

Libin, Nancy C. (ODAG)

Not Responsive

From: Libin, Nancy C. (ODAG)
Sent: Wednesday, September 29, 2010 12:41 PM
To: Moncada, Kirsten J (SMO); Chung, Joo (SMO)
Subject: FW: privacy policy for agencies using eGuardian

fyi

From: §, 7(C)
Sent: Wednesday, September 29, 2010 12:40 PM
To: Libin, Nancy C. (ODAG)
Cc: O'Reilly, Thomas (OJP)
Subject: RE: privacy policy for agencies using eGuardian

Ok – so we need to have a conversation I think. Let's wait until I hear from [REDACTED] and then we may need to meet.

§, 7(C)
[REDACTED]

From: Libin, Nancy C. (ODAG) [<mailto:Nancy.C.Libin@usdoj.gov>]
Sent: Wednesday, September 29, 2010 12:35 PM
To: §, 7(C)
Cc: O'Reilly, Thomas (OJP)
Subject: RE: privacy policy for agencies using eGuardian

I was referring to the MOUs.

From: §, 7(C)
Sent: Wednesday, September 29, 2010 12:33 PM
To: Libin, Nancy C. (ODAG)
Cc: O'Reilly, Thomas (OJP)
Subject: RE: privacy policy for agencies using eGuardian

Of course, the PIA was finalized 2 years before the DOJ ISE Privacy Policy – so whoever prepared that chart may have been working with old information. But we are checking now with our lawyers so I will let you know what they say.

Where does the DOJ Policy require a privacy policy from individual agencies? I see in sec. IV (p. 3) that users of DOJ info systems must comply with all applicable laws, etc.; and paragraph B. (2) (p. 4) following requires MOUs. Is there something else?

b, 7(C)

From: Libin, Nancy C. (ODAG) [mailto:Nancy.C.Libin@usdoj.gov]
Sent: Wednesday, September 29, 2010 12:18 PM
To: b, 7(C)
Cc: O'Reilly, Thomas (OJP)
Subject: RE: privacy policy for agencies using eGuardian

Thanks, b, 7(C)

I'm referring to No. 2 under Account Management on the chart I sent. It states that unlike Shared Spaces, eGuardian does not require agencies using eGuardian to draft their own privacy policies. But the DOJ ISE Privacy Policy that went into effect at the beginning of the year (and applies to eGuardian) expressly states that all users must have in place a privacy policy that is at least as comprehensive as the DOJ ISE Privacy Policy. That's why I don't understand why the 2-page chart comparing SS and eGuardian indicates otherwise.

From: b, 7(C)
Sent: Wednesday, September 29, 2010 12:07 PM
To: Libin, Nancy C. (ODAG)
Cc: O'Reilly, Thomas (OJP)
Subject: RE: privacy policy for agencies using eGuardian

Nancy, Tom – see bottom of p. 4 – this is probably the basis of the checkmark – notice that the users agree to adhere to eG privacy & security requirements each time they access eG. And, privacy training is required.

This was signed by Ken Mortenson, DOJ Privacy Official at the time (p. 23). Also available on the web:
http://foia.fbi.gov/eguardian_threat.htm.

b, 7(C)

From: Libin, Nancy C. (ODAG) [mailto:Nancy.C.Libin@usdoj.gov]
Sent: Wednesday, September 29, 2010 10:03 AM
To: b, 7(C)
Cc: O'Reilly, Thomas (OJP)
Subject: privacy policy for agencies using eGuardian

Good morning, b, 7(C) – I received the attached comparison of eGuardian and Shared Spaces. I am a bit confused about what no. 2 means. It suggests that agencies using eGuardian are not required to have privacy policies. That is absolutely not the case and is not consistent with the DOJ ISE Privacy Policy. Could you please clarify this for me? Thanks much.

Best,

Nancy

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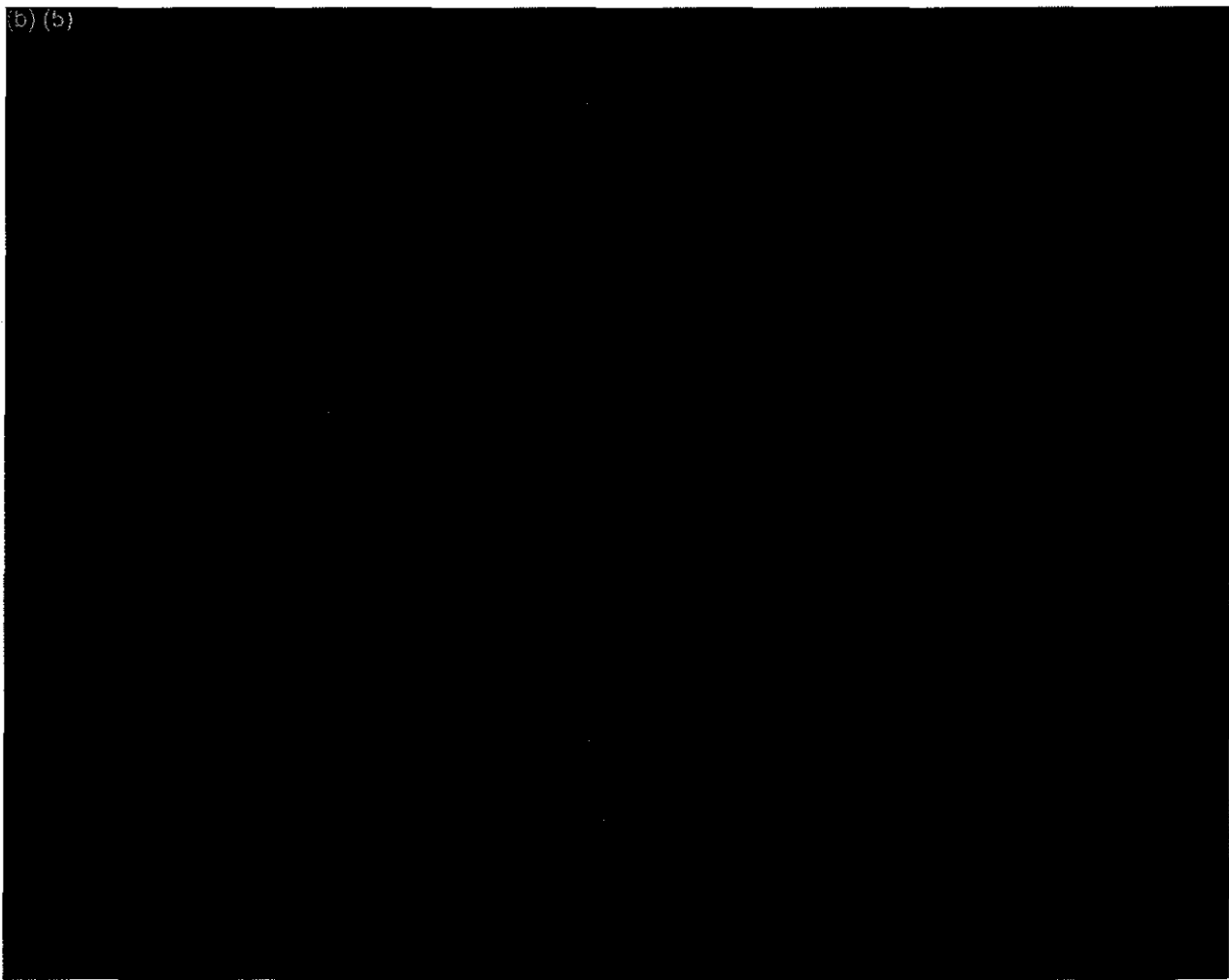
eGUARDIAN PRIVACY POLICY CLARIFICATION

The following was prepared in response to questions from Nancy Libin, Chief Privacy and Civil Liberties Officer, Office of the Deputy Attorney General, U.S. Department of Justice, surrounding the Capability Comparison of eGuardian and Shared Space document (08/19/2010)

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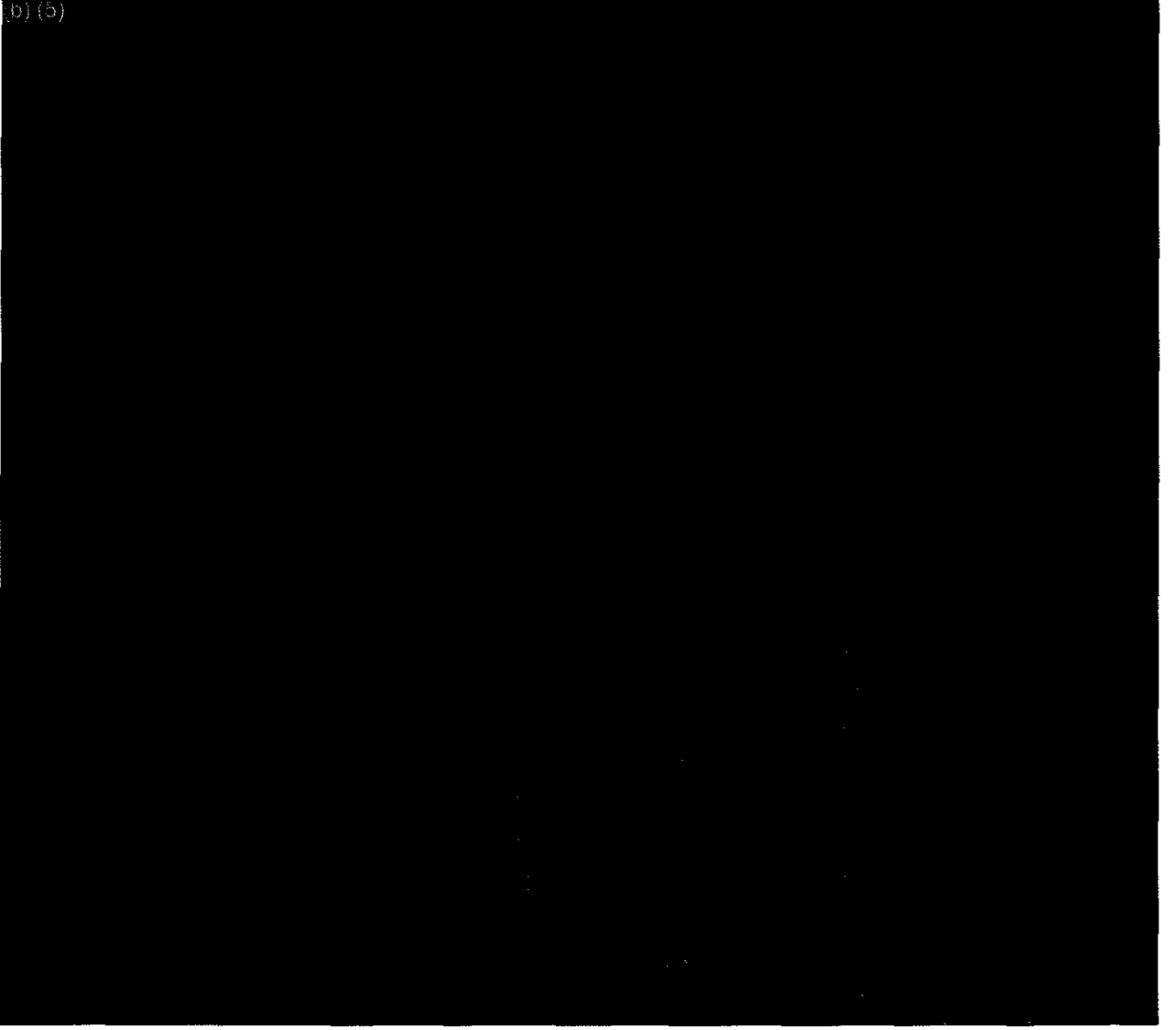
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