

Request for Records Disposition Authority

(See Instructions on reverse)

To: National Archives and Records Administration (NARA)
Washington, DC 20408

1. From: (Agency or establishment)

Office of the Director of National Intelligence

2. Major Subdivision

Civil Liberties and Privacy Office (CLPO)

3. Minor Subdivision

4. Name of Person with whom to confer

John F. Hackett

5. Telephone (include area code)

703-275-2215

Leave Blank (NARA Use Only)

Job Number

NI-576-11-7

Date Received

11/16/10

Notification to Agency

In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

Date

9 Apr 13

Archivist of the United States

[Signature]

6. Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 6 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies:



is not required



is attached



has been requested

Signature of Agency Representative

[Signature]

Title

Director of Information Management

Date (mm/dd/yyyy)

11/16/2010

7.
Item
Number

8. Description of Item and Proposed Disposition

9. GRS or
Superseded
Job Citation

10. Action
taken (NARA
Use Only)

1. Records of the Civil Liberties and Privacy Office (CLPO). See attached 6 pages.

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Office of the Director of National Intelligence

Civil Liberties and Privacy Office

Records Control Schedule

Background

The position of Civil Liberties Protection Officer for the Office of the Director of National Intelligence (ODNI) was established by the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), and it reports directly to the DNI. The Civil Liberties Protection Officer leads the ODNI's Civil Liberties and Privacy Office (CLPO). The duties of the Civil Liberties Protection Officer are to:

1. Ensure that the protection of civil liberties and privacy is appropriately incorporated in the policies and procedures developed for and implemented by the ODNI and the elements of the Intelligence Community within the National Intelligence Program;
2. Oversee compliance by the Office and the Director of National Intelligence with requirements under the Constitution and all laws, regulations, Executive Orders, and implementing guidelines relating to civil liberties and privacy;
3. Review and assess complaints and other information indicating possible abuses of civil liberties and privacy in the administration of the programs and operations of the Office and the Director of National Intelligence and, as appropriate, investigate any such complaint or information;
4. Ensure that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information;
5. Ensure that personal information contained in a system of records subject to section 552a of Title 5, United States Code (popularly referred to as the "Privacy Act"), is handled in full compliance with fair information practices as set out in that section;
6. Conduct privacy impact assessments when appropriate or as required by law; and
7. Perform such other duties as may be prescribed by the Director of National Intelligence or specified by law.

Application of the Records Control Schedule Disposition Instructions

The disposition instructions in the records control schedule are mandatory. Any Federal records received or created by CLPO personnel or contractors not specifically covered by this schedule or the General Records Schedules are to be retained until such time as an applicable disposition authority approved by the National Archives and Records Administration (NARA) is obtained. To take into account the fluid nature of electronic filing, those responsible for implementing this schedule should be aware that record copies of record types described in this schedule are to receive the prescribed disposition wherever they are filed.

The Information Management Technical Officer with responsibility for the records of the CLPO will support effective implementation of the disposition requirements of this schedule through the development and issuance of appropriate operational guidance and supplementary instructions necessary to assure adequate and proper documentation of the official mission, responsibilities, and actions of the CLPO.

Note on Sensitivity of CLPO Records

Many of the records addressed in this schedule are classified as national security information in accordance with statutory and national policy directives. Many of the records series described in this schedule contain information classified to the highest levels, requiring planning for their continued security until they are declassified or destroyed. The user of this schedule should assume the subject records are highly classified unless noted otherwise. In addition, certain series may contain material covered by Privacy Act or Freedom of Information Act restrictions other than National Security, such as law enforcement information or commercially sensitive ("trade secrets") information. An effort has been made to note these series.

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Note on Vital Records

Records management personnel should be alert to the need to identify vital records so that they can be accessed quickly when needed. Vital records are (1) those that specify how the ODNI will operate in case of an emergency or disaster, (2) those necessary to the ODNI's continued mission critical operations during and after an emergency, and (3) those that must be preserved to protect the legal and financial rights and interests of the ODNI and of persons affected by the ODNI.

Note on Electronic Records

The CLPO and staff maintain record copies of many official files in electronic form on both shared and individual network drives. In addition, some staff members may keep some files on their individual local drives, although this is discouraged. Records kept on both the network and local individual drives or other locations that are not disposable under the General Records Schedules (GRS) or under this schedule, as approved, are to be moved or copied to the network shared drives or systems or kept in paper files, as appropriate, to be retained or destroyed in accordance with an approved ODNI disposition authority.

Records Descriptions and Disposition Instructions

Item	Title & Description	Disposition
CLPO-1.	Civil Liberties and Privacy Reports, Reviews, Assessments, and Evaluations. Includes privacy impact assessments, evaluations of technologies to ensure privacy protections are in place, compliance reports, and reviews of existing civil liberties and privacy protection rules. Background material for these reports fall under Item CLPO 7.	<p>Permanent. Paper Records: Retain in current files until no longer needed, and then transfer to ODNI storage area. Transfer to NARA in five-year blocks when most recent file in block is 30 years old.</p> <p>Electronic Records: Maintain electronic files in active system until no longer needed, copy to verified accessible format and medium as required for preservation and continued reference. Transfer to NARA when 30 years old in a medium and format acceptable to NARA in accordance with standards set forth in Federal regulations.</p>
CLPO-2	System of Records Notices (SORNS). Final copy of notices submitted for publication in the <i>Federal Register</i> describing Privacy Act Systems of Record. Background material used in development of SORNS fall under Item CLPO 7.	Temporary. Review five years after date of notice. Destroy or delete when no longer needed.

<p>CLPO-3.</p> <p>CLPO-3a</p> <p>CLPO-3b</p>	<p>Complaint Records.</p> <p>Complaint Case Files. Records of complaints of possible abuses of civil liberties and privacy in ODNI programs or activities funded by the National Intelligence Program, with related correspondence, records of meetings, investigation reports, and decisions. <i>Note: ODNI will bring any historically significant case files to NARA's attention for appraisal on a case by case basis.</i></p> <p>Records Documenting Contacts that Do Not Develop into Official Complaints. Logs of communications that do not develop into official cases, including informal advice given.</p>	<p>Temporary. Review five years after resolution of case. Destroy or delete when no longer needed.</p> <p>Temporary. Destroy 5 years after date of last entry.</p>
<p>CLPO-4</p>	<p>Policy Files. Records that specify significant final ODNI or IC policy, decisions, or actions. Materials in these files include communication materials; pre-coordination drafts; initial, intermediate and final ODNI drafts; meeting minutes; coordination materials; review materials; and other correspondence used in the development of the final policies. <i>Final case package is kept by either MSC/Internal Policy Management or the Directorate of Policy, Plans, and Requirements.</i></p>	<p>Temporary. Review when 3 years old. Delete or destroy when no longer needed.</p>
<p>CLPO-5</p> <p>CLPO-5a</p>	<p>Records of Boards, Councils, and Working Groups. Minutes, agendas, decision documentation, and copies of materials circulated at meetings, taken and collected by staff in the course of executive secretarial functions. Filed under the name of the working group, council, or board. Disposition based on the reach and authority of the boards with respect to Community-wide policy and policy implementation.</p> <p>IC Level Board Records. Includes the Intelligence Community Focal Points Group and the Intelligence Community Civil Liberties and Privacy Council.</p>	<p>Permanent. Paper Records: Retain in current files until no longer needed, and then transfer to ODNI storage area. Transfer to NARA in five-year blocks when most recent file is 30 years old.</p> <p>Electronic Records: Maintain electronic files in active system until no longer needed, copy to verified accessible format and medium as required for preservation and continued reference. Transfer to NARA when 30 years old in a medium and format acceptable to NARA in accordance with standards set forth in Federal regulations.</p>

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CLPO-5b	Agency-Level Working Group and Committee Records. Includes <i>ad hoc</i> working groups and committees. <i>Note: No agency-level working groups have been formed.</i>	Disposition Not Authorized. ODNI will submit records for review when and if such groups are formed.
CLPO-6	Briefings and Speeches. These records contain all briefings, speeches and roundtable talks and similar items delivered within or outside of the CLPO offices.	<p>Permanent. Paper Records: Retain in current files until no longer needed, and then transfer to ODNI storage area. Transfer to NARA in five-year blocks when most recent file is 30 years old.</p> <p>Electronic Records: Maintain electronic files in active system until no longer needed, copy to verified accessible format and medium as required for preservation and continued reference. Transfer to NARA when 30 years old in a medium and format acceptable to NARA in accordance with standards set forth in Federal regulations.</p> <p>Temporary. Screen annually and maintain in current file areas until no longer needed for business purposes, then destroy.</p>
CLPO-6a	External Briefings and Speeches. Original records related to external briefings, speeches and related materials (handouts, etc.) that are disseminated to individuals and organizations outside of the ODNI.	
CLPO-6b	Internal Briefings and Speeches. Records related to internal briefings, speeches, and related materials that are disseminated by CLPO personnel to the ODNI Front Office (DNI, PDDNI, DIS or successor positions) or other ODNI organizations.	
CLPO-7	Working Papers.	<p>Permanent. Paper records: If possible, file working papers with the final version of the document to which they relate. Or, retain in current files until no longer needed, then transfer to ODNI storage area. Transfer to NARA in five year blocks when most recent file in block is 30 years old.</p> <p>Electronic records: If possible, file working papers in appropriate recordkeeping systems with the final version of the document to which they relate. Or, maintain in active system until no longer needed, copy to verified accessible format and medium as required for preservation and continued reference. Transfer to NARA when 30 years old in a medium and format acceptable to NARA in accordance with standards set forth in Federal regulations.</p>
CLPO-7a	Substantive Working Papers	
CLPO-7a1	Drafts and other work papers that were coordinated outside the unit of origin and contain information that adds to a proper understanding of the formation and development of final products that embody significant policies, decisions, or actions. Such products have Community-wide reach, public visibility, initiate change, or set precedent.	

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CLPO-7a2	Drafts and associated materials related to final decisions, actions, products, or policies of transitory or routine significance.	Temporary. Delete or destroy when 3 years old or when no longer needed, whichever is later.
CLPO-7b	Non-Substantive Working Papers Collected and created materials not coordinated and/or disseminated outside the unit of origin that do not contain information documenting significant policy development, action, or decision making. These drafts and working papers do not result directly in a final product or an approved finished report. Included are such materials as rough notes and calculations and preliminary drafts produced solely for proof reading or internal discussion, reference or consultation, and associated transmittals, notes, reference and background materials.	Temporary. Screen annually and maintain in current files until no longer needed for business purposes, then delete or destroy.
CLPO-8	Administrative Records. Office operating files and facilitative records, including administrative subject files, suspense files, tracking and control records, copies of contracts, office rosters and telephone lists, routine budget and expenditure files, calendars below the senior level, indexes, and other transitory documents kept for convenience of reference and which relate to routine internal administration or housekeeping activities of the office rather than the missions functions for which the office exists.	Temporary. Delete or destroy when 2 years old or when no longer needed per GRS 23, Item 1 or, for personnel-related records, delete or destroy as specified for type of record per GRS 1.
CLPO-9	Calendars. Lotus Notes (or successor) databases or hard copy appointment books, wherever kept, containing the schedule and activities of the Civil Liberties Protection Officer, 2005 to Present.	Temporary. Delete or destroy when 2 years old in accordance with GRS 23, Item 5a.
CLPO-10	Reference Files. Copies of memoranda, reports, budgets, publications, and other office records maintained for convenience of reference.	Temporary. Destroy when no longer needed or when superseded.
CLPO-11	CLPO Web Pages. Materials posted on CLPO's internal web pages. Items posted to these pages are for informational purposes and include internal official administrative and program documents or portions thereof that are covered under other items in this schedule (e.g. issuances, instructions, directives).	Temporary. Dispose of when superseded or no longer need for business purposes.

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Redactions have been made to this record control schedule pursuant to 5 U.S.C. 552(b)(3) with the corresponding statute 50 U.S.C. 3024(m)(1) which "protects, among other things, the names and identifying information of Office of the Director of National Intelligence personnel." You will need to submit a Freedom of Information Act (FOIA) request to the Office of the General Counsel for the withheld information. Information on how to file a FOIA may be found here:

<http://www.archives.gov/foia/>