

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
Washington, DC 20511

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Mr. Charles Green
Editor
National Journal
600 New Hampshire Avenue
Washington, D.C. 20037

We are writing to correct certain statements that appear in the October 20, 2006 article by Shane Harris, "Agency Explores New Tool to Connect Intelligence Dots."

The version of the article that appeared on the National Journal website contained the following misleading headline: "Tangram, unlike 2002's Total Information Awareness, appears to have no privacy protections." The body of the article itself refers to Tangram's "apparent lack of privacy protections." In fact, the Director of National Intelligence's Civil Liberties and Privacy Office (CLPO) works closely with research organizations to ensure that policies, procedures and tools contain adequate protections for privacy and civil liberties. These tools are not developed or deployed in a vacuum.

Research and deployment is subject to review and oversight by the CLPO, as well as by agency Offices of General Counsel and Offices of Inspector General. And the personnel who research, develop and deploy tools are subject to the Intelligence Community's strict privacy and civil liberties rules. Specifically, the CLPO has a close, ongoing working relationship with the research organization that is working on Tangram, to ensure that the research work they undertake complies with privacy and civil liberties rules. The fact that the document Mr. Harris reviewed did not specifically mention this civil liberties infrastructure should not be taken to mean that such rules and oversight are absent.

The article also states that Tangram "encompasses" systems that create suspicion scores "by analyzing very large databases of government intelligence, as well as records of individuals' private communications, financial transactions, and other everyday activities." This statement is wrong. Tangram does not involve any access to such data – either in its research phase or as it would be deployed – as we tried to make clear to Mr. Harris. Nor does any such statement appear in the Tangram document reviewed for the article.

Tools like Tangram will be tested and deployed for use only on data that is lawfully and properly available to the Intelligence Community. For example, the DoD U.S. person rules require extensive vetting and scrubbing to eliminate U.S. person data that does not meet one of the narrow categories of U.S. person data that may be collected and retained. It should be kept in mind that even a dataset of vetted foreign intelligence information collected entirely overseas may contain occasional references to U.S. persons. However, in no way is U.S. person information the focus of any such research and testing activity.

In any event, as acknowledged by the article, Tangram is a research project. Indeed, work is at the very initial stages – no testing has actually occurred.

The article ascribes a budget of \$49 million to Tangram. The actual budget for Tangram is a fraction of this amount.

The article mentions that the Total Information Awareness program had funded research into privacy protection technology, implying that the no such research is being carried out by the ODNI. This implication is incorrect. The ODNI is undertaking significant efforts to review privacy protection technologies. For example, the DNI's Disruptive Technology Office, together with the DNI's Civil Liberties and Privacy Office, has launched a series of workshops with technologists, privacy experts and advocates, and government officials precisely to identify promising privacy enhancing technologies that could be used in Tangram or in other programs in the Intelligence Community.

In sum, programs being developed under the auspices of the ODNI are subject to review and oversight by the DNI's Civil Liberties and Privacy Office, the DNI's Office of General Counsel and the DNI's Office of Inspector General. One of the statutory duties of the Civil Liberties and Privacy Office is to ensure that technology sustains privacy. This office has a very close working relationship with Intelligence Community research and development offices to review programs such as Tangram. I want to stress that Tangram and other tools being developed under ODNI auspices will only be developed with adequate protections and safeguards for privacy and civil liberties.

Sincerely,

/signed/

Chad Kolton
Director of Public Affairs