

Civil Liberties & Privacy

Intelligence Community
Enterprise Strategy
2012-2017

“The United States Government has the solemn obligation, and shall continue in the conduct of intelligence activities under this order, to protect fully the legal rights of all United States persons, including freedoms, civil liberties, and privacy rights guaranteed by Federal law.”

-- Executive Order 12333, United States Intelligence Activities, as amended (2008).

The ODNI’s Civil Liberties and Privacy Office

CLPO is led by the “Civil Liberties Protection Officer,” a position established by the Intelligence Reform and Terrorism Prevention Act of 2004 to ensure that the protection of civil liberties and privacy is appropriately incorporated in the policies and procedures of IC elements.

Since its establishment, CLPO has worked with and through the IC’s infrastructure for protecting civil liberties and privacy. This infrastructure includes Offices of General Counsel, Offices of Inspectors General, intelligence oversight and compliance offices, civil liberties and privacy offices, the Department of Justice, the President’s Intelligence Advisory Board, the Privacy and Civil Liberties Oversight Board, and the other branches of government - the Judiciary and Congress.

CLPO engages broadly with organizations and professionals across the federal government, and with state, local, and tribal partners to ensure the IC maintains an appropriate balance between security and liberty.

“Keeping our country safe means more than protecting people and property – it also means safeguarding the Constitutional principles upon which this country was founded. In order to effectively use the tools and information the Intelligence Community needs to keep our country safe, we must have the trust of the American people and continually demonstrate that we are worthy of that trust. We are committed to protecting fully the legal rights of all United States persons, including freedoms, civil liberties, and privacy rights guaranteed by Federal law.”

-- Alexander W. Joel, ODNI Civil Liberties Protection Officer



Mission

Lead the integration of civil liberties and privacy protections into the policies, procedures, programs, and activities of the Intelligence Community, to include the Office of the Director of National Intelligence.

Vision

An Intelligence Community that operates within the full scope of its authorities in a manner that protects civil liberties and privacy and that earns and retains the trust of the American people.

“The IC must exemplify America’s values: operating under the rule of law, consistent with Americans’ expectations for protection of civil liberties and privacy, respectful of human rights, and in a manner that retains the trust of the American people.”

-- The National Intelligence Strategy of the United States (August 2009)



<http://www.odni.gov>

CIVIL LIBERTIES AND PRIVACY IC ENTERPRISE STRATEGY

To perform their national security mission, intelligence officers must keep pace with an ever-changing environment of new technologies, evolving threats, and a rapidly shifting global landscape. They must carry out their duties while remaining true to their oaths – to support and defend the Constitution of the United States. By taking this oath, intelligence officers commit themselves to adhere to the laws and values of the United States. Intelligence Community (IC) civil liberties and privacy professionals must provide intelligence officers the clarity and confidence they need to perform their missions with the knowledge that they are honoring their oaths, under rules and processes that earn and retain the trust of the American people.

This Civil Liberties and Privacy IC Enterprise Strategy lays out the Civil Liberties and Privacy Office's (CLPO's) strategic roadmap for enhancing the IC's framework for protecting civil liberties and privacy. The Strategy contains four high-level goals that set the strategic direction through 2017, and that align with the National Intelligence Strategy and Office of the Director of National Intelligence (ODNI) Strategic Plan. The Strategy underscores the understanding that, in order to effectively exercise the capabilities and authorities granted to the IC to keep the country safe, the IC must have the trust of the American people.

Protecting civil liberties and privacy is a responsibility that is shared across many organizations. CLPO will collaborate closely with its partners in order to implement this strategy, recognizing the important roles, responsibilities, and authorities of those involved in civil liberties and privacy protection for the IC.

GOALS AND OBJECTIVES

The Civil Liberties and Privacy Office will implement these goals and objectives in close collaboration with its partners, in a manner that fosters community engagement and enterprise-wide teamwork.

GOAL 1. Ensure that the protection of civil liberties and privacy is appropriately incorporated in the development and implementation of policies, procedures, programs, and activities of IC elements.

Objectives

- Provide guidance to establish and implement civil liberties and privacy protections into programs and activities.
- Review and address the impact of policies, procedures, programs, and activities on protecting civil liberties and privacy.
- Develop competencies and identify best practices to assist officials responsible for civil liberties and privacy in performing their duties.
- Identify and establish safeguards so that the development, advancement and use of technologies protect civil liberties and privacy throughout the technology life cycle.

GOAL 2. On behalf of the Director of National Intelligence, and working through the executive departments that contain elements of the IC, ensure compliance with the Constitution and laws of the United States relating to civil liberties and privacy.

Objectives

- Establish core principles to inform the development of effective civil liberties and privacy compliance programs across the IC.

- Facilitate the development of processes for ensuring civil liberties and privacy compliance.
- Assess civil liberties and privacy compliance across the IC as required by law, Executive-level policy, Congressional direction, and the DNI.

GOAL 3. Ensure that complaints indicating possible abuses of civil liberties and privacy are reviewed, assessed, investigated, responded to, and resolved, as appropriate.

Objectives

- Develop guidance for reviewing, assessing, responding to, and investigating complaints.
- Identify best practices for redress across the IC and for the general public.
- Evaluate complaint activity and make recommendations to IC leadership regarding areas for correction and improvement.

GOAL 4. Provide appropriate transparency into the IC's civil liberties and privacy protections to mission partners, oversight bodies, Congress, and the American public.

Objectives

- Improve workforce understanding of the civil liberties and privacy framework.
- Promote broader understanding within the IC and among mission partners of the IC's civil liberties and privacy protections.
- Inform Congress and IC oversight bodies about civil liberties and privacy protections applied to IC activities, and provide other information needed for effective civil liberties and privacy oversight.
- Promote public awareness regarding the incorporation of civil liberties and privacy protections in the IC's policies, procedures, and activities.