph W. Lambert/STF/AGENCY@WMA

cc [Redacted]

Subject Fw: Preservation of Pre-Iraq War materials in the NIC

Joe--see my note to the head of the NIC. I think you guys would have an interest in this issue too and may want to provide a resource on a temporary basis to assist with the survey and retirement of the CIA/DNI legacy materials. John

----- Forwarded by John F. Hackett-DNI-/STF/AGENCY on 03/13/2008 12:42 PM -----

(b)(3)

John F. Hackett-DNI-/STF/AGENCY

Director, DNI Information Management Office

[Redacted]

ODNI (b)(3)

(b)(3)

(cell) (pager)

03/13/2008 12:42 PM

To [Redacted]

cc [Redacted] Mark W. Ewing-DNI-/STF/AGENCY@WMA, [Redacted]

Subject Preservation of Pre-Iraq War materials in the NIC

(b)(3)

[Redacted]

We recently received records from [Redacted], NIO for WMD and Proliferation relating to the NIC's work on the Pre-Iraq War intelligence.

ODNI (b)(3)

All the materials appear to relate to the work of [Redacted] predecessor [Redacted]

While I commend [Redacted] for wanting to preserve these materials, I am worried that we, the ODNI, have been archiving these records piecemeal when we do not have a good idea as to the volume of Pre-War materials in the NIC. The best approach, I feel, would be to identify and then retire all of the Pre-War materials together in several consecutive transfers to the CIA's records center. Any review of the NIC's holdings should also include a survey of the Pre-War records of current employees such as [Redacted] and others.

I am asking for your immediate assistance with this matter. Currently, we do not have the staff with the background to review the records to determine what is record copy, working files, duplicates etc. Please understand that until my staff has the opportunity to review the entire collection of Pre-War materials in the NIC, they will not accept further transfers of Pre-War materials for archiving.

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I know the staff of the NIC is very busy and we do not intend to take up much of their time. However, please remember that some of the Pre-War materials still fall under the two subpoenas issued last year by the House Governmental Affairs Committee (Cong. Waxman). In addition, materials in NIC may also

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Approved for release by ODNI on 12-17-2015, FOIA Case DF-2015-00208.

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If you have any questions, please do not hesitate to contact me.

John

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(b)(3) From: [redacted] Subject: Re: Fw: Preservation of Pre-Iraq War materials in the NIC
 (b)(3) To: [redacted]
 Date: 03/18/2008 08:07 AM Cc: Joseph W. Lambert
 This message is digitally signed.

(b)(3) [redacted]
 In the past we've successfully satisfied DNI requests by removing records from DNI space and storing them in CIA secure SCIF until we have time to process the collections. Of course we're only looking to protect CIA records. This would be a good test for new the space we're acquiring from [redacted] Shall I contact Hackett directly to get more details?

(b)(3) [redacted]
 (b)(3) To: Joseph W. Lambert/STF/AGENCY@WMA [redacted]
 (b)(3) cc: [redacted]
 Subject: Re: Fw: Preservation of Pre-Iraq War materials in the NIC
 03/17/2008 06:32 AM

(b)(3) We just finished a whole NIC clean up last year. The best approach may be to re-engage them on it. I'll ask for [redacted] input on where to go with this.

(b)(3) [redacted]
 Joseph W. Lambert/STF/AGENCY

(b)(3) Joseph W. Lambert/STF/AGENCY To: [redacted]
 Director, Information Management Services cc: [redacted]
 (b)(3) [redacted] Subject: Fw: Preservation of Pre-Iraq War materials in the NIC
 03/13/2008 05:30 PM

(b)(3) [redacted] Can you help? - Joe

--- Forwarded by Joseph W. Lambert/STF/AGENCY on 03/13/2008 05:29 PM ---

(b)(3) John F. Hackett-DNI/STF/AGENCY To: Joseph W. Lambert/STF/AGENCY@WMA
 Director, DNI Information Management Office cc: [redacted]
 (b)(3) [redacted] Subject: Fw: Preservation of Pre-Iraq War materials in the NIC
 (cell) [redacted] (pager)
 03/13/2008 12:46 PM

ODNI
 (b)(3)

UNCLASSIFIED

UNCLASSIFIED

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--- Forwarded by John F. Hackett-DNI-STF/AGENCY on 03/13/2008 12:42 PM ---

(b)(3)

John F.
Hackett-DNI-STF/AGENCY

To

cc

Director, DNI Information
Management Office

[Redacted]

[Redacted], Mark W.
Ewing-DNI-STF/AGENCY@WMA,

(b)(3)

[Redacted]

ODNI
(b)(3)

[Redacted]

(cell)
(pager)

03/13/2008 12:42 PM

Subject Preservation of Pre-Iraq War materials in the NIC

(b)(3)

[Redacted]

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ODNI
(b)(3)

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If you have any questions, please do not hesitate to contact me.

John

UNCLASSIFIED

UNCLASSIFIED



From: [redacted]
Assistant General Counsel and
Privacy & Civil Liberties Counsel

Subject: Fw: [AIN] Re: Fw: CLPO Focal Points
Meeting/administrative details

To: [redacted]

Cc: Joseph W. Lambert

Date: 04/07/2008 09:22 AM

This message is digitally signed.

History: This message has been replied to.

I'm going to try to get a car to take us to Bolling. We should probably leave HQs at 9:00AM tomorrow morning.

Forwarded by [redacted] on 04/07/2008 09:19 AM



04/03/2008 03:47 PM

ODNI
(b)(3)

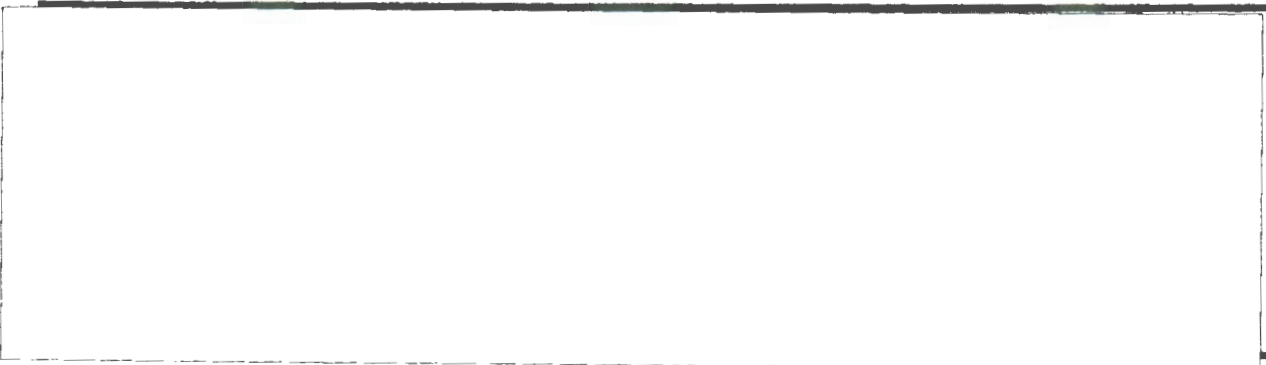
To: [redacted]

cc

Subject [AIN] Re: Fw: CLPO Focal Points Meeting/administrative details

Please respond to [redacted]

CLASSIFICATION: UNCLASSIFIED



10 a.m.

[redacted]
Deputy for Privacy
Civil Liberties and Privacy Office
Office of the Director of National Intelligence

Ph: [redacted]

[redacted] wrote: -----

To: [redacted]

From: [redacted]

Date: 04/02/2008 04:58PM

Subject: Re: Fw: CLPO Focal Points Meeting/administrative details

UNCLASSIFIED

UNCLASSIFIED

ODNI
(b)(3)

Have you set a time for the meeting on 8 April?

(b)(3)

wrote:

- > Good afternoon!
- >
- > I hope this will be the last word on administrative details:
- >
- > 1. Those of you with an IC badge issued in the last two years should be
- > able to gain entry to the building using your badge and PIN. Those who
- > do not have a recently-issued IC badge must provide [redacted] the
- > following information: SSN
- >
- > DOB
- > place of birth
- > employing agency
- > phone number
- >
- > 2. VIP parking may be available for GS-15s and up. Space availability
- > is a function of other agency activities scheduled at that time. If you
- > would like to request parking, you must provide [redacted] with the following
- > additional information:
- >
- > grade level
- > license plate number
- > car make and model
- >
- > 3. The VIP parking lot is adjacent to the DIAC. From the Visitor's
- > Gate, follow Chappie James Boulevard to the intersestion with McDill
- > Ave., turn right on McDill, follow to left entrance into lot.
- >
- > 4. General parking is available in the "gravel pit," which is beyond
- > the intersection of Chappie and McDill. Follow Chappie James Blvd.
- > until about 200 yds short of the STOP sign at the service road leading
- > to the enclosed parking building at right (you can not use this lot).
- > Entrance to the gravel lot is on your left. You will need to walk
- > around to the front entrance of the DIAC: retrace your steps on Chappie
- > James, take a left on McDill and walk length of approx. one city block
- > to entrance.
- >
- > 5. We can not settle on a room location until we know how many people
- > are attending. We will notify you of the room location by email prior
- > to the meeting or, alternately, we will meet you in the lobby and direct
- > you to the meeting place.
- >
- > 6. See attachment for driving directions.
- >
- > 7. [redacted] may be reached at [redacted]
- > <

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From: [redacted]
Assistant General Counsel and
Privacy & Civil Liberties Counsel

Subject: Fw: [AIN] Agenda attached Fw: CLPO Focal Points
Meeting/administrative details

To: Joseph W. Lambert

Cc: [redacted]

Date: 04/07/2008 03:15 PM

This message is digitally signed.

Joe-

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The attached agenda includes "Open Source Guidelines Project." Can't wait to hear what Alex would like to do with that, [redacted] and I are meeting at the SW entrance at 9:45 tomorrow morning and the OGC driver will take us to Bolling.

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[redacted]

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----- Forwarded by [redacted] on 04/07/2008 03:13 PM -----



04/07/2008 01:45 PM

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Please respond to [redacted]

To

[Large redacted area covering recipient list]

cc

Subject [AIN] Agenda attached.... Fw: CLPO Focal Points
Meeting/administrative details

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Look forward to seeing you all tomorrow.

Regards,
Alex

Alexander W. Joel
Civil Liberties Protection Officer
Office of the Director of National Intelligence
[REDACTED]

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-----Forwarded by [REDACTED] on 04/07/2008 01:29PM -----

To: [REDACTED]

(b)(3)

From: [REDACTED]
Date: 04/02/2008 04:16PM
cc: [REDACTED]
Subject: Fw: CLPO Focal Points Meeting/administrative details

Good afternoon!

I hope this will be the last word on administrative details:

- Those of you with an IC badge issued in the last two years should be able to gain entry to the building using your badge and PIN. Those who do not have a recently-issued IC badge must provide Jamel Odom the following information: SSN
DOB
place of birth
employing agency
phone number
- VIP parking may be available for GS-15s and up. Space availability is a function of other agency activities scheduled at that time. If you would like to request parking, you must provide [REDACTED] with the following additional information:

grade level
license plate number
car make and model

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3. The VIP parking lot is adjacent to the DIAC. From the Visitor's Gate, follow Chappie James Boulevard to the intersetion with McDill Ave., turn right on McDill, follow to left entrance into lot.

4. General parking is available in the "gravel pit," which is beyond the intersection of Chappie and McDill. Follow Chappie James Blvd. until about 200 yds short of the STOP sign at the service road leading to the enclosed parking building at right (you can not use this lot). Entrance to the gravel lot is on your left. You will need to walk around to the front entrance of the DIAC: retrace your steps on Chappie James, take a left on McDill and walk length of approx. one city block to entrance.

5. We can not settle on a room location until we know how many people are attending. We will notify you of the room location by email prior to the meeting or, alternately, we will meet you in the lobby and direct you to the meeting place.

6. See attachment for driving directions.

7. [redacted] may be reached at [redacted] or, if you prefer, by phone at [redacted].

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See you next week.

[redacted]
Deputy for Privacy
Civil Liberties and Privacy Office
Office of the Director of National Intelligence
Ph: [redacted]

-----Forwarded by [redacted] on 04/02/2008 11:25AM -----

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To: [redacted]

(b)(3)

From: [redacted]
Date: 04/01/2008 12:55PM
cc: [redacted]
Subject: CLPO Focal Points Meeting/administrative details

We appreciate the updated focal point designations many of you have provided.

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In order to gain entry to our facility, you must provide your SSN and DOB. It will be useful also to have your telephone number. Kindly provide this information to [REDACTED]

Our meeting will start at 10:00 a.m. This should allow enough time for everyone to drive out here, park and pass through security.

Thanks for your cooperation,
[REDACTED]

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[REDACTED]
Deputy for Privacy
Civil Liberties and Privacy Office
Office of the Director of National Intelligence
Ph: [REDACTED]

-----Forwarded by [REDACTED] on 04/01/2008 12:43PM -----

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To: [REDACTED]

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From: [REDACTED]
Date: 03/25/2008 12:39PM
cc: [REDACTED]
Subject: CLPO Focal Points Meeting/SAVE THE DATE

Greetings again!

Following up our message of March 7, we ask that you reserve the morning of Tuesday, April 8, for our next CLPO Focal Points meeting. We will confirm exact time, room location and agenda early next week.

Please let us know if your agency's CLPO designation has changed.

Thank you,
[REDACTED]

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[REDACTED]
Deputy for Privacy

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Civil Liberties and Privacy Office
Office of the Director of National Intelligence
Ph: [REDACTED]

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-----Forwarded by [REDACTED] on 03/25/2008 12:16PM -----

To: [REDACTED]

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From: alexawj/STF/UNET
Date: 03/07/2008 03:52PM
Subject: CLPO Focal Points - Update

Greetings:

It has been some time since our last meeting. As we plan for our next meeting, I wanted to circulate an update, and encourage you to reach back to us and to each other between meetings, on matters that you're working on or questions that you may have. Some folks have left our group (the PCLOB members), I don't have the email addresses of some new players (new USDI/OGCers, CIA's new privacy and civil liberties representative), etc. - so if you have suggestions on who else should be getting this email, please reply back to me - remember, this is for IC element representatives for privacy and civil liberties, and Federal agency "observers" from non-IC elements....

QUARTERLY REPORT. We submitted our first quarterly report to Congress, as required by the 9/11 Commission Act. I've attached the report together with its cover letter. This first report is non-substantive, as agreed by an interagency process coordinated by OMB. Our next report will be more substantive and will be metric-driven. Our initial thought was to provide narrative descriptions of our activities in response to the reporting requirement, but OMB had worked with staffers on the statutory language, and provided guidance that in their view the reports should be metric-oriented (indeed, the language does refer to "numbers"). Accordingly, we included brief narrative descriptions of our activities in the cover letter rather than in the body. The first report, again as agreed in the interagency process, described the process we would follow rather than the actual numbers themselves.

DATA MINING REPORT. We also submitted our first annual data mining report to Congress, and have posted it on our website. http://www.dni.gov/reports/data_mining_report_feb08.pdf. We have asked you to provide copies of your agency's reports to us, or to notify us if your agency is NOT providing a report. Please do so. The intelligence committees will expect DNI to have this information readily available, even though the reporting requirement runs to each of your departments and agencies. So

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far, only a few of you have responded to us. We are meeting with staffers today to discuss our data mining report, and will let you know how that goes.

ISE PRIVACY MANUAL. After months of hard work, the ISE Privacy Guidelines Committee has completed its online ISE Privacy Manual, to help agencies implement the ISE Privacy Guidelines. This online tool is designed to help agencies put in place an information sharing privacy policy, as required by the ISE Privacy Guidelines, so that as agencies engage in necessary terrorism information sharing activities, they also put in place required measures to protect privacy and civil liberties. See www.ise.gov, and click on the ISE Privacy Protections tab. I've also attached a power point presentation with additional guidance - it is designed as an introduction and overview and is reasonably self-explanatory and not entirely dull, if I may say so myself. There will be a more formal rollout to departments and agencies with training and additional guidance.

INTELLIGENCE COMMUNITY DIRECTIVE ON PRIVACY AND CIVIL LIBERTIES. As part of the 500 Day Plan, we included a goal of implementing an ICD on privacy and civil liberties. We have discussed this with many of you already - in essence, we believe it is important to formalize the CLPO Focal Point structure, and would like to do so in the form of an ICD. Our thought is to reconstitute this body as an IC Privacy and Civil Liberties Council (or something similarly named), consisting of the Privacy and Civil Liberties Officers of each IC element (i.e., the person designated to be the representative on those matters on the Council), etc. I've attached the actual wording from the 500-day plan. The purpose of the Council would be to collaborate on matters relating to protecting privacy and civil liberties, etc.- it would be addressed in a general way in the ICD. The ICD would also establish a mechanism for issuing guidance to the community on privacy and civil liberties matters, improving communications, etc. We will draft a document and follow the normal ICD coordination process, but will use you all as a sounding board, of course.

CLPO VACANCY ANNOUNCEMENT. CLPO has a new Assistant Civil Liberties Protection Officer position open at the GS-15 level. If you know anyone interested in this exciting opportunity, please let them know of the position announcement. We are moving to Tysons Corner, so that may be a more convenient location for folks. The vacancy announcement is at USAJOBS. <http://jobsearch.usajobs.gov/getjob.asp?JobID=69262244&AVSDM=2008%2D03%2D03+12%3A31%3A06&Logo=0&q=civil+liberties+protection+officer&FedEmp=N&sort=rv&vw=d&rd=3876&ss=0&FedPub=Y&SUBMIT1.x=0&SUBMIT1.y=0&SUBMIT1=Search+for+Jobs>

OPEN SOURCE GUIDANCE. At the request - and funding - of the Assistant Deputy DNI for Open Source, we have initiated a project to develop general privacy and civil liberties guidance for open source collectors and analysts in the Intelligence Community. We have engaged two cleared contractors to help us with that work - [REDACTED]. [REDACTED] is a former attorney with FBI's Office of General Counsel, who then worked at Microsoft for several years. He has a wealth of experience with national security law matters. [REDACTED] is a former CIA analyst who is very familiar with the Intelligence Community. Together they form an excellent team, and have been conducting research into open source methods, challenges, requirements, and existing guidance.

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We have asked them to reach out to various agencies informally, to meet with open source professionals so that they can better understand what agencies are currently doing, what their needs are, and what guidance they currently operate under, so that we can identify best practices, borrow existing guidance (rather than re-invent the wheel), etc. Our intent is not to provide or replace agency-specific guidelines, but rather to provide

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overall guidance that agencies will find useful in the open source area. We will bring together the focal points- or some subset - to discuss this project as it develops, so that you all can review and discuss the work and provide feedback. Our goal is to come up with a useful tool for the open source community, and we need your help to make that happen. Specifically, we would appreciate your assistance in setting up informal meetings between our contractors and your open source personnel - we'll be in touch with you individually for that.

On thing we are trying are the areas where different agencies might take different approaches, or might be unsure as to what approach to take given the "newness" of the medium. These might include: commercial data providers, user-posted content on the Internet (e.g., user-posted videos, social networking content), websites on which users post communications (blogs, bulletin boards) etc. Some agencies may have issued guidance that might be useful for others. It might also be interesting to note whether there are differences in approaches, recognizing, of course, that such might well be justified by agency mission, authorities, etc. This is a rich and interesting project that I think the group will enjoy discussing.

PRIVACY ACT SORNS. ODNI published its first set of Privacy Act SORNS in January, along with its Privacy Act regulations, and received no comments. <http://frwebgate6.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=901639508556+0+0&WAISaction=retrieve>.

IC PRIVACY and IT ADVISORY GROUP. Given the number and complexity of questions we are receiving from various agencies that relate to CIO and IT issues, we are considering forming an IC Privacy and IT advisory group, to be chaired by [REDACTED], my Deputy for Privacy. The impetus for this grows largely from the questions being generated by the various issuances from OMB regarding IT systems, FISMA, CIO responsibilities, and by other legal and regulatory issues impacting the intersection of CIO/technical and privacy domains, as they specifically - and uniquely - relate to intelligence agencies. Since this set of issues is discrete, complex, technical, and not of the type that normally is dealt with by some of the representatives that I see at CLPO Focal Point meetings (who sometimes tend to be more of the "US person rules" persuasion than of the "OMB M-07-16" ilk), we felt it best to create a different group that was more tightly focused on addressing these particular issues, that would involve a privacy representative and a technical/CIO representative from the IC elements. There is an added synergy here, in that [REDACTED] has direct and recent OMB privacy experience, having been their senior privacy analyst. I emphasize that this is an advisory group only, designed to facilitate inter-IC element consultation. This suggestion has been enthusiastically received by those who have heard of it so far. I am throwing it out to you all to see if you have a reaction.

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NEXT MEETING: We are working toward having a meeting in the coming weeks, and will send around an email with more information.

Regards,
Alex

Alexander W. Joel
Civil Liberties Protection Officer
Office of the Director of National Intelligence
[REDACTED]

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C05973062

Approved for release by ODNI on 12-17-2015, FOIA Case DF-2015-00208.

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(See attached file: Focal Point Mtg Agenda 4-7-08.doc) Focal Point Mtg Agenda 4-7-08.doc

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From: [Redacted]

Subject: Fw: [AIN] FYI: IC Classification Guidance Findings And Recommendations Report , January 2008

(b)(3)

Date: 04/09/2008 08:25 AM

To: Joseph W. Lambert, [Redacted]

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Cc: [Redacted]

This message is digitally signed.

All...

FYI no action requested.

The latest from the ISSC.

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----- Forwarded by [Redacted] on 04/09/2008 08:23 AM -----

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Sent by: [Redacted]

04/08/2008 06:30 PM

Please respond to [Redacted]

To: [Redacted]

cc: [Redacted]

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Subject [AIN] FYI: IC Classification Guidance Findings And Recommendations Report, January 2008

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[REDACTED]

This message is sent on behalf of [REDACTED]

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During the last Intelligence Community Information Sharing Steering Committee on 25 March 2008, we promised to distribute the *IC Classification Guidance Findings And Recommendations Report*, January 2008.

The attached report is for your information and use. To further clarify, this report was sent to you on 31

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October 2007 for your review and comment. Should you have any questions, please contact the Committee Support Team at [REDACTED]

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Again, thank you for your continued support and contributions.

[REDACTED]
Chief, Intelligence Community Information Sharing
Office of the Director of National Intelligence

This message is sent on behalf of [REDACTED].



IC Classification Guidance Findings And Recommendations Report.pdf

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From: [Redacted]

Subject: Fw: [AIN] FW: For Your Information : Memorandum from the President on the Designation and Sharing of Controlled Unclassified Information (CUI)

(b)(3)

To: Adolfo Tarasiuk-Jr., [Redacted] Joseph W. Lambert, [Redacted]

(b)(3)

Cc: [Redacted]

Date: 05/13/2008 04:21 PM

This message is digitally signed.

AI et al,

After all these months, the PM-ISE's recommendation on Controlled Unclassified Information is out of the White House. The DNI intends to use the Information Sharing Steering Committee as the forum for coordinating implementation activities across the IC. This has been added to the 19 May ISSC agenda. There is no immediate action required; the memo requires implementation within five years.. The full text of the President's Memorandum is appended at the very end of this note, FYI.

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[Redacted] Forwarded by [Redacted] on 05/13/2008 04:14 PM

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[Redacted]

To [Redacted]

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cc

05/13/2008 04:11 PM

Subject [AIN] FW: For Your Information: Memorandum from the President on the Designation and Sharing of Controlled Unclassified Information (CUI)

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Please respond to [Redacted]

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[Large redacted area]

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From: [Redacted] On Behalf Of [Redacted]

Sent: Tuesday, May 13, 2008 2:30 PM

To: [Redacted]

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[Redacted]

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[Redacted]

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[Redacted]

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[Redacted]

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[Redacted]

Subject: For Your Information: Memorandum from the President on the Designation and Sharing of Controlled Unclassified Information (CUI)

This message is sent on behalf of [Redacted].

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On 9 May 2008, the President issued a Memorandum for the Heads of Executive Departments and Agencies on the Designation and Sharing of Controlled Unclassified Information (CUI). This Memorandum is publicly available on the White House website at: <http://www.whitehouse.gov/news/releases/2008/05/20080509-6.html>.

The Intelligence Community Information Sharing Executive, [Redacted] will coordinate CUI implementation activities for the IC collaboratively through the IC Information Sharing Coordinating Committee ("the Committee"). We will review the CUI Memorandum and discuss the initial implementation implications for the IC at the next Committee meeting on Monday, 19 May 2008.

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Many areas – technology, budget, security, training, policy and legal – will need to be addressed as we progress with the development of an IC implementation strategy consistent with other Federal guidance.

The CUI framework described in the Memorandum is designed to enhance information sharing by providing a standard methodology for marking unclassified information that requires protection from unauthorized disclosure. The CUI framework replaces the more than 117 handling caveats for unclassified information (e.g., For Official Use Only, Agency Internal Use Only and Law Enforcement Sensitive) which is currently in use throughout the government. Additionally, there are several important points to note from the Memorandum:

- National Archives and Records Administration (NARA) is named as the Executive Agent;
- The CUI Council, a subcommittee to the Information Sharing Council, will be chaired by NARA and is responsible for advising NARA on implementation requirements (procedures, guidelines and standards);
- Implementation of the CUI framework is required within five (5) years;
- The CUI framework applies to new, existing, and archived or legacy material; and
- Four exceptions (specified in the Memorandum) to the CUI framework were granted to accommodate infrastructure protection agreements.

We look forward to working with you on this effort as it will require significant coordination and effort over the next five years, but I am confident that we will be able to implement it across the IC with all of our participation.

As always, we appreciate your continued support and dedication to improving information sharing. Should you have any questions, please contact us by email at [REDACTED]

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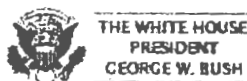
[REDACTED]

[REDACTED]

Deputy Associate Director of National Intelligence
for Information Sharing

This message is sent on behalf of [REDACTED]

-----TEXT OF PRESIDENTIAL MEMO-----



For Immediate Release
Office of the Press Secretary
May 9, 2008

Memorandum For The Heads Of Executive Departments And Agencies

White House News

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JECT: Designation and Sharing of Controlled Unclassified Information (CUI)

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Purpose

(1) This memorandum (a) adopts, defines, and institutes "Controlled Unclassified Information" (CUI) as the single, categorical designation henceforth throughout the executive branch for all information within the scope of that definition, which includes most information heretofore referred to as "Sensitive But Unclassified" (SBU) in the Information Sharing Environment (ISE), and (b) establishes a corresponding new CUI Framework for designating, marking, safeguarding, and disseminating information designated as CUI. The memorandum's purpose is to standardize practices and thereby improve the sharing of information, not to classify or declassify new or additional information.

Background – The Current SBU Environment

(2) The global nature of the threats facing the United States requires that (a) our Nation's entire network of defenders be able to share information more rapidly so those who must act have the information they need, and (b) the United States Government protect sensitive information, information privacy, and other legal rights of Americans. A uniform and more standardized governmentwide framework for what has previously been known as SBU information is essential for the ISE to succeed. Accordingly, this memorandum establishes a standardized framework designed to facilitate and enhance the sharing of Controlled Unclassified Information.

Definitions

(3) In this memorandum, the following terms have the meaning indicated:

a. "Controlled Unclassified Information" is a categorical designation that refers to unclassified information that does not meet the standards for National Security Classification under Executive Order 12958, as amended, but is (i) pertinent to the national interests of the United States or to the important interests of entities outside the Federal Government, and (ii) under law or policy requires protection from unauthorized disclosure, special handling safeguards, or prescribed limits on exchange or dissemination. Henceforth, the designation CUI replaces "Sensitive But Unclassified" (SBU).

b. "CUI Council" is a subcommittee of the Information Sharing Council (ISC), created by the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) (IRTPA).

c. "CUI Framework" refers to the single set of policies and procedures governing the designation, marking, safeguarding, and dissemination of CUI terrorism-related information that originates in departments and agencies, regardless of the medium used for the display, storage, or transmittal of such information.

d. "CUI Framework Standards Registry" (the "CUI Registry") refers to the official list of, and recognized standards for, CUI markings including "safeguarding," and "dissemination" maintained by the Executive Agent.

e. "Departments and Agencies" means executive agencies as defined in section 105 of title 5, United States Code; the United States Postal Service; but not the Government Accountability Office.

f. "Enhanced Safeguarding" is a handling requirement that means the information so designated is subject to measures more stringent than those normally required because inadvertent or unauthorized disclosure would create a risk of substantial harm. This requirement is indicated by the marking "Controlled Enhanced."

g. "Executive Agent" means the National Archives and Records Administration (NARA).

h. "Information" means any communicable knowledge or documentary material, regardless of its physical form or characteristics, that is owned by, is produced by or for, or is under the control of the Federal Government.

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- i. "Information Sharing Environment" means an approach that facilitates the sharing of "terrorism information," as defined by section 1016 of IRTPA.
- j. "Safeguarding" means measures and controls that are prescribed to protect controlled unclassified information.
- k. "Sensitive But Unclassified" refers collectively to the various designations used heretofore within the Federal Government for documents and information that are sufficiently sensitive to warrant some level of protection from disclosure but that do not warrant classification.
- l. "Specified Dissemination" is a handling instruction that means the information so designated is subject to additional instructions governing the extent to which dissemination is permitted.
- m. "Standard Dissemination" is a handling instruction that means dissemination is authorized to the extent it is reasonably believed that dissemination would further the execution of lawful or official mission purpose, provided that individuals disseminating this information do so within the scope of their assigned duties.
- n. "Standard Safeguarding" is a handling requirement that means the information so designated is subject to baseline safeguarding measures that reduce the risks of unauthorized or inadvertent disclosure. This requirement shall be indicated through the use of the marking "Controlled."
- o. "Terrorism-Related Information" means (i) information, as defined by Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, section 504; (ii) homeland security information, as defined by 6 U.S.C. 482(f); and (iii) law enforcement information relating to terrorism.

Policy – The CUI Framework

(4) The uniform use of CUI is essential to fostering an effective ISE. All departments and agencies shall apply the CUI Framework, which consists of the following policies and standards, as outlined in paragraphs 5-19 for the designation, marking, safeguarding, and dissemination of any CUI terrorism-related information within the ISE that originates in departments and agencies, regardless of the medium used for its display, storage, or transmittal.

(5) All CUI shall merit one of two levels of safeguarding procedures: standard (marked "Controlled") or enhanced (marked "Controlled Enhanced").

(6) All CUI shall merit one of two levels of dissemination controls: "Standard Dissemination" or "Specified Dissemination."

(7) All CUI shall be (a) categorized into one of three combinations of safeguarding procedures and dissemination controls, and (b) so indicated through the use of the following corresponding markings:

(i) "**Controlled with Standard Dissemination**" meaning the information requires standard safeguarding measures that reduce the risks of unauthorized or inadvertent disclosure. Dissemination is permitted to the extent that it is reasonably believed that it would further the execution of a lawful or official purpose.

(ii) "**Controlled with Specified Dissemination**" meaning the information requires safeguarding measures that reduce the risks of unauthorized or inadvertent disclosure. Material contains additional instructions on what dissemination is permitted.

(iii) "**Controlled Enhanced with Specified Dissemination**" meaning the information requires safeguarding measures more stringent than those normally required since the inadvertent or unauthorized disclosure would create risk of substantial harm. Material contains additional instructions on what dissemination is permitted.

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(8) Any additional CUI markings may be prescribed only by the Executive Agent. Use of additional CUI markings is prohibited unless the Executive Agent determines that extraordinary circumstances warrant the use of additional markings.

(9) Departments and agencies shall apply the CUI Registry's standards. The originator of CUI may not impose any additional safeguarding or dissemination requirements upon the recipient(s). No department or agency shall create CUI categories or rules outside the CUI Framework.

(10) Recipients of CUI shall report any unauthorized or inadvertent disclosures to the designating agency.

(11) All CUI shall be marked in a clear manner and conform to statutory and regulatory requirements, if any, regarding markings. Recipients of CUI that is not marked shall mark the information appropriately and inform the originator that it has been so marked.

(12) Wherever possible, it is expected that departments and agencies will re-mark archived or legacy material when it is incorporated into the ISE.

(13) CUI markings may inform but do not control the decision of whether to disclose or release the information to the public, such as in response to a request made pursuant to the Freedom of Information Act (FOIA).

(14) Originating departments and agencies shall retain control of decisions regarding whether to disseminate CUI materials beyond their Standard or Specified Dissemination instructions, including any dissemination to the media or general public.

(15) Material that contains both CUI and non-CUI information, or that contains multiple categories of CUI, should be marked accordingly by portions such that those categorical distinctions are apparent.

(16) The CUI markings shall be incorporated into ISE-related information technology (IT) projects under development or developed in the future and shall be reflected in plans for new information technologies.

(17) The CUI markings shall be used regardless of the medium through which the information appears or conveys. Oral communications should be prefaced with a statement describing the controls when necessary to ensure that recipients are aware of the information's status.

(18) Departments or agencies shall not impose safeguarding requirements or dissemination controls on information in the ISE that is neither classified nor CUI.

(19) When a department or agency receives CUI originating from a State, local, tribal, private sector, or foreign partner, any nonfederal legacy markings shall be retained, unless the originator authorizes its removal.

(20) Implementation of the CUI Framework shall commence upon the date of this memorandum and shall be completed within 5 years.

CUI Framework Implementation

(21) The Executive Agent shall be responsible for overseeing and managing implementation of this CUI Framework.

(22) The Executive Agent shall have the following authorities and responsibilities:

a. Develop and issue CUI policy standards and implementation guidance consistent with this memorandum, including appropriate recommendations to State, local, tribal, private sector, and foreign partner entities for implementing the CUI Framework. As appropriate, establish new safeguarding and

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dissemination controls, and, upon a determination that extraordinary circumstances warrant the use of additional CUI markings, authorize the use of such additional markings;

- b. Establish and chair the CUI Council;
- c. Establish, approve, and maintain safeguarding standards and dissemination instructions, including "Specified Dissemination" requirements proposed by the heads of departments and agencies;
- d. Publish the CUI safeguarding and dissemination standards in the CUI Registry;
- e. Monitor department and agency compliance with CUI policy, standards, and markings;
- f. Establish baseline training requirements and develop an ISE-wide CUI training program to be implemented by departments and agencies;
- g. Provide appropriate information regarding the CUI Framework to the Congress, to State, local, tribal, and private sector entities, and to foreign partners;
- h. Advise the heads of departments and agencies on the resolution by the CUI Council of complaints and disputes among such departments and agencies concerning the proper designation or marking of CUI; and
- i. Establish, in consultation with affected departments and agencies, a process that addresses enforcement mechanisms and penalties for improper handling of CUI.

(23) A CUI Council is hereby established as a subcommittee of the ISC. Its members shall be drawn from the ISC's membership. The CUI Council shall:

- a. Serve as the primary advisor to the Executive Agent on issues pertaining to the CUI Framework;
- b. Advise the Executive Agent in developing procedures, guidelines, and standards necessary to establish, implement, and maintain the CUI Framework;
- c. Ensure coordination among the departments and agencies participating in the CUI Framework;
- d. Advise the Executive Agent on the resolution of complaints and disputes among departments and agencies about proper designation or marking of CUI; and
- e. As appropriate, consult with the ISC's State, Local, Tribal, and Private Sector Subcommittee.

(24) The head of each department and agency with possession of terrorism-related information shall:

- a. Ensure the implementation of the CUI Framework within such department or agency;
- b. Promulgate guidance for the implementation of the CUI Framework within such department or agency, consistent with ISE-wide CUI policies issued by the CUI Executive Agent, as established in paragraph 21;
- c. Adopt markings listed in the CUI Registry maintained by the Executive Agent as the exclusive CUI markings used by such department or agency, consistent with paragraphs 5-8 of this memorandum;
- d. Propose any necessary "Specified Dissemination" instructions to the Executive Agent for approval and listing in the CUI Registry;
- e. Designate an appropriately qualified senior official from within the department or agency as its representative on the CUI Council;

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- f. Implement a CUI training program for their respective department or agency, based on the ISE-wide training program established by the Executive Agent, and ensure all appropriate personnel (i) understand CUI policies and procedures, and (ii) can apply them when creating, disseminating, or safeguarding CUI material;
- g. Establish a process that enables their respective department or agency to address noncompliance with the new CUI Framework within the agency, and ensure management and oversight issues or concerns can be elevated to the appropriate department or agency decision-makers;
- h. Establish a process within their respective department or agency that, where appropriate, promptly raises to the Executive Agent matters of concern regarding the Framework; and
- i. Ensure full implementation of the CUI Framework, consistent with policies, guidance, and standards established by the Executive Agent, within 5 years of the date of this memorandum.

Designating CUI

(25) Information shall be designated as CUI and carry an authorized CUI marking if:

- a. a statute requires or authorizes such a designation; or
- b. the head of the originating department or agency, through regulations, directives, or other specific guidance to the agency, determines that the information is CUI. Such determination should be based on mission requirements, business prudence, legal privilege, the protection of personal or commercial rights, safety, or security. Such department or agency directives, regulations, or guidance shall be provided to the Executive Agent for review.

(26) Notwithstanding the above, information shall not be designated as CUI:

- a. to (i) conceal violations of law, inefficiency, or administrative error; (ii) prevent embarrassment to the Federal Government or any Federal official, any organization, or agency; (iii) improperly or unlawfully interfere with competition in the private sector; or (iv) prevent or delay the release of information that does not require such protection;
- b. if it is required to be made available to the public; or
- c. if it has already been released to the public under proper authority.

Exceptions to CUI

(27) This memorandum requires that all CUI originated by departments and agencies and shared within the ISE shall conform to the policies and standards for the designating, marking, safeguarding, and disseminating established in accordance with this memorandum. However, infrastructure protection agreements not fully accommodated under the CUI Framework (and its associated markings, safeguarding requirements, and dissemination limitations) shall be considered exceptions to this CUI Framework. Infrastructure protection exceptions include and apply to information governed by or subject to the following regulations:

- a. 6 CFR Pt. 29 – PCII (Protected Critical Infrastructure Information);
- b. 49 CFR Pts. 15 (Department of Transportation) & 1520 (Department of Homeland Security/Transportation Security Administration) – SSI (Sensitive Security Information);
- c. 6 CFR Pt. 27 – CVI (Chemical Vulnerability Information); and

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d. 10 CFR Pt. 73 – SGI (Safeguards Information).

(28) The CUI Framework shall be used for such information to the maximum extent possible, but shall not affect or interfere with specific regulatory requirements for marking, safeguarding, and disseminating.

(29) The affected department or agency is authorized to select the most applicable CUI safeguarding marking for the regulation. Any additional requirements for the safeguarding beyond that specified under the CUI Framework shall be appropriately registered in the CUI Registry. Any regulatory marking shall follow the CUI marking, and a specified dissemination instruction shall articulate any additional regulatory requirements.

General Provisions

(30) This memorandum:

a. shall be implemented in a manner consistent with applicable law, including Federal laws protecting the information privacy rights and other legal rights of Americans, and subject to the availability of appropriations;

b. shall be implemented in a manner consistent with the statutory authority of the principal officers of departments and agencies as heads of their respective departments or agencies;

c. shall not be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, and legislative proposals; and

d. is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

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(b)(3)
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(b)(3)


From: [Redacted]

Subject: Now we have "QWEEQ" // NARA establishment of CUIO

To: [Redacted]

Cc: Joseph W. Lambert, [Redacted]

Date: 05/21/2008 06:00 PM



This message is digitally signed.

Hello all,

Jay Bosanko is now Director of ISOO and CUIO. We're going to have to figure out how CUIO plays with the PM-ISE and where CIA fits in this mix. The process has started for adoption of CUI. >>> [Redacted]

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Forwarded by [Redacted] on 05/21/2008 05:57 PM

To: [Redacted]

cc: Joseph W. Lambert/STF/AGENCY@WMA, [Redacted]

Subject: NARA establishment of CUIO

05/21/2008 03:13 PM



DAC,

We have received from the office of the Program Manager for the Information Sharing Environment (PM-ISE) the attached memorandum from NARA regarding its establishment of a Controlled Unclassified Information Office in support of the 9 May Presidential Memorandum on CUI.

(b)(3) No action is required. We suggest info distribution to CIO (for IMS especially) and [Redacted] plus others as you see fit. Thanks.

(b)(3)
(b)(3)


Forwarded by [Redacted] on 05/21/2008 03:09 PM

To: [Redacted]

cc: [Redacted]

05/21/2008 03:02 PM

Subject: [Redacted] null



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ODNI
(b)(3)

Please respond to [Redacted]@ [Redacted]

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CLASSIFICATION: UNCLASSIFIED

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ISC Members,

In accordance with the Presidential Memorandum to the Heads of Departments and Agencies on the *Designation and Sharing of Controlled Unclassified Information (CUI)*, released May 09, 2008:

Attached, please find the letter from Allen Weinstein, Archivist of the United States, which establishes, within the National Archives and Records Administration (NARA), the Controlled Unclassified Information Office (CUIO), and appoints Mr. William J. Bosanko as its Director.

In addition, this letter acknowledges the interagency CUI Council, which will serve as the primary advisor to the Executive Agent and explains that a formal request for your Department's or Agency's nominee to the CUI Council will come from the PM-ISE shortly.

Thank you.

ISC Executive Secretariat



Archivist CUI Memo 20080521.pdf

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From: OPA Notice
Sent by: [REDACTED]
Office of Public Affairs
Date: 05/22/2008 04:34 PM

Subject: A Message from the DNI : Memorial Day
To: Joseph W. Lambert

This message is digitally signed.

Director of National Intelligence
Washington, D.C. 20511

May 22, 2008

Dear Colleagues,

This weekend we once again pause to remember the servicemen and women who have given their lives for our country. Those of us in the Intelligence Community especially recall our own brave colleagues who serve in and alongside the military, and paid the ultimate price in order to preserve our freedom. Their sacrifice is a stark reminder of the crucial role the Community plays in keeping the United States secure.

There is no way to completely repay the debt we owe these brave men and women and their families. But we can honor them by taking this time to remember their sacrifice and rededicate ourselves to providing the best possible intelligence to support the efforts of our service members and protect our nation.

Sincerely,
J. M. McConnell

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Department's or Agency's nominee to the CUI Council will come from the PM-ISE shortly. An accompanying press release can be found at: <http://www.archives.gov/press/press-releases/2008/nr08-107.html>.

Additional information will be provided as it becomes available.

Should you have any questions, please contact [REDACTED] or the Committee Support Team at [REDACTED]

ODNI
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Thank you,

[REDACTED]

Chief, Information Sharing Environment Strategic Engagements
Intelligence Community Information Sharing

This message is being sent on behalf of [REDACTED]



CUI Framework Background Document.pdf ArchivistCUIMemo.pdf

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From: Joseph W. Lambert
Director, Information Management
Services

Subject: Re: Fw: [AIN] ***SLIAG INFO/ACTION*** SLIAG Agenda
and other related documents for - May 30, 2008

Date: 05/30/2008 04:29 PM

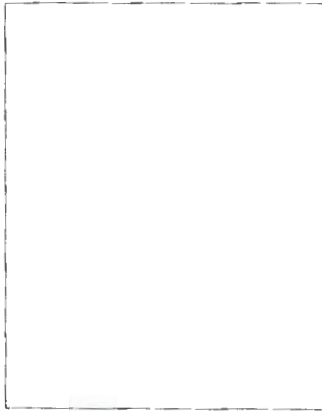
To: [Redacted]

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(b)(5)
(b)(5)

The first document I got the FBI to amend the offending sentence to read -- [Redacted]
[Redacted] The second document will be discussed at the June
meeting. -- Joe

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[Redacted]



To Joseph W. Lambert/STF/AGENCY@WMA
cc

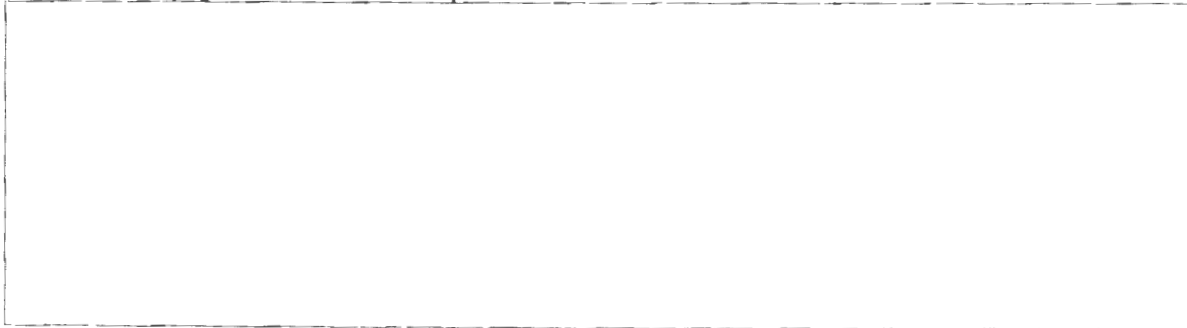
Subject Re: Fw: [AIN] ***SLIAG INFO/ACTION*** SLIAG Agenda and
other related documents for - May 30, 2008

05/28/2008 06:23 PM

Joe,

This document is actually an excellent description/ConOps for how information flow -- in both direction --
between the Federal Gov't (DHS and FBI as the conduits) and the Fusion Centers. I have one comment
embedded on page 3. The sentence in question is:

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This, too, is a very FBI-DHS focused document; I see no CIA equities and recommend concurrence.

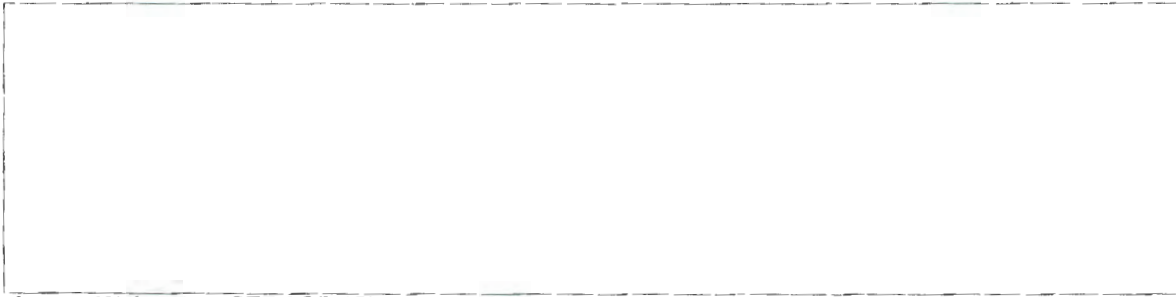
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Joseph W. Lambert/STF/AGENCY

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Joseph W. Lambert/STF/AGENCY

To [redacted]

cc

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Director, Information Management Services

Subject Re: Fw: [AIN] ***SLIAG INFO/ACTION*** SLIAG Agenda and other related documents for - May 30, 2008



05/28/2008 10:41 AM

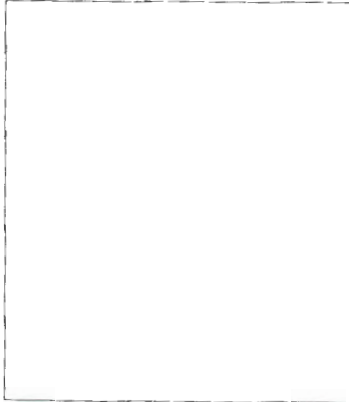
(b)(3)

- Do you have any issues with either document they will want me to concur with on behalf of CIA?

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(b)(3)



To Joseph W. Lambert/STF/AGENCY@WMA

cc [redacted]

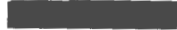
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Subject Fw: [redacted] ***SLIAG INFO/ACTION*** SLIAG Agenda and other related documents for - May 30, 2008

05/27/2008 01:43 PM

----- Forwarded by [redacted] on 05/27/2008 01:42 PM -----



05/22/2008 05:58 PM

ODNI (b)(3)

To [redacted]

cc [redacted]

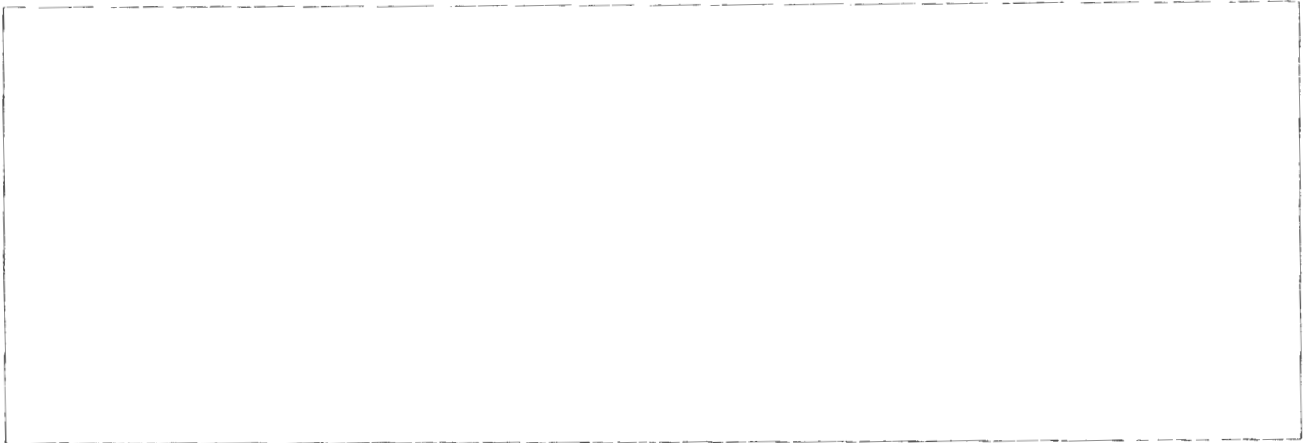
Subject [AIN] ***SLIAG INFO/ACTION*** SLIAG Agenda and other related documents for - May 30, 2008

Please respond to [redacted]

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Sent on behalf of the ISC Executive Secretariat:

Dear SLIAG Members,

Attached is the agenda for the Friday, May 30, 2008 SLIAG meeting, 10:00 am - 12:00 pm. Please confirm your attendance to the ISC Executive Secretariat by indicating if you will be attending in person or dialing in.

As noted in the agenda, SLIAG members will be asked to concur/non-concur with two documents:

- 1. Coordinated Support Plan
- 2. National Fusion Center Capability Program White Paper

ODNI
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These documents are attached for your review. Please provide comments to [redacted] at



sliaag agenda 5-30-08.doc soc sliaag mtg 4-25-08 Final.doc Coordinated Support Plan final - May 22, 2008.doc



NFCCG White Paper National Fusion Center Capability Program.doc

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(b)(3)
(b)(3)
(b)(3)

From: [Redacted]

Subject: Fw: Phase II Report Release Date -- June 5, 2008

To: [Redacted]

Cc: [Redacted] Joseph W. Lambert

Date: 06/05/2008 07:59 AM

This message is digitally signed.

I did not see you on distro.

(b)(3)

--- Forwarded by [Redacted] on 06/05/2008 07:56 AM ---

(b)(3)



ODNI/OLA
06/04/2008 03:41 PM

ODNI
(b)(3),
(b)(6)

To: [Redacted]

cc: [Redacted]

John F. Hackett-DNI-STF/AGENCY@WMA

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(b)(3)
(b)(3)

Subject Phase II Report Release Date -- June 5, 2008

CLASSIFICATION: UNCLASSIFIED//~~FOUO~~

Colleagues:

The SSCI will release the remaining Phase II reports on its website -- at 9 a.m. on June 5 (see: the Senate Intelligence Committee's website <http://intelligence.senate.gov/>)

I'm informed that our PAO office will discuss this issue at their regular 10:30 am IC public affairs call tomorrow morning. We have advised PAO staff that, in conducting the review, we informed the Committee that:

"We reviewed the material cited in the reports for declassification purposes only. The interpretations, views, and selection of intelligence judgments contained in the reports are solely those of the Committee and its Members."

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We expect our statement will reflect this in some fashion.

The SSCI web release will be followed by a press conference. The associated media advisory is below. Finally, for your information only, I have attached a summary and conclusions of the reports, which may be of use in briefing your Principals.



Phase II Final Update.doc

I should receive an advance copy of the reports tonight and will forward them ASAP, if I do.

Regards,

[Redacted signature]

ODNI
(b)(3)

MEDIA ADVISORY

Thursday, June 5, 2008

**SENATE INTELLIGENCE COMMITTEE UNVEILS FINAL PHASE II REPORTS ON
PREWAR IRAQ INTELLIGENCE**

-Two Bipartisan Reports Detail Administration Misstatements on Prewar Iraq, and Inappropriate Intelligence Activities by Pentagon Policy Office-

11:00 a.m. – Press Conference

What: The Senate Select Committee on Intelligence will provide comment on the final two remaining sections of their Phase II report on prewar intelligence.

Who: Chairman John D. Rockefeller IV and Members of the Intelligence Committee: Senators Dianne Feinstein, Ron Wyden, Sheldon Whitehouse.

When: Thursday, June 5, 2008 11:00 a.m.

Where: S-325

10:00 a.m. – Pen and Pad Background

What: Pen and pad background session where staff of the Senate Intelligence Committee will answer questions about the two reports.

When: Thursday, June 5, 2008
10:00 a.m.

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Where: S-120
U.S. Capitol

ODNI
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- ODNI/OLA

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(b)(3) [Redacted]

From: [Redacted]

Subject: **Re: Release of two SSCI Reports and the Oct 2002 Iraq WMD NIE**

To: John F. Hackett-DNI-

Cc: [Redacted] Joseph W. Lambert, [Redacted]

ODNI (b)(3)

Date: 06/09/2008 07:47 AM

This message is digitally signed.

John,

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[Redacted] We have
 declassified nothing beyond what was released via the White House in 2004.
 [Redacted]

(b)(3)

John F. Hackett-DNI-/STF/AGENCY

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John F. Hackett-DNI-/STF/AGENCY

Director, DNI Information Management Office

ODNI (b)(3)

[Redacted] (S)
 (u)
 (cell)
 (pager)
 06/06/2008 02:46 PM

To: [Redacted]

cc: Joseph W. Lambert/STF/AGENCY@WMA, [Redacted]

Subject: Release of two SSCI Reports and the Oct 2002 Iraq WMD NIE

(b)(3)

With the release of the two new SSCI reports, the IC, especially CIA and DOD, should expect a new wave of FOIA requests.

With the renewed interest in the Pre-Iraq War intelligence, I would like to re-state an earlier request from the ODNI. My office would like to be coordinated on any responses for FOIA or MDR requests for ODNI legacy Pre-War records (such as materials produced by the NIC).

We are particularly interested in the CIA's processing of FOIA requests relating to the Oct 2002 Iraq WMD NIE. Since I think you may already have some requests, could you please provide us a status of the current requests for this document? Have there been any releases (full or in part) of this document?

I look forward to hearing from you.

John

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From: [Redacted] Subject: Fw: CIA Meeting on CBT moved to 2 July at 1:00 p.m.
To: [Redacted]
Cc: Joseph W. Lambert

Date: 06/11/2008 11:14 AM

This message is digitally signed.

(b)(3)

[Redacted] This meeting was previously scheduled for June 18 and may have been on Joe's calendar as he had expressed interest in attending. If Joe has time and would like to attend, this is the revised schedule for the meeting. Please let me know if you have any questions. Thanks much!

(b)(3)

[Redacted]

(b)(3)

Forwarded by [Redacted] on 06/11/2008 11:11 AM

(b)(3)



[Redacted]

To: [Redacted]

cc: [Redacted]

Secure: [Redacted]
Non-secure: [Redacted]
ODNI/SSC/CAPCO
06/10/2008 12:09 PM

Subject CIA Meeting on CBT moved to 2 July at 1:00 p.m.

ODNI
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Hi guys,

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I talked with [Redacted] over at CIA to reschedule the CBT meeting.

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They are available Wednesday, 2 July from 1 - 2 p.m. at their [Redacted] facility. We will be meeting in [Redacted] office in the IMS front office in [Redacted] I have put in on the CAPCO calendar. A couple of days ahead of time we will need to give [Redacted] our IC badge numbers and our SSN's so she can put in the visitor request for the building.

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Also, she'd like us to send her a more detailed description of the modules we would like to keep and they types of modifications we have in mind. With that information she can give us a better estimate of the cost. Let's plan on doing this next week so we can get it to her with plenty of time for her calculations.

Questions/concerns, please let me know.

Thanks, [Redacted]

ODNI
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ODNI
(b)(3)

From: [Redacted]

ODNI IMO
(secure) [Redacted]

Subject: New ODNI IMO Contact Information

To: [Redacted] Joseph W. Lambert

Date: 06/24/2008 02:01 PM

This message is digitally signed.

History: This message has been forwarded.

Effective 30 June, the ODNI Information Management Office (IMO) will be moving to our new location. Our new contact information is:

Mailing Address

Director of National Intelligence (DNI)
Information Management Office
Washington DC 20511
Attn: FOIA

Courier/Internal Mail

Director, Information Management Office
ODNI
LX2 [Redacted]
Attn: FOIA

ODNI
(b)(3)

Fax Number: 703-275-1267
FOIA Requester Service Center : 703-275-2210

John Hackett's Phone Numbers

[Redacted]

Unclassified Group Email Addresses
DNI-FOIA@ugov.gov
DNI-PublicationReview@ugov.gov

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(b)(3)

From: John F. Hackett-DNI-
Director, DNI Information
Management Office

Subject: Fw: Update on DNI merger with NCTC P & A
To: Joseph W. Lambert, [redacted]

[redacted]

(cell)
(pager)

Date: 06/26/2008 11:34 AM

ODNI
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This message is digitally signed.

— Forwarded by John F. Hackett-DNI-STF/AGENCY on 06/26/2008 11:33 AM —

[redacted] To DNI-ALL
DNI cc
06/26/2008 08:26 AM Subject Update

Colleagues, to keep you apprised of the progress in enhancing the ODNI mission, I want to provide the following status update for the Directorate of Mission Support (DMS):

[redacted] has prepared the Directorate of Mission Support (DMS) to launch on 30 June, as scheduled. Attached is an organizational chart reflecting the DMS structure. All support personnel associated with the ODNI and OGA support providers will link to DMS. This is in keeping with the leadership vision of integrated support to the total ODNI enterprise. As such, [redacted] and his staff are positioned to document and move forward all actions in the defined business areas.

ODNI
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While we improve consistency of service delivery to all ODNI components, our concurrent goal is to NOT add workload to your organizations or nonsupport personnel. In fulfilling this goal and as we complete our transition to the Liberty Crossing Compound, some Administrative changes will be noticeable but most have minimal impact or will be transparent to customers of these services. To assist with this transition, DMS has established a Support Operations Staff headed by [redacted]. This Staff is chartered with the development and assurance of service support fulfillment standards. [redacted] and his staff are available to address corporate questions or concerns at the DMS hotline [redacted] secure, or through Lotus Notes [redacted].

As the Directorate of Mission Support continues it's stand-up, additional announcements will be published to the workforce. Within the next several days, we will staff a formal mission support CONOPS for senior management comment.

[redacted]

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C05980573 .

Approved for release by ODNI on 12-17-2015, FOIA Case DF-2015-00208.

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DMS Org Chart 6-26-08.doc

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From: Joseph W. Lambert
Sent by: [Redacted]
Director, Information Management Services
Date: 06/30/2008 10:04 AM

Subject: Fw: Corrected Re: Follow up on Statement made in TISWG Meeting of Wednesday June 25
To: [Redacted]
Cc: Joseph W. Lambert

(b)(3)



I am forwarding this to you at Joe's request (Joe is not in today).

(b)(3)

(b)(3)



Forwarded by [Redacted] on 06/30/2008 09:34 AM



Alexander W. Joel-DNI-/STF/AGENCY
Civil Liberties Protection Officer
Office of the Director of National Intelligence

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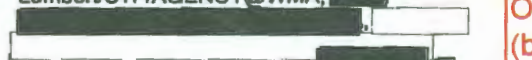
06/27/2008 05:59 PM

To: Alexander W. Joel-DNI-/STF/AGENCY@WMA

cc: [Redacted]



[Redacted] Joseph W. Lambert/STF/AGENCY@WMA, [Redacted]



ODNI (b)(3)

Subject: Corrected Re: Follow up on Statement made in TISWG Meeting of Wednesday June 25

Please note - there is one slide in Powerpoint attachment that is classified SECRET. I have therefore re-classified this note SECRET. It is FOUO without the Powerpoint attachment.

Regards,
Alex

ODNI (b)(3)

Alexander W. Joel
ODNI Civil Liberties Protection Officer

Unclassified email and BB: [Redacted]

Alexander W. Joel-DNI-/STF/AGENCY

(b)(3)

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(b)(3)

(b)(3)



Alexander W. Joel-DNI-/STF/AGENCY
Civil Liberties Protection Officer
Office of the Director of National Intelligence

To: Joseph W. Lambert/STF/AGENCY@WMA

cc: [Redacted]



ODNI (b)(3)

~~SECRET~~//20330627

~~SECRET~~//20330627

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(b)(3)



06/27/2008 05:39 PM

[Redacted]

ODNI
(b)(3)

Subject Follow up on Statement made in TISWG Meeting of Wednesday June 25

Joe:

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(b)(3)

I wanted to follow up on a statement made by [redacted] at the TISWG Meeting on Wednesday, June 25. As you know, the CLPO's Deputy for Privacy [redacted] on my behalf, invited the CLPO Focal Points to attend this meeting. I understand you were unable to attend on short notice and that [redacted] attended in your place. I have re-attached below the TISWG documents that [redacted] circulated, including the TISWG members list.

ODNI
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TISWG workinggroup.ppt Terrorism Intelligence Sharing Working Group - CHRONOLOG v4.doc TISWG members.xls

ODNI
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At the meeting, I explained to the group that one of the processes that exists to address issues relating to U.S. person rules and information sharing is the "WMD 9.4 Working Group," a group consisting of OGC representatives from each intelligence agency, that meets periodically to attempt to address potential inconsistencies between each agency's AG-approved guidelines under EO 12333, with the goal of improving information sharing. It's called the "WMD 9.4" working group because it responds to recommendation 4 of chapter 9 of the WMD commission report, which calls for each agency's guidelines to be harmonized to facilitate information sharing. The WMD 9.4 Working Group is chaired by the ODNI's Senior Managing Attorney, [redacted].

(b)(3)

After discussing this process [redacted] made a statement about the December meeting of the WMD 9.4 Working Group. I believe it is important to follow up on in writing with you as the official CLPO Focal Point and invitee to this meeting, so that there is no misunderstanding at CIA regarding the integrity of ODNI processes or leadership. I will discuss with the TISWG coordinators - also cc'd - whether I should also follow up with the other members who attended the meeting.

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After I had explained the role of the WMD 9.4 Working Group, [redacted] announced to the group that at the December meeting of that group, [redacted] had stated that there was no truth to the rumors that EO 12333 was being revised, and that [redacted] wanted to dispel those rumors. [redacted] then said words to the effect of "six months later, we have a revised EO 12333." Two attorneys in the room immediately disputed [redacted] statement about what was said or intended at that December meeting, but [redacted] did not modify or retract her allegation.

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As you may know, the EO 12333 review process had already been well underway as of December. Given the seriousness of [redacted] statement, I investigated this matter immediately following this meeting. Here are my findings:

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- 1 The WMD 9.4 Group indeed met in December- on December 12, 2007. EO 12333 was among the agenda items. [redacted] chaired the meeting.
- 1 [redacted] circulated meeting minutes to all attendees, which she forwarded to me - see the note below. As you can see from those minutes, [redacted] discussed the EO 12333 revision process in detail. The fact that EO 12333 was in fact being revised was not a "rumor" - it was a fact that was openly acknowledged and substantively discussed.
- 1 The minutes were sent on December 26, 2007, to [redacted] at CIA, along with others of the WMD 9.4 Working Group.
- 1 I have discussed the meeting with [redacted]. Her recollection is that she was dispelling the "rumor" that ODNI/OGC was working on a "secret draft" of EO 12333. Rather, the process being used for the revision was the one outlined in the minutes, which included the off-site attended by senior leadership

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from all agencies - including CIA - in November of 2007. This was an official revision process of which CIA senior leadership and OGC was well aware and intimately involved.

1 I have also discussed the December 12 meeting with an attendee at that meeting from another department. His recollection accords with that of [REDACTED]. He recalls that the EO 12333 revision process was discussed in some detail. He believes the minutes attached below accurately reflects the discussion. He recalls that [REDACTED] talked about "rumors" of OGC having a "secret draft" of EO 12333. There was nothing secret about EO 12333 itself being revised - that was had been discussed among agency OGC's on prior occasions and all agencies were actively and intensely involved in the process. he pointed out that whether the individuals attending the December meeting were aware of their agency's involvement was a different question.

ODNI (b)(3)

I trust that this clarifies the matter. Again, in the future, if you or your representatives have any questions about the integrity of a process or have some other issue of this magnitude, I trust you will raise it directly with me or with appropriate ODNI leadership. I will consider further whether this needs to be clarified with the other agency representatives at the meeting.

Thank you.

Regards,
Alex

Alexander W. Joel
ODNI Civil Liberties Protection Officer

ODNI (b)(3)

Unclassified email and BB: [REDACTED]

— Forwarded by Alexander W. Joel-DNI-STF/AGENCY on 06/27/2008 04:25 PM —



[REDACTED]
Office of General Counsel
secure [REDACTED]
06/27/2008 04:14 PM

ODNI (b)(3)

To Alexander W. Joel-DNI-STF/AGENCY@WMA
cc [REDACTED]
Subject Fw: Summary of 12 December WMD 9.4 Meeting

Alex, as discussed. This is the email that went out with the summary of the 12 December 2007 9.4 Working Group meeting. As you can see from the summary, I did give an update on 12333 (because many had asked me to do so), saying that we were focusing on roles and responsibilities in Part 1 of the EO and that our intent was to keep any amendments privacy and civil liberties neutral. By this time, we had already held a 1 1/2 day offsite with the Deputy Directors of the IC elements (and several brought their GCs as their +1), so what we were doing with 12333 was fairly open knowledge.

Please let me know if you need anything else.

[REDACTED]
[REDACTED]
Senior Managing Attorney
Office of the Director of National Intelligence/OGC
LX-2, [REDACTED]

ODNI (b)(3)

— Forwarded by [REDACTED] on 06/27/2008 04:04 PM —



To [REDACTED] Alexander W.

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Office of General Counsel
secure [redacted]

12/26/2007 03:16 PM

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Joel-DNI-STF/AGENCY@WMA, [redacted]

[Large redacted block of text]

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(b)(3)

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(b)(3)

(b)(3)
(b)(3)

cc

Subject Summary of 12 December WMD 9.4 Meeting

CLASSIFICATION: UNCLASSIFIED

All,

As promised, I've attached a summary of our December 12, 2007 meeting. Just a reminder that draft principles are due Friday, 29 February. All "assignments" are listed in the attached summary. If anyone has questions or concerns about an assignment, please let me know as soon as possible.

Thanks, [redacted]

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12 Dec 2007 Meeting Summary.doc

[redacted]
Senior Associate General Counsel/ODNI

secure: [redacted]

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(b)(3)



From: OPA Notice
Sent by: [redacted]
Office of Public Affairs
Date: 07/02/2008 01:41 PM

Subject: A Message from the DNI : Celebrating Independence Day
To: Joseph W. Lambert

This message is digitally signed.



Director of National Intelligence
Washington, D.C. 20511

July 2, 2008

Dear Colleagues:

Few words resonate as loudly or as clearly with the American people as the word "independence." The ideals of independence guided our forefathers and established the very pillars upon which we have built our society. These same concepts and precepts drive our actions today and form the basis of why we have an Intelligence Community -- to ensure that we remain a free society. We also hold high the notion of assisting and defending those who strive for freedom and independence wherever they may be.

This Fourth of July we again celebrate the ideals upon which our nation was founded and the democratic values which we all hold dear. The vigilance, courage, and commitment that each of you demonstrate every day ensures that we will continue to live and thrive in a free society.

As we gather this holiday with family, friends, neighbors, or--for those of you serving on the front lines--comrades, let us all take a moment to reflect upon those whose sacrifices throughout history have made our freedom possible. Let us also strive each day to remember those whose daily service enables us to maintain our freedom today. On this Independence Day, Dr. Don Kerr and I salute you for your contributions and thank you for all that you do to keep our nation safe.

We wish each of you a safe and joyous Independence Day.

Sincerely,
//signed//
J. M. McConnell

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(b)(3)
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From: Joseph W. Lambert
Director, Information Management
Services

Subject: Re: Fw: Preservation of Pre-Iraq War materials in the NIC

To: [redacted]

Date: 03/18/2008 03:00 PM

(b)(3)

Thanks [redacted] I'll ask [redacted] to visit John Hackett. - Joe

(b)(3)

(b)(3)

(b)(3)



To Joseph W. Lambert/STF/AGENCY@WMA

cc [redacted]

Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC

03/17/2008 01:35 PM

Hi Joe - CIA also has a very large, unruly collection of pre-war material that we are trying to get our arms around. In working with the SSCI, OCA accumulated a very large volume of information. Unfortunately they did not get their IMO involved at the time they were working with SSCI and the pre-war assessment, so OCA cannot identify the subset of the collection that was provided to SSCI. We are trying (on a time available basis) to compile an inventory of the complete collection, and archive the records once inventoried. I'm sure that the DI, particularly WINPAC, has their own collection of pre-war material that they need to control/archive also. So while I can understand wanting to again help the DNI, they are stretching us awfully thin. They currently have a team of [redacted] IMOs working to conduct an inventory and possibly assist with developing their RCS, and the [redacted] has been asked to review and archive about [redacted] records. Maybe John should investigate the use of IM POCs within the DNI just as we do at CIA for offices that do not have dedicated IMOs. When the NIC was under CIA, they always had an IM POC officer that was responsible for their records, particularly in terms of ensuring that their records were properly archived.

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Joseph W. Lambert/STF/AGENCY

Joseph W.
Lambert/STF/AGENCY

Director, Information
Management Services

03/13/2008 05:30 PM

To John F. Hackett-DNI/STF/AGENCY@WMA

cc [redacted]

Subject Re: Fw: Preservation of Pre-Iraq War materials in the NIC

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John - I've passed this info to [redacted] to see if we can be of assistance. Thanks, Joe

John F. Hackett-DNI/STF/AGENCY

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John F.
Hackett-DNI-/STF/AGENCY

To Joseph W. Lambert/STF/AGENCY@WMA

(b)(3)

Director, DNI Information
Management Office

cc

(b)(3)

ODNI
(b)(3)

[Redacted]

Subject Fw: Preservation of Pre-Iraq War materials in the NIC

03/13/2008 12:46 PM

Joe--see my note to the head of the NIC. I think you guys would have an interest in this issue too and may want to provide a resource on a temporary basis to assist with the survey and retirement of the CIA/DNI legacy materials. John

--- Forwarded by John F. Hackett-DNI-/STF/AGENCY on 03/13/2008 12:42 PM ---

John F.
Hackett-DNI-/STF/AGENCY

To

(b)(3)

Director, DNI Information
Management Office

cc

(b)(3)

ODNI
(b)(3)

[Redacted] (cell)

[Redacted]

Mark W.

Ewing-DNI-/STF/AGENCY@WMA,

[Redacted]

03/13/2008 12:42 PM

Subject Preservation of Pre-Iraq War materials in the NIC

(b)(3)

We recently received records from [Redacted], NIO for WMD and Proliferation relating to the NIC's work on the Pre-Iraq War intelligence.

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All the materials appear to relate to the work of [Redacted] predecessor [Redacted].

While I commend [Redacted] for wanting to preserve these materials, I am worried that we, the ODNI, have been archiving these records piecemeal when we do not have a good idea as to the volume of Pre-War materials in the NIC. The best approach, I feel, would be to identify and then retire all of the Pre-War materials together in several consecutive transfers to the CIA's records center. Any review of the NIC's holdings should also include a survey of the Pre-War records of current employees such as [Redacted] and others.

I am asking for your immediate assistance with this matter . Currently, we do not have the staff with the background to review the records to determine what is record copy , working files , duplicates etc . Please understand that until my staff has the opportunity to review the entire collection of Pre -War materials in the NIC , they will not accept further transfers of Pre -War materials for archiving .

We currently have an IMO Team led by a Senior Records Management Consultant developing ODNI records control schedules for the NIC. The work of this team could be expanded include a survey of the Pre-War records. I ask that you assign a POC asap for this project who could assist with the identification of the pertinent Pre- War players and their files.

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I know the staff of the NIC is very busy and we do not intend to take up much of their time . However, please remember that some of the Pre -War materials still fall under the two subpoenas issued last year by the House Governmental Affairs Committee (Cong. Waxman). In addition , materials in NIC may also be pertinent to the recent SSCI request for documents relating to their series of reports on Pre -War Intelligence . None of these records , including working papers or duplicates , can be destroyed at this time.

If you have any questions, please do not hesitate to contact me.

John

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