

**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 FY14 – JULY 1 – SEPTEMBER 30, 2014**

A. Number and Types of Reviews¹ Undertaken

Computer Matching Programs	0
Privacy Act Statements	387
Privacy Act Systems of Records Notices (SORNs)	127
Applicable SORN Exemptions	22
Section (m) Contract Reviews	935

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
0	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	6	3	3
Redress	0	0	0
Operational	0	0	0
<i>Sub Total for Privacy Complaints:</i>	6	3	3
Nature of Civil Liberties Complaints			
First Amendment	12	8	4
Second Amendment	1	1	0
Fourth Amendment	6	3	3
Fifth Amendment	6	2	4
First and Fourth Amendments	1	0	1
Second and Fourth Amendments	1	1	0
Fourth and Fifth Amendments	1	1	0
Fifth and Sixth Amendments	1	0	1
Eighth Amendment	1	1	0
<i>Sub Total for Civil Liberties Complaints:</i>	30	17	13
TOTAL for 4th Qtr FY14	36	20	16

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.



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

Pursuant to 42 U.S.C. 2000ee-1, 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 2014, July 1 through September 30, 2014.

Consistent with the statute's requirement to review whether privacy and civil liberties are adequately considered, the Defense Privacy and Civil Liberties Division (DPCLD) continues to periodically review new and reissued policy issuances, legislative proposals, and agency responses to congressional inquiries. During the third quarter, the DPCLD reviewed 72 issuances.

The statute 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, six privacy complaints and 30 civil liberties complaints were received; responsive action was taken for 20 complaints; and 16 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 "David Tillotson III", is positioned above the typed name.

David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable James M. Inhofe
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Madam Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable Saxby Chambliss
Vice Chairman



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable Elijah E. Cummings
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable Chuck Grassley
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable Tom Coburn
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable Adam Smith
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable C.A. Dutch Ruppertsberger
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

cc:
The Honorable John Conyers, Jr.
Ranking Member



DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

DEC 01 2014

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

Dear Mr. Chairman:

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

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David Tillotson III
DoD Privacy and Civil Liberties Officer

Enclosure:
As stated.

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