

Libin, Nancy C. (ODAG)

From: §, 7(C)
Sent: Thursday, November 12, 2009 3:14 PM
To: Libin, Nancy C. (ODAG); Kelly, Candace (ODAG); §, 7(C)
Subject: Re: eGuardian Privacy Documents

Will touch base with you next week on this issue if that is okay.
Sent from my Blackberry

From: Libin, Nancy C. (ODAG) <Nancy.C.Libin@usdoj.gov>
To: §, 7(C); Kelly, Candace (ODAG) (SMO); §, 7(C)
Sent: Thu Nov 12 15:02:15 2009
Subject: Re: eGuardian Privacy Documents

Thanks, §, 7(C)

From: §, 7(C)
To: Libin, Nancy C. (ODAG); Kelly, Candace (ODAG); §, 7(C)
Sent: Thu Nov 12 14:51:19 2009
Subject: eGuardian Privacy Documents

Nancy – these are soft copies of the eGuardian Privacy documents we discussed. I hope they are helpful – let me know if you need any additional information or documentation.

Thanks!
§, 7(C)

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Rigorous obedience to the Constitution of the United States, respect for the dignity of all those we protect; compassion, fairness; and uncompromising personal and institutional integrity are core values of the FBI and are reflected in the implementation of our programs.

We operate under a "privacy framework"

- The Privacy Act
- The Constitution
- The Freedom of Information Act
- Section 108 of the E-Government Act,
- Section 1016 of the Intelligence Reform and Terrorism Prevention Act
- Foreign Intelligence Surveillance Act, as amended
- Executive Order 12333, as amended
- Executive Order 13356
- Executive Order 13388
- Attorney General Guidelines for Domestic Operations
- FBI Policy for Protecting Privacy in the Information Sharing Environment
- FBI Core Values
- Domestic Investigations and Operations Guide

Strong oversight by Congress, the Executive Branch, the courts and our own internal Office of Integrity and Compliance:

- Intelligence Oversight Board (IOB) - reports intentional and/or inadvertent violations of statutes, executive orders, presidential directives, and regulations to the President
- Department of Justice – National Security Division (NSD) – conducts National Security Reviews for compliance with AG Guidelines and Minimization reviews for compliance with minimization procedures
- Department of Justice – Office of the Inspector General (OIG) - Conducts internal investigations of suspected violations of law and internal regulations
- FISA Court - approves minimization procedures adopted by the Department of Justice
- Legislative Oversight: Senate and House Select Committees on Intelligence; Senate and House Judiciary Committees
- FBI Office of Integrity and Compliance – the mission of OIC is to develop, implement, and oversee a program to ensure strict compliance with all applicable laws, regulations, rules and policies. Program managers must proactively identify legal risks and implement plans to mitigate them.

eGuardian Privacy Impact Assessment accomplishes the same objectives as the privacy policies:

- addresses all the privacy risks of the system
- puts mitigation strategies in place to ensure
 - that we collect only information that we ought to have,
 - keep it securely,
 - vet it and delete information that is not pertinent to the mission of the system,
 - share it appropriately only after training the recipients and having them sign rules of behavior,
- provides transparency by publishing our documentation, agreed to a limited retention schedule so that we don't keep information around longer than necessary and have said in numerous places, including on the system itself where users can see it that no activity that is purely First Amendment should be added to the system.

(b) (6), (b) (5)