

**DEPARTMENT OF DEFENSE
 REPORT ON PRIVACY AND CIVIL LIBERTIES ACTIVITIES
 SECTION 803 OF THE “IMPLEMENTING RECOMMENDATIONS OF THE 9/11
 COMMISSION ACT OF 2007”
 4TH QTR FY13 – JULY 1 – SEPTEMBER 30, 2013**

A. Number and Types of Reviews¹ Undertaken

Computer Matching Programs	3
Privacy Act Statements	829
Privacy Act Systems of Records Notices (SORNs) with applicable exemptions	189
Section (m) Contract Reviews	158

¹ A review is an activity to ensure compliance with requirements established in controlling authorities such as the Privacy Act of 1974, 5 U.S.C. § 552a, and OMB Circular A-130, Appendix 1.

B. Type of Advice Provided¹ and the Response to Advice²

Advice Provided	Response to Advice
1	0

¹ Advice provided is the written issuance of policies, procedures, or guidance pertaining to privacy and civil liberties issued by: (1) the Heads of the OSD and DoD Components; or (2) Component Senior Officials for Privacy or Component Chief Civil Liberties Officers.

² Response to advice is specific action taken by a DoD Component implementing the advice provided by: (1) the Heads of the OSD and DoD Components; or (2) Component Senior Officials for Privacy or Component Chief Civil Liberties Officers. Examples of a response to advice may include: guidance, new procedure, or training.

C. Nature, Number, and Disposition of Complaints¹ Received

Nature of Privacy Complaints	Number Received	Disposition of Complaint	
		Responsive Action Taken ²	Pending ³
Procedural	41	31	10
Redress	0	0	0
Operational	2	0	2
<i>Sub Total for Privacy Complaints:</i>	43	31	12
Nature of Civil Liberties Complaints			
First Amendment	21	13	8
Second Amendment	3	3	0
Fourth Amendment	77	77	0
Fifth Amendment	2	1	1
First and Fourth Amendments	2	0	2
<i>Sub Total for Civil Liberties Complaints:</i>	105	94	11
TOTAL for 3rd Qtr FY13	148	125	23

¹ A complaint is an assertion alleging a violation of privacy and/or civil liberties. Privacy complaints typically allege violations of: (1) procedure (consent, collection, disclosure, and notice); (2) redress (non-Privacy Act inquiries seeking resolution of difficulties about privacy matters); or (3) operational issues (Privacy Act matters not including requests for access, disclosure, and/or amendment). Civil liberties complaints typically allege a violation of the Bill of Rights or other Amendments to the Constitution of the United States.

² Responsive action taken means the complaint was reviewed and a responsive action was taken and/or the complaint was resolved.

³ Pending means the complaint is being reviewed to determine the responsive action and/or resolution.



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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

Enclosure:
As stated

cc:
The Honorable James M. Inhofe
Ranking Member



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Madam Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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

Enclosure:
As stated

cc:
The Honorable Saxby Chambliss
Vice Chairman



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes".

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



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes".

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

Enclosure:
As stated

cc:
The Honorable Chuck Grassley
Ranking Member



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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

Enclosure:
As stated

cc:
The Honorable John Conyers, Jr.
Ranking Member



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

The Honorable Thomas R. Carper
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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

Enclosure:
As stated

cc:
The Honorable Tom Coburn
Ranking Member



DEPARTMENT OF DEFENSE
DEFENSE PRIVACY AND CIVIL LIBERTIES OFFICE
241 18TH STREET SOUTH, SUITE 101
ARLINGTON, VA 22202

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

NOV 08 2013

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the fourth quarter, the DPCLCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

A similar letter is being sent to the Chairmen of the other appropriate congressional committees and the Chairman of the Privacy and Civil Liberties Oversight Board.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes", is positioned above the typed name.

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 David Medine
Chairman
Privacy and Civil Liberties Oversight Board
2100 K Street NW
Suite 500
Washington, DC 20427

NOV 08 2013

Delivered electronically to Diane Janosek and Sue Reingold

Dear Mr. Chairman:

Pursuant to section 803, Public Law 110-53, the "Implementing Recommendations of the 9/11 Commission Act of 2007," ("the Act"), this letter and its enclosure serve as the Department of Defense's (DoD) Privacy and Civil Liberties Report for the fourth quarter of fiscal year 2013, July 1 through September 30, 2013.

Consistent with the Act's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Office (DPCLCLO) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to Congressional inquiries. During the fourth quarter, the DPCLCLO reviewed 100 issuances.

The Act requires that DoD have "adequate procedures to receive, investigate, respond to, and redress complaints" alleging that DoD violated a complainant's privacy or civil liberties. For the reporting quarter, 43 privacy complaints and 105 civil liberties complaints were received; responsive action was taken for 125 complaints; and 23 are pending.

This report is being sent to the Chairmen of the appropriate committees of the United States Congress.

A handwritten signature in black ink, appearing to read "Michael L. Rhodes".

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

Enclosure:
As stated



ADMINISTRATION AND
MANAGEMENT

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

cc:

U.S. Senate Committee on Armed Services
U.S. Senate Committee on Homeland Security and Governmental Affairs
U.S. Senate Committee on Judiciary
U.S. Senate Select Committee on Intelligence
U.S. House of Representatives Committee on Armed Services
U.S. House of Representatives Committee on the Judiciary
U.S. House of Representatives Committee on Oversight and Government Reform
U.S. House of Representatives Permanent Select Committee on Intelligence