



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Pursuant to Section 803, Public Law 110-53 "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act") and Section 1062, Public Law 108-458 "National Security Intelligence Reform Act of 2004," as amended, this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the second quarter of fiscal year (FY) 2011, January 1, 2011 through March 31, 2011.


The enclosure provides data about the Department's Privacy Program for the second quarter of FY 2011. The report consolidates all privacy activities of the DoD and Component Privacy Offices responsible for privacy functions, including data on the related reviews conducted reference to the advisory guidance delivered, and information about written complaints received and processed. We anticipate providing reports on the Civil Liberties Program that follow a similar format beginning in the third quarter of FY 2011.

Consistent with the Act's requirements to assist the Secretary and other DoD officials 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," the Defense Privacy and Civil Liberties Office (DPCLO), which has cognizance over the Department's Privacy and Civil Liberties Programs, continues to review all new and reissued DoD policy issuances, draft legislative proposals, and agency responses to Congressional inquiries. During the second quarter of FY 2011, the DPCLO conducted policy reviews of 83 issuances.

The Act requires that DoD "has adequate procedures to receive, investigate, respond to, and redress complaints" from individuals who allege that DoD violated their privacy or civil liberties. The DPCLO received 29 privacy complaints and 1 civil liberties complaint; 16 complaints were resolved and 14 are pending. The DPCLO established a formatting guide to assist individuals submitting civil liberties complaints. The guide is currently available on the DPCLO website at <http://dpclo.defense.gov>.



The point of contact for this report is Mr. Michael E. Reheuser, Director, DPCLO, who can be reached at (703) 607-2943 or michael.reheuser@osd.mil.



Michael L. Rhodes
Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
As stated

cc:
The Honorable John McCain
Ranking Member

**Department of Defense
Report on Privacy Activities
Section 803 of 9/11 Commission Act of 2007
2nd Quarter FY11 – January 1, 2011 to March 31, 2011**

A. Types of Privacy Reviews

Privacy Act Statements (PAS)	1545
Privacy Act Systems of Records (SORNs) with applicable associated exemptions	137
Computer Matching Programs	3
Section (m) Contractor Reviews	64

B. Topics of Advice and Responses Given

Collection, Use, Disclosure, Protection of PII	14473
Privacy Impact Assessments (PIA)	3260
Privacy Act Program Requirements /Principles	7241
Website Safeguards	11438
Privacy Compliance/DITPR Reporting	1052
Privacy Presentations	5993
Training Requirements	5043
Privacy Act Violations	551
Privacy Reports	893
Privacy Act Systems of Records Notices (SORNs)	1247
Privacy Compliance in Agency Publication	507
SSN and PII Reduction Actions	4210
PII Breach Notification/Identity Theft	1329
Other	447

C. Privacy Complaints and Dispositions

Type/Nature of Complaint or Alleged Violation	Number of Complaints	Disposition of Complaint		
		Responsive Action taken ¹	No Action Required ²	Pending ³
Process and Procedure (<i>Compliance Matters</i>)	12	4	2	6
Redress	1	1	0	0
Operational (<i>Collection, Use, Disclosure Issues</i>)	16	7	1	8
Referred to Other Agency(s)	0	0	0	0
Other	0	0	0	0
Total for 2nd Qtr FY11	29	12	3	14

Dispositions of complaints are reported in one of the following categories:

¹*Responsive Action Taken.* The complaint was reviewed and a responsive action was taken.

²*No Action Required.* The complaint did not ask for or require a DoD action or response.

³*Pending.* The complaint is being reviewed to determine the appropriate response.



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1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Dianne Feinstein
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

Dear Madam Chairman:

Pursuant to Section 803, Public Law 110-53 "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act") and Section 1062, Public Law 108-458 "National Security Intelligence Reform Act of 2004," as amended, this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the second quarter of fiscal year (FY) 2011, January 1, 2011 through March 31, 2011.

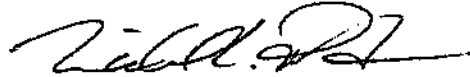
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Michael L. Rhodes
Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
As stated

cc:
The Honorable Saxby Chambliss
Vice Chairman



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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to Section 803, Public Law 110-53 "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act") and Section 1062, Public Law 108-458 "National Security Intelligence Reform Act of 2004," as amended, this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the second quarter of fiscal year (FY) 2011, January 1, 2011 through March 31, 2011.

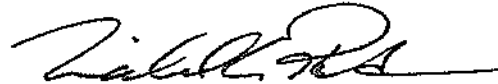
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Michael L. Rhodes
Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
As stated

cc:
The Honorable Elijah E. Cummings
Ranking Member



ADMINISTRATION AND
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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Lamar Smith
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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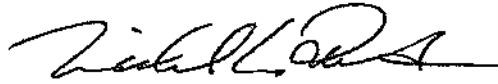
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Michael L. Rhodes
Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
As stated

cc:
The Honorable John Conyers, Jr.
Ranking Member



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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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Michael L. Rhodes
Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
As stated

cc:
The Honorable Susan M. Collins
Ranking Member



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1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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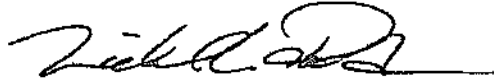
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cc:
The Honorable Chuck Grassley
Ranking Member



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MAY 23 2011

The Honorable Mike Rogers
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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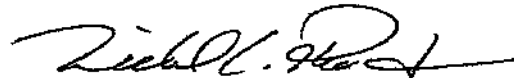
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Senior Agency Official for Privacy
and DoD Civil Liberties Officer

Enclosure:
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cc:
The Honorable C. A. "Dutch" Ruppertsberger
Ranking Member



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OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

MAY 23 2011

The Honorable Howard P. "Buck" McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

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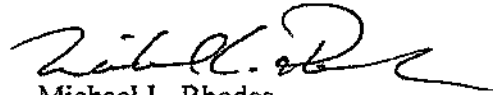
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Enclosure:
As stated

cc:
The Honorable Adam Smith
Ranking Member