



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

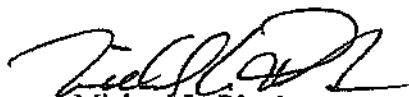
The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



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 and Civil Liberties Activities
Section 803 of 9/11 Commission Act of 2007
3rd Quarter FY11 – April 1, 2011 to June 30, 2011**

A. Types of Privacy Reviews

Privacy Act Statements (PAS)	1530
Privacy Act Systems of Records (SORNs) with applicable associated exemptions	218
Computer Matching Programs	2
Section (m) Contractor Reviews	70

B. Topics of Advice and Responses Given

Collection, Use, Disclosure, Protection of PII	7694
Privacy Impact Assessments (PIA)	3597
Privacy Act Program Requirements /Principles	6164
Website Safeguards	9933
Privacy Compliance/DITPR Reporting	1370
Privacy Presentations	3224
Training Requirements	6644
Privacy Act Violations	518
Privacy Reports	159
Privacy Act Systems of Records Notices (SORNs)	1337
Privacy Compliance in Agency Publication	560
SSN and PII Reduction Actions	3032
PII Breach Notification/Identity Theft	1725
Other	774

C. Complaints and Dispositions

1. Privacy

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 (Compliance Matters)	2	2	0	0
Redress	2	1	1	0
Operational (Collection, Use, Disclosure Issues)	10	5	0	5
Referred to Other Agency(s)	2	1	0	1
Other	0	0	0	0
Total for 3 rd Qtr FY11	16	9	1	6

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.

2. Civil Liberties

Type/Nature of Complaint or Alleged Violation	Disposition of Complaint		
	Received ¹	Pending ²	Resolved ³
First Amendment	10	4	6
Second Amendment	1	0	1
Fourth Amendment	2	2	0
Ninth Amendment	2	1	1
First and Fourth Amendments	1	0	1
Second and Fourth Amendments	2	1	1
Fourth and Fifth Amendments	2	1	1
Fourth and Ninth Amendments	1	0	1
Total for 3 rd Qtr FY11	21	9	12

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

¹*Received*: The Component has received the complaint and is evaluating for civil liberties issues.

²*Pending*: The complaint has not been fully adjudicated or resolved.

³*Resolved*: The complaint has been fully adjudicated or resolved.



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



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 Saxby Chambliss
Vice Chairman



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



The point of contact for this report is Mr. Michael E. Reheuser, Director, DPCLCLO, 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 Elijah E. Cummings
Ranking Member



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



The point of contact for this report is Mr. Michael E. Reheuser, Director, DPCLC, 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 Conyers, Jr.
Ranking Member



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

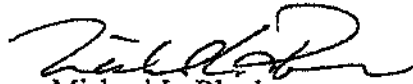
The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



The point of contact for this report is Mr. Michael E. Reheuser, Director, DPCLCLO, 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 Susan M. Collins
Ranking Member



ADMINISTRATION AND
MANAGEMENT

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

AUG 26 2011

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

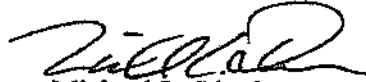
The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



The point of contact for this report is Mr. Michael E. Reheuser, Director, DPCLLO, 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 Chuck Grassley
Ranking Member



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.


The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



The point of contact for this report is Mr. Michael F. Reheuser, Director, DPCLCLO, 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 C. A. Dutch Ruppertsberger
Ranking Member



ADMINISTRATION AND
MANAGEMENT

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

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

AUG 26 2011

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 third quarter of fiscal year (FY) 2011, April 1, 2011 through June 30, 2011.

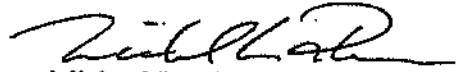
The enclosure provides data about the Department's Privacy and Civil Liberties Programs for the third quarter of FY 2011. The report consolidates all privacy and civil liberties activities of the DoD and Component offices responsible for privacy and civil liberties functions, including data on the related reviews conducted and information about written complaints received and processed. Beginning this quarter, the report also includes quantitative data about the number and nature of civil liberties complaints received.

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 third quarter of FY 2011, the DPCLO conducted policy reviews of 81 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 16 privacy complaints and 21 civil liberties complaints; 22 complaints were resolved and 15 are pending.



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 Adam Smith
Ranking Member

**Department of Defense
Report on Privacy Activities
Section 803 of 9/11 Commission Act of 2007
2nd Quarter FY10 – January 1, 2010 to March 31, 2010**

Introduction

The policy of the Department of the Defense is to protect the privacy of individuals by ensuring that when executing its programs and policies, the Department gives due consideration and regard for information privacy. In recognition of global expansion of information technology posing new threats to individual privacy, the Department continues efforts to strengthen its privacy oversight responsibilities. In addition, actions continue to review a wide variety of activities and procedures within DoD to find opportunities to enhance protections of the privacy of individuals.

Department Actions

The Defense Privacy Office is responsible for all privacy functions delineated by authorities, including the Privacy Act of 1974, 5 USC 552a, as implemented by the Office of Management and Budget, OMB Circular A-130, Appendix 1; Federal Information Security Management Act of 2002 (FISMA); DoD regulatory authority DoD Directive 5400.11, Department of Defense Privacy Program and DoD 5400.11-R, DoD Privacy Program.

Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, P.L. 110-53, established additional privacy requirements for the Department of Defense.

Quarterly Report

The Department has developed a standard reporting framework and instructions to address Section 803 reporting requirements tailored to its mission and functions. The 2nd quarter report for FY10 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. The report is as follows: