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

Dear Mr. Chairman:


The report provides data about DoD’s privacy and civil liberties activities, including advice provided and complaints received by DoD.

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 second quarter of FY 2012, DPCLO reviewed 69 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. DPCLO received 38 privacy complaints and 31 civil liberties complaints; 52 complaints were resolved and 17 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.

[Signature]
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
2nd Quarter FY12 – January 1, 2012 to March 31, 2012

A. Number and Types of Reviews Undertaken

<table>
<thead>
<tr>
<th>Review Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer Matching Programs</td>
<td>0</td>
</tr>
<tr>
<td>Privacy Act Statements</td>
<td>1,483</td>
</tr>
<tr>
<td>Privacy Act Systems of Records Notices (SORNs) with applicable exemptions</td>
<td>292</td>
</tr>
<tr>
<td>Section (m) Contract Reviews</td>
<td>14</td>
</tr>
</tbody>
</table>

B. Type of Advice Provided and the Responses Given to such Advice

<table>
<thead>
<tr>
<th>Advice Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection, Use, Disclosure, Protection of Personally Identifiable Information (PII)</td>
<td>14,702</td>
</tr>
<tr>
<td>PII Breach Notification/Identity Theft</td>
<td>6,590</td>
</tr>
<tr>
<td>Privacy Act Program Requirements</td>
<td>5,733</td>
</tr>
<tr>
<td>Privacy Act SORNs</td>
<td>1,544</td>
</tr>
<tr>
<td>Privacy Act Violations</td>
<td>658</td>
</tr>
<tr>
<td>Privacy Briefings/Presentations</td>
<td>3,373</td>
</tr>
<tr>
<td>Privacy Compliance in Agency Publications</td>
<td>628</td>
</tr>
<tr>
<td>Privacy Compliance/DoD IT Portfolio Repository (DITPR) Reporting or Service equivalent</td>
<td>281</td>
</tr>
<tr>
<td>Privacy Impact Assessments</td>
<td>1,687</td>
</tr>
<tr>
<td>Privacy Reports</td>
<td>221</td>
</tr>
<tr>
<td>Social Security Number and PII Reduction</td>
<td>2,426</td>
</tr>
<tr>
<td>Training Requirements</td>
<td>4,488</td>
</tr>
<tr>
<td>Website Safeguards</td>
<td>9,983</td>
</tr>
</tbody>
</table>
C. Number and Nature of Complaints Received and Summary of the Dispositions of Such Complaints

<table>
<thead>
<tr>
<th>Nature of Privacy Complaint</th>
<th>Number Received</th>
<th>Disposition of Complaint</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Process and Procedure (Compliance Matters)</td>
<td>7</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Redress</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Operational (Collection, Use, Disclosure Issues)</td>
<td>31</td>
<td>26</td>
<td>5</td>
</tr>
<tr>
<td><strong>Subtotal for 2nd Qtr FY12</strong></td>
<td><strong>38</strong></td>
<td><strong>31</strong></td>
<td><strong>7</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nature of Civil Liberties Complaint</th>
<th>Number Received</th>
<th>Disposition of Complaint</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>First Amendment</td>
<td>12</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Second Amendment</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Fourth Amendment</td>
<td>10</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Fifth Amendment</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>First, Fourth, and Sixth Amendments</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Fourth and Fifth Amendments</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td><strong>Subtotal for 2nd Qtr FY12</strong></td>
<td><strong>31</strong></td>
<td><strong>21</strong></td>
<td><strong>10</strong></td>
</tr>
<tr>
<td><strong>TOTAL for 2nd Qtr FY12</strong></td>
<td><strong>69</strong></td>
<td><strong>52</strong></td>
<td><strong>17</strong></td>
</tr>
</tbody>
</table>

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 and/or the complaint was resolved.

2. **Pending**: The complaint is being reviewed to determine the responsive action and/or resolution.
The Honorable Howard P. “Buck” McKeon  
Chairman  
Committee on Armed Services  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:


The report provides data about DoD’s privacy and civil liberties activities, including advice provided and complaints received by DoD.

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 second quarter of FY 2012, DPCLO reviewed 69 issuances.

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

Enclosure:  
As stated

cc:  
The Honorable Adam Smith  
Ranking Member
The Honorable Dianne Feinstein  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Madam Chairman:


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

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

Enclosure:  
As stated

cc:  
The Honorable C.A. Dutch Ruppersberger  
Ranking Member
The Honorable Patrick J. Leahy  
Chairman  
Committee on Judiciary  
United States Senate  
Washington, DC 20510

May 25, 2012

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

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

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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