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Administrative Weekly Reports and Weekly Board
Updates, 2016-2017

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Note: Records released 03-Oct-2017 begin on PDF page 4
Records released 12-Oct-2017 begin on PDF page 81
Records released 23-Oct-2017 begin on PDF page 98
Records released 18-Nov-2021 begin on PDF page 108

Source of document: Privacy And Civil Liberties Oversight Board
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Washington, DC 20002.
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PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
WASHINGTON, D.C. 20511

October 3, 2017

Re: PCLOB FOIA 2017-030

This is an interim response to your Freedom of Information Act ("FOIA") request dated August 16, 2017 and clarified/perfected on August 23, 2017, in which you seek "a copy of each administrative Weekly Report and MFR at PCLOB during Calendar Years 2016 and 2017 to date."

As noted in the acknowledgment letter dated September, 20, 2017, a search was conducted and documents were located that are responsive to your request. However, some of the documents require consultation with other executive branch agencies. As previously explained, the PCLOB has no control over the timing of the consultation process. In the meantime, however, we are providing you with this interim response and hope to continue to provide records (if they become available) on a rolling basis.

Therefore, I have attached 77 pages for release in response to your request. I have determined that redactions are appropriate in some records pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), which pertain to certain inter- and intra-agency memorandums or letters protected by the deliberative process privilege and information the disclosure of which would "constitute a clearly unwarranted invasion of personal privacy," respectively. Redactions have been clearly marked with the corresponding exemption. I have further determined that disclosure of the information subject to exemption 5 would harm the Board's deliberative process privilege; however, I have segregated the information and non-exempt information is being provided to you at this time.

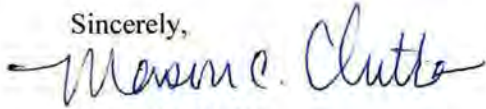
As explained above, we will provide you with interim responses on a rolling basis if additional records are determined to be subject to release.

Finally, two MRFs are being withheld in full pursuant to Exemption 5. I have determined that disclosure of the information would harm the Board's deliberative process privilege and that partial disclosure of information responsive to your request is not possible at this time. No other MFRs responsive to your request were located in our search.

You may contact me or the PCLOB's FOIA Public Liaison Eric Broxmeyer at (202) 331-1986 or foia@pclob.gov for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the PCLOB Freedom of Information Act Appeal Authority, at MS2 Room 2C104, Washington, DC 20511, or you may submit an appeal via email to foia@pclob.gov. Your appeal must be postmarked or electronically transmitted within ninety calendar days from the date of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Mason C. Clutter". The signature is written in a cursive style with a horizontal line extending from the left side of the first letter.

Mason C. Clutter
Freedom of Information Act Officer
Attorney-Advisor
(202) 296-4729

Weekly Board Update for May 10, 2017

ETHICS REMINDER

· Please remember that the gift rules apply to contractors who are doing business with the PCLOB. 5 C.F.R. 2635.203(d)(2). As such, you should not accept a gift (including a meal) from a PCLOB contractor without checking first with Eric or Lynn.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· [REDACTED]
(b) (5)

· The 2017 compliance calendar requirements for May are below. Please make sure that I receive a copy of the final reports for filing purposes.

- May 05: ISOO Quarterly Data Call (b) (5) – In progress
- May 14: Controlled Unclassified Information Policy [Lynn/(b) (5)] – In progress
- May 15: OGE Form 278 [Eric/Lynn] –
- May 30: SGE Reappointment for Board Member Collins [Eric] –
- May 31: SF 326 Travel Report [Eric/(b) (5)] –

Weekly Board Update for May 17, 2017

Time and Attendance Refresher

Please review the attached Time and Attendance Refresher to ensure that you're following the PCLOB's time and attendance practices. In addition, for mission staff, please remember to finish filling out your time and attendance by close of business Friday if possible, otherwise no later than 10 a.m. on the following Monday so that Eric can certify your time.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· [REDACTED]
(b) (5)

· The 2017 compliance calendar requirements for May are below. Please make sure that I receive a copy of the final reports for filing purposes.

- May 05: ISOO Quarterly Data Call [(b) (5)] – In progress
- May 14: Controlled Unclassified Information Policy [Lynn (b) (6)] – In progress
- May 15: OGE Form 278 [Eric/Lynn] – Extended to June 29, 2017
- May 30: SGE Reappointment for Board Member Collins [Eric] –
- May 31: SF 326 Travel Report [Eric/ (b) (6)] –

UPCOMING DATES:

- **June 19, 2017** - Beth has been invited to a security conference in Riga, Latvia on. She will be leading a panel discussion on privacy and transparency.
- Beth will also be a guest speaker for the annual conference sponsored by the U.S. District Court in Oregon on **October 6, 2017**.

Weekly Board Update for May 23, 2017

Time and Attendance Refresher

Please review the attached Time and Attendance Refresher to ensure that you're following the PCLOB's time and attendance practices. In addition, for mission staff, please remember to finish filling out your time and attendance by close of business Friday if possible, otherwise no later than 10 a.m. on the following Monday so that Eric can certify your time.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· [REDACTED]
(b) (5)

· The 2017 compliance calendar requirements for May are below. Please make sure that I receive a copy of the final reports for filing purposes.

- May 05: ISOO Quarterly Data Call [(b) (6)] – In progress
- May 14: Controlled Unclassified Information Policy [Lynn (b) (6)] – In progress
- May 15: OGE Form 278 [Eric/Lynn] – Extended to June 29, 2017
- May 30: SGE Reappointment for Board Member Collins [Eric] –
- May 31: SF 326 Travel Report [Eric/ (b) (6)] –

UPCOMING DATES:

- **June 19, 2017** - Beth has been invited to a security conference in Riga, Latvia on. She will be leading a panel discussion on privacy and transparency.
- FYI – The organizers of the Latvia security conference changed the time and topic of Beth's panel discussion. It will now be the first panel and will focus on cyber-currency issues and financial CT issues.
- Beth will also be a guest speaker for the annual conference sponsored by the U.S. District Court in Oregon on **October 6, 2017**.

Weekly Board Update for May 24, 2017

Cyber Security Executive Order:

Please see attached summary from (b) (5).

Legislative Update:

Adriel and Jen submitted PCLOB's FY 2018 Congressional Budget Justification (CBJ) to Capitol Hill on May 23, 2017.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· (b) (5)

· The 2017 compliance calendar requirements for May are below. Please make sure that I receive a copy of the final reports for filing purposes.

- May 05: ISOO Quarterly Data Call [(b) (5)] – Completed
- May 14: Controlled Unclassified Information Policy [Lynn/(b) (5)] – In progress
- May 15: OGE Form 278 [Eric/Lynn] – Extended to June 29, 2017
- May 30: SGE Reappointment for Board Member Collins [Eric] – In progress
- May 31: SF 326 Travel Report [Eric/(b) (5)] – In progress

UPCOMING DATES:

- **June 19, 2017** - Beth has been invited to a security conference in Riga, Latvia on. She will be participating on a panel on cyber-currency and financial CT issues.
- **October 6, 2017** – Beth will be a guest speaker for the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for October 25, 2016

PERSONNEL UPDATE:

(b) (6) will be joining us as a Program Analyst on October 31st.

Legislative Update –

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

· 12333 Deep Dive Report: A vote on sending the CIA (b) (1) (A) deep dive report to the Intelligence Community for accuracy and classification review is likely to begin on Oct. 27.

· 12333 Public Report: (b) (5)

· PPD-28: The PPD-28 report is currently undergoing notational review.

· Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.

(b) (5)

· Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- Please generally copy both Eric and Lynn when you email them so they can respond to your questions as soon as possible.

- Thank you to everyone for completing the trainings for the No FEAR Act (Members and Staff) and the Plain Writing Act (Staff), the last of which will be finished up this week.

- The current compliance requirements are below.

- Sept. 30: Semi-Annual Report [Jen/(b) (6)] – End of reporting period.
- Oct. 28: Quarterly FOIA Report [Mason] – Completed and posted on website.
- Oct. 31 (tentative): Annual Telework Report [Sharon/Eric] – OPM will circulate in November.

- Oct. 31 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] –

Update when RLP process is complete.

UPCOMING DATES:

Oct. 24-26 – Rachel is a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

October 31 –2:00 PM, Board Briefing on PCLOB Open Government Plan (b) (5)

November 9, 2016 – Beth will be a guest lecturer for a national security law class at the University of Virginia School of Law. She will also be the keynote speaker for a luncheon at UVA following the class.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for July 26, 2016

PERSONNEL UPDATES

*We wanted to update everyone on all the new hires who will be joining the PCLOB.
As previously announced:*

(b) (6), new CISO, starting July 25
(b) (6), Attorney Advisor on detail from NSA, starting August 8
(b) (6), Senior Acquisitions Officer, starting August 22

Additional new hires, not previously announced to everyone:

(b) (6), Attorney Advisor, starting September 6
(b) (6), Counselor to Beth Collins, starting date TBD (but no later than move to College Park)
(b) (6), Attorney Advisor, starting October 3
(b) (6), Program Analyst, starting October 17
(b) (6), Attorney Advisor, already has TS/SCI clearance, but start date TBD
(b) (6), Attorney Advisor, awaiting SCI
(b) (6), Attorney Advisor, awaiting clearance
(b) (6), Attorney Advisor, awaiting clearance

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

MOVE UPDATE

Move update: Last week, GSA ran an ad seeking expressions of interest from lessors for the PCLOB's new permanent office location. The delineated area for potential space is depicted in the attached map, and GSA also included a requirement that any building must be within ½ mile of a metro stop. (b) (5). PCLOB staff and our (b) (6) consultants will go with GSA to tour these properties on Wednesday. Thereafter, GSA will prepare a request for lease proposals, which they expect to issue in early to mid-August.

(b) (5)

LEGISLATIVE UPDATE

We have kept the Hill well informed of developments related to our move. (b) (6)

(b) (6)

[REDACTED]
[REDACTED]
(b) (5)

PROJECT UPDATES

[REDACTED]
(b) (5)

Legislative Update:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· The Board voted unanimously to approve pursuing the new GSA-recommended long-term lease procurement for the Board's mandatory office move, as set forth in the attached project schedule.

· Semi-Annual Report: The Oct. 2015 – Mar. 2016 Report is now undergoing a notational vote.

· Transition Documents: The (b) (5) and the Sub-Quorum policy are currently pending in the notational review process. It would be helpful to have Member comments on the (b) (6), (b) (5) as soon as possible.

(b) (5)

· Pre-Publication Policy: The revised Pre-Publication Policy is now in the notational review process for Member revision and comment.

· 12333 Public Report: (b) (5)

· *New Projects: The Board's potential new projects are in the notational review process for Member comment.*

· *EEO and Anti-Harassment Policies: The revised EEO Policy and Anti-Harassment Policy have returned to the notational review process. Eric and Lynn ask Members to make this a priority to comment on these policies so they can be finalized as quickly as possible.*

(b) (5)

· *Sunshine Act Regulation: The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member review and comment.*

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

The compliance requirements for this month are below. I've attached an updated 2016 compliance calendar.

- *Mar. 31: Semi-Annual Report [(b) (6)] – Undergoing notational vote*
- *June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (6)] Jen] – to be scheduled soon.*
- *July 29: Quarterly FOIA Report [Mason] –*
- *July 29: Quarterly ISOO Data Call [(b) (6)] –*
- *July 29 (tentative): Response to HAC/SAC Marks, if any [Adriel/Jen] –*
- *July 29 (tentative): Open Gov't Plan [Sharon/Jen] –*

UPCOMING DATES/EVENTS

July 27th at 2 pm: Tentative staff briefing on PPD-28

August 1 (TBD), (b) (5)

August 3, 2:00-2:45 PM, 8th Floor Conference Room TENTATIVE: The Center for a New American Security to brief interested Board Members on its surveillance reform initiative.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

Weekly Board Update for July 19, 2016

PERSONNEL UPDATES

We wanted to update everyone on all the new hires who will be joining the PCLOB.
As previously announced:

(b) (6) new CISO, starting July 25
(b) (6) Attorney Advisor on detail from NSA, starting August 8
(b) (6), Senior Acquisitions Officer, starting August 22

Additional new hires, not previously announced to everyone:

(b) (6), Attorney Advisor, starting September 6
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(b) (6), Attorney Advisor, starting October 3
(b) (6), Program Analyst, starting October 17
(b) (6), Attorney Advisor, already has TS/SCI clearance, but start date TBD
(b) (6) Attorney Advisor, awaiting SCI
(b) (6), Attorney Advisor, awaiting clearance
(b) (6) Attorney Advisor, awaiting clearance

(b) (6)

PROJECT UPDATES

(b) (5)

Legislative Update:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

The Board voted unanimously to approve pursuing the new GSA-recommended long-term lease procurement for the Board's mandatory office move, as set forth in the attached project

schedule.

· Semi-Annual Report: The Oct. 2015 – Mar. 2016 Report is now undergoing a notational vote.

· Transition Documents: The (b) (5) and the Sub-Quorum policy are currently pending in the notational review process. It would be helpful to have Member comments on the (b) (5) as soon as possible.

(b) (5)

· Pre-Publication Policy: The revised Pre-Publication Policy is now in the notational review process for Member revision and comment.

· 12333 Public Report: (b) (5)

· New Projects: The Board's potential new projects are in the notational review process for Member comment.

· EEO and Anti-Harassment Policies: The revised EEO Policy and Anti-Harassment Policy have returned to the notational review process. Eric and Lynn ask Members to make this a priority to comment on these policies so they can be finalized as quickly as possible.

(b) (5)

· Sunshine Act Regulation: The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member review and comment.

· Compensation/Promotion Policy and Performance Policy: The revised compensation/promotion policy and the revised performance policy

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

The compliance requirements for this month are below. I've attached an updated 2016 compliance calendar.

- Mar. 31: Semi-Annual Report [(b) (5)] – Undergoing notational vote
- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (6)/Jen] – to be scheduled soon.
- July 29: Quarterly FOIA Report [Mason] –
- July 29: Quarterly ISOO Data Call [(b) (6)] –
- July 29 (tentative): Response to HAC/SAC Marks, if any [Adriel/Jen] –
- July 29 (tentative): Open Gov't Plan [Sharon/Jen] –

UPCOMING DATES/EVENTS

July 27th at 2 pm: Tentative staff briefing on PPD-28

August 1 (TBD), briefing for Board by NSA [(b) (5)]

August 3, 2:00-2:45 PM, 8th Floor Conference Room TENTATIVE: The Center for a New American Security to brief interested Board Members on its surveillance reform initiative.

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

Weekly Board Update for July 26, 2016

MOVE UPDATE

Last week, GSA ran an ad seeking expressions of interest from lessors for the PCLOB's new permanent office location. The delineated area for potential space is depicted in the attached map, and GSA also included a requirement that any building must be within ½ mile of a metro stop. (b) (5)

(b) (5) Thereafter, GSA will prepare a request for lease proposals, which they expect to issue in early to mid-August.

(b) (5)

(b) (5)

For our move to Maryland Square, it appears that we will be staying with the original planned date of Friday, September 16th.

LEGISLATIVE UPDATE

We have kept the Hill well informed of developments related to our move. (b) (5)

(b) (5)

(b) (5) **schedule FYI:**

(b) (6) ill be here at the SCIF next week from Monday, August 1st through Wednesday, ill be able to join us for the (b) (5)

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

He will therefore plan to come down to DC mostly on Thursdays and Fridays. If there is a particular session where we believe strongly that we need (b) (6) to attend on a Monday or Wednesday in the fall, we would need to give him advance notice (b) (6)

(b) (6) Meanwhile, (b) (6) asked that we let Board Members know that if you have current questions or topics you would like discuss with him in the SCIF, he is available to meet with you next Monday through Wednesday.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· Semi-Annual Report: Staff and Counselors have reviewed the Semi-Annual Report (Oct. 2015 – Mar. 2016), and a motion for a vote is likely to be sought on July 27.

· (b) (5) [REDACTED]

· Transition Documents: The (b) (5) [REDACTED] and the Sub-Quorum policy are currently pending in the notational review process. It would be helpful to have Member comments on the (b) (5) [REDACTED] as soon as possible.

· (b) (5) [REDACTED]

· Pre-Publication Policy: The revised Pre-Publication Policy is now in the notational review process for Member revision and comment.

· 12333 Public Report: (b) (5) [REDACTED]

· Next Projects: The Board's potential new projects are in the notational review process for Member comment.

· EEO and Anti-Harassment Policies: The revised EEO Policy and Anti-Harassment Policy have returned to the notational review process. Eric and Lynn ask Members to make this a priority to comment on these policies so they can be finalized as quickly as possible. (b) (5) [REDACTED]

· (b) (5) [REDACTED]

· Sunshine Act Regulation: The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member review and comment.

· Compensation/Promotion Policy and Performance Policy: The revised compensation/promotion policy and the revised performance policy (b) (5) [REDACTED]

· (b) (5) [REDACTED]

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· (b) (5) [REDACTED]

- This week or next, Eric and Lynn will circulate two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).

- The compliance requirements for this month are below.

- Mar. 31: Semi-Annual Report [(b) (6)] – a motion for a vote is likely to be sought on July 27.

- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (6)]/Jen] – to be scheduled soon.

- July 29: Quarterly FOIA Report [Mason] –

- July 29: Quarterly ISOO Data Call [(b) (6)] –

- July 29 (tentative): Response to HAC/SAC Marks, if any [Adriel/Jen] –

- July 29 (tentative): Open Gov't Plan [Sharon/Jen] –

UPCOMING DATES/EVENTS

July 27, 2 PM: staff briefing on PPD-28

August 1, 1 PM briefing for Board by NSA [(b) (5)]

August 3, 2:00-2:45 PM, 8th Floor Conference Room: The Center for a New American Security to brief interested Board Members on its surveillance reform initiative.

August 11: PCLOB staff meeting with agency CLPOs.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

(b) (5)

(b) (5)

· In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be submitted within 5 working days of the end of travel. (b) (6) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below, as are some carryovers. I've attached an updated 2016 compliance calendar.

- Mar. 31: Semi-Annual Report (b) (6)] – Undergoing notational review
- June 29 (tentative): Board briefing on Quarterly Spend Plan/Budget Request One-Pager [CMO/ (b) (6)] –
- June 30: Annual Telework Report [Eric/Lynn] – (b) (5)
- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (6) /Jen] –
- June 30 (tentative): Open Gov't Plan [Sharon/Jen] –

UPCOMING DATES/EVENTS

June 24, 1:30-3:30 PM David's departure ceremony and reception at the GSA.

June 27, (Monday) 12-2 PM, CIA briefing for Board (b) (5)

June 27 – Eric will attend a discussion with the (b) (5) National Background Investigations Bureau (NBIB), which is being stood up as a new agency to handle security clearances. The team is seeking to identify best practices for starting up a new agency.

July 11th at 2 pm: Records management training (MANDATORY for Board Members and Staff)

July 18th at 2 pm: Tentative staff briefing on PPD-28

July TBD (likely late July) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for June 28, 2016

DATES TO HIGHLIGHT:

- June 29, 10:00 AM, 5th floor conference room, staff Board briefing on the office relocation
- July 11th at 2 pm: Records management training (Mandatory for Board Members and Staff)

PERSONNEL UPDATES:

(b) (6), our new CISO will start on July 25.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

· Pre-Publication Policy: The revised Pre-Publication Policy is now in the notational review process for Member revision and comment.

· Semi-Annual Report: The Semi-Annual Report (Oct. 2015 – Mar. 2016) is now in the notational review process for Member revision and comment. There is no external deadline, but it would be ideal to issue the report in June, if possible.

· 12333 Public Report: (b) (5)

· 12333 Public Report (b) (5)

· New Projects: The Board's potential new projects are in the notational review process for Member comment.

· EEO and Anti-Harassment Policies: The revised EEO Policy and Anti-Harassment Policy have returned to the notational review process. Eric and Lynn ask Members to make this a priority to comment on these policies so they can be finalized as quickly as possible.

(b) (5)

- Sunshine Act Regulation: The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member review and comment.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- All Form 278 filers have either submitted their forms or sought an extension to July 11. If an extension is needed (to Aug. 23), please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

- To assist with the transition to a four-Member Board, Eric is drafting a (b) (5) for Members to consider in the notational review process. Eric is also drafting the Sub-Quorum policy following the Board's vote to approve drafting the policy.

(b) (5)

(b) (5)

- In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be submitted within 5 working days of the end of travel. (b) (6) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below. I've attached an updated 2016 compliance calendar.

- Mar. 31: Semi-Annual Report (b) (6) – Undergoing notational review
- June 29 (tentative): Board briefing on Quarterly Spend Plan/Budget Request One-Pager [CMO (b) (6) – (b) (5)]
- June 30: Annual Telework Report [Eric/Lynn] – PCLOB will respond to an OPM telework data call in August or September, which will cover this reporting requirement.
- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts (b) (6)/Jen] – (b) (5)
- July TBD: Open Gov't Plan [Sharon/Jen] – (b) (5)

UPCOMING DATES/EVENTS

July 11th at 2 pm: Records management training (MANDATORY for Board Members and Staff)

July 18th at 2 pm: Tentative staff briefing on PPD-28

July TBD (likely late July) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update, March 2, 2016

PROJECT UPDATE:

12333 (b) (1) (A) Deep-Dive team:

(b) (5)

12333 (b) (1) (A) deep dive update:

(b) (5)

(b) (5)

(b) (5)

NSA 12333 Deep Dive:

(b) (5)

Section 803 Project:

(b) (5)

Once it is ready, the revised draft will be circulated to the Board.

PERSONNEL UPDATE:

Hail and Farewell: Sadly for us, (b) (6) detail to the Board will be ending Thursday, May 19, 2016, at which time she will be returning to ODNI. We will soon post a position announcement to seek to hire a new CMO. As May draws closer, we will plan a date for a farewell send-off for (b) (6).

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· **Notational Review/Notational Voting:** A revised version of the Internal Agency Procedures for Notational Review and Notational Voting has been circulated for Member comment.

· **Sunshine Act Regulation:** The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member revision and comment.

· **EEO and Anti-Harassment Policies:** A proposed EEO Policy and a proposed Anti-Harassment Policy has been circulated for Member comment.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

· Thank you for submitting changes to the Nov. 9, 2016 closed meeting transcript. Those changes will be sent back to the stenographer.

(b) (5)

· An updated 2016 compliance calendar is attached.

The compliance requirements for last month were as follows:

· Feb. 01: FY 2017 CBJB (b) (6) – Completed and filed with OMB, provided to the Hill, and posted on the Board's website

· Feb. 01: DATA Act Implementation Plan [Eric] – Completed and filed with OMB

· Feb. 01: Annual Ethics Questionnaire [Lynn] – Completed and filed with OGE

· Feb. 01: Annual Ethics Pledge Assessment [Lynn] – Completed and filed with OGE

- Feb. 07-13: Quarterly ISOO Data Call [(b) (5)] w/ staff assistance] – Completed internally
- Feb. 05: Chief FOIA Officer Report [Sharon/Mason] – Completed and filed with DOJ
- Feb. 08: EEOC Form 715-01 [Lynn] – Completed and filed with EEOC
- Feb. 29: ISOO Security Costs Est. Report [(b) (5)] – Completed and filed with ISOO
- Feb. 29: Report on Experts and Consultants [Eric] – [(b) (5)]

The compliance requirements for this month are as follows:

- Mar. 01: Audited Financial Statement [(b) (5)] – Waived by OMB
- Mar. 01: FISMA Report to Congress [(b) (5)] – Completed and filed
- Mar. 17: Operating Plan [(b) (5)]
- Mar. 18: Regulatory Agenda Reporting [(b) (5)] – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Quarterly Report on PCLOB's Relocation Efforts [Sharon/ [(b) (5)] [(b) (5)]]
- Mar. 31: Semi-Annual Report [(b) (5)] – Reporting period ends

UPCOMING DATES/EVENTS

March 2 REMINDER, [(b) (5)]

March 3 - David will speak in Andy Gavil's Howard University Law School privacy law class.

March 4 – Staff meeting with SSCI and HPSCI, [(b) (5)]

March 14 at 2:00 pm, 4th floor, DoD briefing for the Board [(b) (5)]

March 14 8AM-2PM and/or all day March 16 TENTATIVE- Board sessions with various NGOs. Details TBD.

March 28 - David will speak in Lauren Steinfeld's Penn Law privacy law class

March 30 – David and Beth to speak at UT/LBJ spring intelligence conference

April 1 – Judge Wald to speak at the Kennedy School and to David Barron's law clerks on PCLOB activities.

April 6 – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists Alex Joel and Giovanni Buttarelli.

April 12 - David will speak in Daphna Renan's Harvard Law School privacy law class.

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, March 2, 2016

PROJECT UPDATE:

12333 (b) (6), (b) (1) (A) Deep-Dive team:

(b) (5)

12333 (b) (6), (b) (1) (A) deep dive update:

(b) (5)

(b) (5)

(b) (5)

NSA 12333 Deep Dive:

(b) (5)

Section 803 Project:

(b) (5)

Once it is ready, the revised draft will be circulated to the Board.

PERSONNEL UPDATE:

Hail and Farewell: Sadly for us, (b) (6) detail to the Board will be ending Thursday, May 19, 2016, at which time she will be returning to ODNI. We have reached out to ODNI to help us in identifying new detail candidates and we will soon post a position announcement to seek to hire a new CMO. As May draws closer, we will plan a date for a farewell send-off for (b) (6)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· **Notational Review/Notational Voting:** A revised version of the Internal Agency Procedures for Notational Review and Notational Voting has been circulated for Member comment.

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- Feb. 08: EEOC Form 715-01 [Lynn] – Completed and filed with EEOC
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The compliance requirements for this month are as follows:

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- Mar. 18: Regulatory Agenda Reporting [(b) (5)] – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Quarterly Report on PCLOB's Relocation Efforts [(b) (5)]
- Mar. 31: Semi-Annual Report [(b) (5)] – Reporting period ends

UPCOMING DATES/EVENTS

March 2 REMINDER, [(b) (5)]

March 3 - David will speak in Andy Gavil's Howard University Law School privacy law class.

March 4 – Staff meeting with SSCI and HPSCI, [(b) (5)]

March 14 at 2:00 pm, 4th floor, DoD briefing for the Board [(b) (5)]

March 14 8AM-2PM and/or all day March 16 TENTATIVE- Board sessions with various NGOs. Details TBD.

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March 30 – David and Beth to speak at UT/LBJ spring intelligence conference

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April 12 - David will speak in Daphna Renan's Harvard Law School privacy law class.

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, March 15, 2016

SCHEDULE HIGHLIGHTS:

Wed. March 16, 9:30 – 10:30 AM, 5th Floor Conference room - (b) (6) to have a discussion with Board Members.

March 16, 11:00 AM-12:00 PM, 8th Floor Conference room – listening session with the Brennan Center.

March 16, 1:30 - 2:30 PM, 8th Floor Conference room – listening session with the ACLU.

PERSONNEL UPDATE:

As a reminder, (b) (6) last day with us will be this Friday, March 18.

LEGISLATIVE UPDATE:

On Thursday, March 10, Jen, Sharon, (b) (6), and (b) (6) went up to the Hill to meet with Majority and Minority staff of the House and Senate Financial Services and General Government (FSGG) Appropriations Subcommittee. The primary purpose of the meeting was for us to update them on our impending move as the FY 2017 Appropriations process proceeds.

(b) (5)

BUDGET UPDATE:

The Board's Operating Plan (i.e. our spending plan) for FY 2016 must be submitted to the Hill and OMB this week. It will be provided to OMB, Appropriations, as well as our oversight Committees. This information was presented to the Board during the staff presentation on our budget on February 10, 2016.

PROJECT UPDATES:

CIA Deep-Dive teams:

- 1) Regarding the two CIA deep dives:

(b) (5)

- 2) Regarding the (b) (1) (A) deep-dive: [REDACTED]

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· **Notational Review/Notational Voting:** All Members have commented (or had no comment) on the Internal Agency Procedures for Notational Review and Notational Voting. Eric is now revising the procedures and will circulate for a vote later this week or early next week.

· **Sunshine Act Regulation:** The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member revision and comment.

· **EEO and Anti-Harassment Policies:** A proposed EEO Policy and a proposed Anti-Harassment Policy has been circulated for Member comment.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· It is time again to start preparing Form 278 financial disclosures, which are due May 16, 2016 (with the possibility of two 45-day extensions). [REDACTED]

(b) (5)

(b) (5)

(b) (5)

The compliance requirements for this month are as follows:

- Mar. 01: Audited Financial Statement [(b) (6)] – Waived by OMB
- Mar. 01: FISMA Report to Congress (b) (6) – Completed and filed
- Mar. 10: Quarterly Report on PCLOB's Relocation Efforts [(b) (6)] – Provided to the House Appropriations Committee ("HAC") and Senate Appropriations Committee ("SAC")
- Mar. 17: Operating Plan to OMB/HAC & SAC [(b) (6)]
- Mar. 18: Regulatory Agenda Reporting (b) (6) – Nothing to report

- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Semi-Annual Report (b) (6) – Reporting period ends

UPCOMING DATES/EVENTS

March 16, 8th floor – NGO listening sessions continue.

March 16, 9:30 AM, 5th floor conference room, (b) (6) schedule to have a discussion with Board Members.

March 28 - David will speak in Lauren Steinfeld's Penn Law privacy law class

March 30 – David and Beth to speak at UT/LBJ spring intelligence conference

April 1 – Judge Wald to speak at the Kennedy School and to David Barron's law clerks on PCLOB activities.

April 6 – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists Alex Joel and Giovanni Buttarelli.

April 12 - David will speak in Daphna Renan's Harvard Law School privacy law class.

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20- Beth will be speaking to the National Security Law Association at Rutgers Law School

Weekly Board Update for November 1, 2016

Dates to Highlight –

Monday, Nov. 7, (10:00 – 11:30 AM) – (b) (5)

Monday, Nov. 7 – Move update briefing to follow (b) (5) (approx. 11:45 AM).

(b) (5)

Project Update:

Staff have sent the staff draft of the facts section of the [REDACTED] deep dive to the CIA for accuracy and classification review (implementing the Board's vote).

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· 12333 Deep Dive Report: The Board unanimously voted to send the CIA (b) (1) (A) deep dive report as a staff draft to the Intelligence Community for accuracy and classification review.

· Promotion Policy and Performance Policy: A notational vote is in process on whether to approve the draft Promotion Policy and revised Performance Policy.

· 12333 Public Report: [REDACTED]

(b) (5)

· Pre-Publication Policy: A notational vote on the revised Pre-Publication Policy is likely to begin on Nov. 3.

· PPD-28: The PPD-28 report is currently undergoing notational review.

· Transition Documents: The Sub-Quorum Policy is undergoing the second round of notational review. [REDACTED]

(b) (5)

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· Thank you to everyone for completing the trainings for the No FEAR Act (Members and Staff) and the Plain Writing Act (Staff).

· Thank you to everyone for responding to the FOIA search request circulated last week.

(b) (5)

· The current compliance requirements are below. Eric has also attached an updated compliance calendar.

- Sept. 30: Semi-Annual Report [(b) (6)] – End of reporting period.
- Nov. 01: Annual Self-Inspection Report to ISOO [(b) (6)] – Extension rec'd until Nov. 4.
- Nov. 15: ISOO SF 311 Report [(b) (6)] –
- Nov. 15: FISMA Reporting [(b) (6)] –
- Nov. 15 (tentative): Year-end Budget & Spend Plan Briefing [Adriel/[(b) (6)] –
- Nov. 15 (tentative): Initial FY 2018 Budget Request to OMB [Adriel/[(b) (6)] –
- Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] –
- Nov. 30 (tentative): Annual Telework Report [Sharon/Eric] –
- Nov. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [(b) (6)] –
- Nov. 30 (tentative): Open Government Plan [Sharon/Jen] –

UPCOMING DATES:

Monday, Nov. 7, (10:00 – 11:30 AM) – [(b) (5)]

Monday, Nov. 7 – Move update briefing [(b) (5)] (approx. 11:45 AM).

November 9, 2016 – Beth will be a guest lecturer for a national security law class at the University of Virginia School of Law. She will also be the keynote speaker for a luncheon at UVA following the class.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for November 23, 2016

PROJECT UPDATES:

E.O. 13636/Cybersecurity -

[REDACTED]
(b) (5)

Legislative Update –

As of Wednesday, November 23, SSCI and HPSCI had not come to full agreement on an Intelligence Authorization Act (IAA). [REDACTED]

(b) (5) The House is therefore likely to pass its version of IAA under the suspension calendar on Tuesday, November 29.

(b) (5)

[REDACTED]

It is also still unclear when Congress will adjourn for the 114th Congress, although the target date is still December 16th. What is also uncertain is whether the Senate will recess and continue a pro forma session, or whether it could adjourn sine die on that date. [REDACTED]

(b) (5)

Jen will continue to keep Board Members updated on these matters.

(b) (5)

(b) (5)

Website –

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL
REVIEW AND VOTING

(b) (5)

(b) (5)

· 12333 CIA Deep Dive Report: (b) (5)

· 12333 NSA Deep Dive Report: (b) (5)

· 12333 Public Report: (b) (5)

· PPD-28: The PPD-28 Report is currently in the second round of notational review.

· Next Projects: The Board is considering additional next projects in the notational review process.

- Sub-Quorum Policy: The Sub-Quorum Policy is in the notational review process.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· (b) (5)

NOTE: Please make sure that Eric receives written notification as soon as possible after Member comments to teams on mission-related items so he can track the notational review process and keep it moving.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· (b) (5)

· (b) (5)

- For new employees, please make sure to give ethics training forms to Lynn.
- The current compliance requirements are below. Eric has also attached an updated compliance calendar.

- Sept. 30: Semi-Annual Report (b) (5) – End of reporting period, report in progress
- Nov. 15: ISOO SF 311 Report (b) (5) – Completed and filed
- Nov. 15: (tentative): Initial FY 2018 Budget Request to OMB [Adriel/ (b) (5)]
- (b) (5)
- Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] – In progress
- Nov. 30: (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when update is ready
- Nov. 30: (tentative): Open Government Plan [Sharon/Jen] – In progress

UPCOMING DATES:

December 20: Sharon and (b) (5) will be attending a meeting of the Institute for Defense Analyses (IDA) – a non-profit organization whose mission is to promote national security and advance scientific learning – and Sharon will be speaking to the group about the PCLOB and its work.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for November 30, 2016

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· [REDACTED]
[REDACTED]
(b) (5)

· 12333 CIA Deep Dive Report: [REDACTED]
(b) (5)

· 12333 NSA Deep Dive Report: [REDACTED]
(b) (5)

· 12333 Public Report: (b) (5)

· PPD-28: The PPD-28 Report is currently in the second round of notational review.

· Next Projects: The Board is considering additional next projects in the notational review process.

· Sub-Quorum Policy: The Sub-Quorum Policy is in the notational review process.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· [REDACTED]
(b) (5)

· FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.

· Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

· [REDACTED]
(b) (5)

NOTE: Please make sure that Eric receives written notification as soon as possible after Member comments to teams on mission-related items so he can track the notational review process and keep it moving.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· [REDACTED]
(b) (5)

· [REDACTED]
(b) (5)

- For new employees, please make sure to give ethics training forms to Lynn.
- The current compliance requirements are below. Eric has also attached an updated compliance calendar.
 - Sept. 30: Semi-Annual Report (b) (5)] – End of reporting period, report in progress
 - Nov. 21: Draft Annual FOIA Report [Mason] – extension from DOJ to Dec. 2
 - Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] – In progress, (b) (5)
 - Nov. 30: (tentative): Quarterly Report on Relocation Effort to HAC/SAC [(b) (5)] – Will schedule when update is ready
 - Nov. 30: (tentative): Open Government Plan [Sharon/Jen] – In progress

UPCOMING DATES:

December 20: Sharon and (b) (5) will be attending a meeting of the Institute for Defense Analyses (IDA) – a non-profit organization whose mission is to promote national security and advance scientific learning – and Sharon will be speaking to the group about the PCLOB and its work.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for October 25, 2016

PERSONNEL UPDATE:

(b) (6) will be joining us as a Program Analyst on October 31st.

Legislative Update –

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- Compensation/Promotion Policy and Performance Policy: Eric can tee up a vote on these policies upon the motion of any Member.
- 12333 Deep Dive Report: A vote on sending the CIA (b) (1) (A) deep dive report to the Intelligence Community for accuracy and classification review is likely to begin on Oct. 27.
- 12333 Public Report: (b) (5)
- PPD-28: The PPD-28 report is currently undergoing notational review.
- Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.
(b) (5)
- Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· Please generally copy both Eric and Lynn when you email them so they can respond to your questions as soon as possible.

· Thank you to everyone for completing the trainings for the No FEAR Act (Members and Staff) and the Plain Writing Act (Staff), the last of which will be finished up this week.

· The current compliance requirements are below.

- Sept. 30: Semi-Annual Report [(b) (6)] – End of reporting period.
- Oct. 28: Quarterly FOIA Report [Mason] – Completed and posted on website.
- Oct. 31 (tentative): Annual Telework Report [Sharon/Eric] – OPM will circulate in November.

- Oct. 31 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [(b) (6)] –

Update when RLP process is complete.

UPCOMING DATES:

Oct. 24-26 – Rachel is a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

October 31 – 2:00 PM, Board Briefing on PCLOB Open Government Plan [(b) (5)]

November 9, 2016 – Beth will be a guest lecturer for a national security law class at the University of Virginia School of Law. She will also be the keynote speaker for a luncheon at UVA following the class.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for May 23, 2017

Time and Attendance Refresher

Please review the attached Time and Attendance Refresher to ensure that you're following the PCLOB's time and attendance practices. In addition, for mission staff, please remember to finish filling out your time and attendance by close of business Friday if possible, otherwise no later than 10 a.m. on the following Monday so that Eric can certify your time.

This may be too soon but our next all hands staff meeting is June 14.

(b) (6)

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

(b) (5)

· The 2017 compliance calendar requirements for May are below. Please make sure that I receive a copy of the final reports for filing purposes.

- May 05: ISOO Quarterly Data Call [(b) (6)] – In progress
- May 14: Controlled Unclassified Information Policy [Lynn/(b) (5)] – In progress
- May 15: OGE Form 278 [Eric/Lynn] – Extended to June 29, 2017
- May 30: SGE Reappointment for Board Member Collins [Eric] –
- May 31: SF 326 Travel Report [Eric/(b) (6)] –

UPCOMING DATES:

- **June 19, 2017** - Beth has been invited to a security conference in Riga, Latvia on. She will be leading a panel discussion on privacy and transparency.
- FYI – The organizers of the Latvia security conference changed the time and topic of Beth's panel discussion. It will now be the first panel and will focus on cyber-currency issues and financial CT issues.

- Beth will also be a guest speaker for the annual conference sponsored by the U.S. District Court in Oregon on **October 6, 2017**.

Weekly Board Update for April 5, 2016

MOVE UPDATE:

A staff Board briefing on the move has been added to the PCLOB calendar for Monday, April 11, 3:45-5:00 PM, to follow the staff briefing on the (b) (5) (Calendar item also included in "Upcoming Dates and Events.")

PROJECT UPDATE:

E.O. 12333:

(b) (5)

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- **Notational Review/Notational Voting:** The Internal Agency Procedures for Notational Review and Notational Voting are currently out for a Board vote.
- **Sunshine Act Regulation:** The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member revision and comment.
- **EEO and Anti-Harassment Policies:** A proposed EEO Policy and a proposed Anti-Harassment Policy has been circulated for Member comment.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- It is time again to start preparing Form 278 financial disclosures, which are due May 16, 2016 (with the possibility of two 45-day extensions).

(b) (5)

Eric and Lynn are available to assist with questions as they arise. If an extension is needed, please send an email to Eric and Lynn.

- Eric has begun working on legal issues related to the transition and will prepare a transition memorandum. He will reach out to Board Members to discuss any issues that they would like to see addressed.

(b) (5)

- Lynn has drafted a legal guidance memorandum for social media, which is attached.
- Attached is our updated enabling statute that includes the new covert access limitation, 42 U.S.C. § 2000ee(g)(1)(5). It is also available on Westlaw.

The compliance requirements for last month and this month are below. An updated 2016 Compliance Calendar is attached.

- Mar. 01: Audited Financial Statement [(b) (5)] – Waived by OMB
- Mar. 01: FISMA Report to Congress [(b) (5)] – Completed and filed
- Mar. 10: Quarterly Report on PCLOB's Relocation Efforts [(b) (5)] – Provided to the House Appropriations Committee ("HAC") and Senate Appropriations Committee ("SAC")
- Mar. 10: FY 2017 Cong. Budget Briefing [(b) (5)] – Provided to HAC and SAC during same briefing as above (see Mar. 15, 2016 weekly update)
- Mar. 17: Operating Plan [(b) (5)] – Provided to OMB and HAC/SAC
- Mar. 18: Regulatory Agenda Reporting [(b) (5)] – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn] – Provided to EEOC and Congress
- Mar. 31: Semi-Annual Report [Jen/[(b) (5)]] – Reporting period ends
- Apr. 13: Plain Writing Compliance Report [Eric] –
- Apr. 29: Quarterly FOIA Report [Mason] –
- Apr. 29: Quarterly ISOO Data Call [(b) (5)] –

UPCOMING DATES/EVENTS

April 6 – David will be chairing a panel at the IAPP Global Privacy Summit on "National Security and Privacy: Not Just for Citizens?" with panelists Alex Joel and Giovanni Buttarelli.

April 8 – [(b) (5)]

(b) (5)

April 11- 1:30 to 3 PM staff to brief the Board on [(b) (5)]

April 11 - 3:45-5 PM staff to brief the Board on move

April 12 - David will speak in Daphna Renan's Harvard Law School privacy law class.

April 18—(Time TBD, likely in the afternoon, 4th Floor Conference Room) [REDACTED]

(b) (5)

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20- Beth will be speaking to the National Security Law Association at Rutgers Law School

April 28 - [REDACTED]

(b) (5)

(location TBD, likely off-site)

Weekly Board Update for April 12, 2016

PROJECT UPDATE:

E.O. 12333 -

(b) (5)

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- **Notational Review/Notational Voting:** The Internal Agency Procedures for Notational Review and Notational Voting are currently out for a Board vote.
- **Sunshine Act Regulation:** The proposed revisions to the Sunshine Act regulation, 6 C.F.R. § 1003 (consistent with the Board-approved language in the Sunshine Act procedures) are out for Board Member revision and comment.
- **EEO and Anti-Harassment Policies:** A proposed EEO Policy and a proposed Anti-Harassment Policy has been circulated for Member comment.
- **Records Policy:** On Dec. 11, 2015, the Board voted to revise its records policy (2014-002). The draft revised records policy will be circulated in the notational review process shortly. After the Board has reviewed and voted on the revised policy, (b) (5) will provide a records training.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- Form 278 financial disclosures are due May 16, 2016 (with the possibility of two 45-day extensions). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. A few notes on Integrity are below:

- If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.
- (b) (5)

Eric has begun working on legal issues related to the transition and will prepare a transition memorandum. He will reach out to Board Members to discuss any issues that they would like to see addressed.

(b) (5)

The compliance requirements for this month are below.

- Mar. 31: Semi-Annual Report [(b) (6)] – Reporting period ends
- Apr. 13: Plain Writing Compliance Report [Eric] –
- Apr. 29: Quarterly FOIA Report [Mason] –
- Apr. 29: Quarterly ISOO Data Call (b) (6) –

UPCOMING DATES/EVENTS

April 18- 1:00 PM, 4th floor conference room.

(b) (5)

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20- Beth will be speaking to the National Security Law Association at Rutgers Law School

April 28 –

(b) (5)

(location TBD, likely off-site)

Apr. 26 – Rachel will be a panelist on “Reconciling Liberty and Security in 2016” at a conference on “Hindsight: Reflections on 15 Years of the War on Terror” at Fordham University Law School’s Center on National Security.

May 4 – Rachel will speak to the Charlotte, North Carolina lawyers chapter of the Federalist Society on “Privacy and National Security: Balancing the Discussion.”

June 10: David will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

Weekly Board Update for August 2, 2016

DATES TO HIGHLIGHT:

- **Wed. August 3, 3:00 PM, conference room**, staff will provide the Board with a move briefing and update.
- **Wed. August 10, 11:00 AM-12:30 PM, conference room**, [REDACTED]
(b) (5)

PROJECT UPDATES:

PPD-28:

[REDACTED]
(b) (5)

[REDACTED]
(b) (5)

PRIVACY SHIELD FRAMEWORK IN THE FEDERAL REGISTER:

The International Trade Administration published a notice in the Federal Register today, August 2nd, on the availability of Privacy Shield Framework documents. The notice describes a mechanism to “facilitate the processing of requests relating to national security access to data transmitted from the EU to the United States pursuant to the Privacy Shield.” In the discussion of required coordination among oversight bodies, the notice states that: “c. The Privacy Shield Ombudsperson may refer matters related to requests to the Privacy and Civil Liberties Oversight Board for its consideration.” In addition, a letter is included in which Bob Litt provides information (from the PCLOB’s statute) about the PCLOB and cites our Section 702 report.

Following is the relevant Federal Register Link:

https://www.federalregister.gov/articles/2016/08/02/2016-17961/privacy-shield-framework?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov

TRANSITION DOCUMENTS

If Members have comments on the transition documents, especially the (b) (5), it would be helpful if Members could provide them to Eric as soon as possible.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· Semi-Annual Report: The Semi-Annual Report (Oct. 2015 – Mar. 2016) is currently undergoing a notational vote.

· (b) (5)

· (b) (5)

· 12333 Public Report: (b) (5)

· Transition Documents: The (b) (5) and the Sub-Quorum policy are currently pending in the notational review process.

· (b) (5)

· Pre-Publication Policy: The revised Pre-Publication Policy is in the notational review process for Member revision and comment.

· Next Projects: (b) (5)

· EEO and Anti-Harassment Policies: All comments have been received on the EEO and Anti-Harassment Policies. Lynn is preparing the final versions for a Board vote.

· Sunshine Act Regulation: All comments have been received. Eric will revise the regulation and recirculate it in the notational review.

· Compensation/Promotion Policy and Performance Policy: (b) (5)
(b) (5) Lynn will revise the policies accordingly and then Eric will circulate them in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

· This week, Eric and Lynn will circulate two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).

· The current compliance requirements are below. An updated version of the compliance calendar is attached.

· Mar. 31: Semi-Annual Report [(b) (5)] – notational vote is underway.

· June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts

(b) (5)
(b) (5)

· July 29: Quarterly FOIA Report [Mason] – completed and filed with DOJ

· July 29: Quarterly ISOO Data Call [(b) (5)] – in progress

· July 29 (tentative):

(b) (5)

· July 29 (tentative): Open Gov't Plan [(b) (5)] – Date changed to Sept. 15 per the new Open Government Directive.

· Aug. 22: SGE Re-appointment for Jim and Rachel [Eric] –

· Aug. 31 (tentative): Annual Telework Report [Sharon/Eric] –

UPCOMING DATES/EVENTS

Wed., August 3 at 3:00 pm: Staff move briefing for Board Members (

(b) (5)

Wed. August 10, 11:00 AM-12:30 PM, conference room,

(b) (5)

August 11: PCLOB staff meeting with agency CLPOs.

August 12-24: [(b) (5)] Lynn will be available.

Wed., Aug. 24 at 10:00 am: CIA briefing [(b) (5)]

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

Weekly Board Update for August 23, 2016

PERSONNEL UPDATES:

(b) (6) Attorney Advisor, will be starting September 6
(b) (6) Counselor to Beth Collins, will also be starting September 6

TRANSITION DOCUMENTS

If Members have comments on the transition documents, especially the (b) (5), it would be helpful if Members could provide them to Eric and Lynn as soon as possible.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- 12333 Public Report: (b) (5)
- Transition Documents: The (b) (5) and the Sub-Quorum Policy are currently pending in the notational review process.
- Pre-Publication Policy: The revised Pre-Publication Policy is in the notational review process for Member revision and comment.
- Next Projects: The Board's potential new projects are in the notational review process for Member comment.
- EEO and Anti-Harassment Policies: All comments have been received on the EEO and Anti-Harassment Policies, and Lynn has revised them accordingly. A vote will be noticed shortly and counselors will be provided with hard copies of the policies.
- Sunshine Act Regulation: All comments have been received. Eric will revise the regulation and recirculate it in the notational review.
- Compensation/Promotion Policy and Performance Policy: The revised compensation/promotion policy and the revised performance policy are currently pending in the notational review process.

· PPD-28 (b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- Please generally copy Lynn on notes to Eric so that they can divide up the legal workload and be aware of outstanding matters.

(b) (5)

- Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).
- The current compliance requirements are below. An updated version of the compliance calendar is attached.
- Mar. 31: Semi-Annual Report [(b) (6)] – complete
- July 29: Quarterly ISOO Data Call [(b) (6)] – in progress.
- Aug. 22: SGE Re-appointment for Jim and Rachel [Eric] – complete
- Aug. 31 (tentative): Annual Telework Report [Sharon/Eric] –

UPCOMING DATES/EVENTS

Wed., Aug. 24 at 10:00 am: CIA briefing on (b) (5)

Wed., Aug 31, 10:00-11:30 AM, NCTC threat briefing for the Board.

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

September 14 – (b) (5)

September 26- Judge Wald at Connecticut College to give a talk.

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

Weekly Board Update for December 7, 2016

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

· 12333 CIA Deep Dive Report: The (b) (5) is in the second round of notational review.

· 12333 NSA Deep Dive Report: (b) (5)

· 12333 Public Report: (b) (5)

· PPD-28: The PPD-28 Report is currently in the second round of notational review.

· Next Projects: The Board is considering additional next projects in the notational review process.

· Sub-Quorum Policy: The Sub-Quorum Policy is in the notational review process.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· S (b) (5)

· FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.

· Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

· FY 17 IAA: (b) (5)

NOTE: Please make sure that Eric receives written notification as soon as possible after Member comments to teams on mission-related items so he can track the notational review process and keep it moving.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

(b) (5)

- *For new employees, please make sure to give ethics training forms to Lynn.*
- *The current compliance requirements are below. Eric has also attached an updated compliance calendar.*
 - *Sept. 30: Semi-Annual Report **(b) (5)** / – End of reporting period, report in progress*
 - *Nov. 21: Draft Annual FOIA Report [Mason] – extension from DOJ to Dec. 2*
 - *Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] – In progress, **(b) (5)***
 - *Nov. 30: (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when update is ready*
 - *Nov. 30: (tentative): Open Government Plan [Sharon/Jen] – In progress*

UPCOMING DATES:

December 7 – Beth will provide remarks at the Parliamentary Intelligence Security Forum, sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare, in Washington, D.C.

*December 20: Sharon and **(b) (5)** will be attending a meeting of the Institute for Defense Analyses (IDA) – a non-profit organization whose mission is to promote national security and advance scientific learning – and Sharon will be speaking to the group about the PCLOB and its work.*

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for December 7, 2016

Project Update:

E.O. 13636/Cybersecurity -

(b) (5)

Legislative Update-

The House and Senate have come to agreement on a CR that extends through April 28, 2017. The House is expected to approve it on Thursday with the Senate following on Friday. The Senate is expected to adjourn before next week, although it is still unclear as to whether it will stay in Pro Forma session.

There is not yet anything new to report on the FY 2017 Intelligence Authorization Act, (b) (5)

(b) (5)

Jen will continue to closely follow these issues and keep Board Members updated accordingly.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· 12333 CIA Deep Dive Report (b) (5):
Notational review is complete, and a vote on whether to send a staff draft to the Intelligence Community ("IC") for accuracy and classification review has been noticed for Dec. 12, 2016. So far, two Members have concurred to waive the 7-day notice period.

· 12333 NSA Deep Dive Report: (b) (5)

(b) (5)

· 12333 Public Report: (b) (5)

· PPD-28: The PPD-28 Report is currently in the third round of notational review.

· Next Projects: The Board is considering additional next projects in the notational review process.

- Sub-Quorum Policy: The Sub-Quorum Policy is currently in second round of notational review process. All Members have commented, and Eric will circulate a shorter version in the third round tomorrow based on Member comments in the second round.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· [REDACTED]
 (b) (5)

- FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.
- Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· [REDACTED]
 (b) (5)

- The current compliance requirements are below. An updated compliance calendar is attached.
- Sept. 30: Semi-Annual Report [(b) (6)] – Notational review in progress
- Nov. 21: Draft Annual FOIA Report [Mason] – Extension from DOJ to Dec. 2, completed and filed
- Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] – Completed and filed
- Nov. 30: (tentative): Open Government Plan [Sharon/Jen] – In progress
- Dec. 01: SCI Access Report [(b) (6)] – Completed and filed
- Dec. 13: Reappointment to SGE Status for Judge [Eric] –
- Dec. 15: E-Government Report to OMB [(b) (6)] –
- Dec. 17: Annual Telework Report [Sharon] –
- Dec. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when have update
- Dec. 30: Accounting & Administrative Systems Compliance Statement [Eric/Adriel] [(b) (6)] –
- Dec. 30: Mandatory PCLOB ethics training [Eric/Lynn] –
- Dec. 30 (tentative): Board Briefing on Quarterly Spend Plan (Q1) [Adriel] –

UPCOMING DATES:

December 7 – Beth will provide remarks at the Parliamentary Intelligence Security Forum, sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare, in Washington, D.C.

December 20 - Sharon and (b) (6) will be attending a meeting of the Institute for Defense Analyses (IDA) – a non-profit organization whose mission is to promote national security and advance scientific learning – and Sharon will be speaking to the group about the PCLOB and its work.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for April 5, 2017

Dates to Highlight:

Monday, April 10, 9:00 AM in the conference room – Mission staff meeting with Beth

Wednesday, April 12, 9:00 AM in the conference room- All staff meeting with Beth

Monday, April 17 2:00 PM in the conference room—Mandatory Data Spill training

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

(b) (5)

· The 2017 compliance calendar requirements for March and April are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Mar. 01: FISMA Report to Congress [(b) (5)] – Completed and sent.
- Mar. 10 (tentative): HAC/SAC Budget Briefing [Adriel/Jen] – Likely later in the month or next month.
- Mar. 17: Records Management Self-Assessment, Federal Email Management Report, Senior Agency Official for Records Management Report [Lynn/(b) (5)] – Completed and filed.
- Mar. 30: No FEAR Act Report [Lynn] – Completed and sent
- Mar. 31: Semi-Annual Report [Jen] – Unable to file in sub-quorum period.
- Mar. 31: Agency Reporting for Regulatory Agenda [Lynn] – Completed.
- Mar. 31 (tentative): Quarterly Move Update [Adriel/Jen] – Likely this month.
- Apr. 13: Plain Writing Compliance Report [Eric] –
- Apr. 07: Briefing on budget/spending [Adriel] –
- Apr. 28: Quarterly FOIA Report [Mason]–

UPCOMING DATES:

April 19-20, 2017 –Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for April 18, 2017

TIME & ATTENDANCE

At the last mission staff meeting, Eric provided a reminder about time and attendance. The federal workday is 8 ½ hours with a mandatory ½ hour for lunch. You cannot work through lunch. You must account for your working 8 hours on your time & attendance sheet, which your supervisor must certify every other week. You must work onsite during the workday, unless you have taken annual or sick leave, are teleworking pursuant to a telework agreement, are using credit hours, or have another authorized absence. Please make sure your supervisor and team members are aware when you are out of the office and always keep the calendar updated. A more detailed time and attendance refresher will circulate in an upcoming weekly.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· 
(b) (5) 

· The 2017 compliance calendar requirements for April are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Apr. 07: Briefing on budget/spending [Adriel] – Completed and provided to Board Member.
- Apr. 13: Plain Writing Compliance Report [Eric] – Completed and posted on website.
- Apr. 28: Quarterly FOIA Report [Mason]–

UPCOMING DATES:

April 19, 2017 –Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC. Beth's panel is titled, "*Whose Eye is on the Five Eyes? An Intro to International Intel Oversight Bodies,*" and is scheduled from 4:30-5:30 at the Marriott Marquis, Salon 6, Level M2.

Weekly Board Update for August 1, 2017

Date to Highlight:

Reminder: Monday, August 21, 2017 10:00 am – 12:00 pm: Mandatory FOIA Training for all PCLOB Staff: DoJ Office of Information Policy will join us at MS2 for a two-hour training on FOIA basics and responsibilities for all PCLOB Staff. This training is mandatory. If you cannot attend in person, you may call-in. Please let Mason or Lynn know if you have any questions.

Personnel Updates:

(b) (5) and (b) (5) last day with PCLOB will be Friday August 18. (b) (5)
(b) (5) last day is August 3.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are currently in the Federal Register as direct final rules. If there is no comment on them by August 28, the amended regulations become final. If there is comment, the PCLOB will answer them and the regulations become final.

(b) (5)

- The 2017 compliance calendar requirements for July and August are provided below.
- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress
- July 03 (tentative): M-17-12 PII Breach Plan update (b) (5) – In progress
- July 14: E.O. 13800/M-17-25 Cybersecurity Framework Implementation Action Plan (b) (5) – Completed and filed with OMB
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – In progress
- July 15 (tentative): Records refresher training (b) (5) – Will schedule after next staff meeting
- July 21: E.O. 13781/M-17-22 Performance Plan (Adriel/Eric) – Completed and filed with OMB
- July 28: PCLOB Quarterly FOIA Report (Mason) – Completed and filed with DOJ
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses. (b) (5)
- July 28 (tentative): Quarterly ISOO Data Call (b) (5) – In progress
- Aug. 13: OGE Form 278 (Eric/Lynn) – In progress

UPCOMING DATES:

September 19, 2017, 3:00 PM- Beth will participate in a panel in Washington, DC on the first annual joint review of the functioning of the EU-U.S Privacy Shield agreement

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for August 16, 2017

Date to Highlight:

Reminder: Monday, August 21, 2017 9:30 AM, all staff meeting followed by mandatory FIOA training from 10:00 am – 12:00 pm: DoJ Office of Information Policy will join us at MS2 for a two-hour training on FOIA basics and responsibilities for all PCLOB Staff. Please let Mason or Lynn know if you have any questions.

Personnel Updates:

(b) (6) and (b) (6) last day with PCLOB will be this Friday.

Legislative Update:

The House Rules Committee today released the eight bill FY 2018 Appropriations “minibus.” This includes the Financial Services (FSGG) bill that funds PCLOB. In this bill, PCLOB is funded at our requested level of \$8 million. It is expected that the House will vote on this shortly after Labor Day.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are currently in the Federal Register as direct final rules. If there is no comment on them by August 28, the amended regulations become final. If there is comment, the PCLOB will answer them and the regulations become final.

· (b) (5)

- The 2017 compliance calendar requirements for July and August are provided below.
- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress
- July 03 (tentative): M-17-12 PII Breach Plan update (b) (6) – In progress
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – In progress
- July 15 (tentative): Records refresher training (b) (6) – Will schedule after next staff meeting
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses, may be rolled into any HAC/SAC briefing.
- Aug. 13: OGE Form 278 (Eric/Lynn) – In progress

UPCOMING DATES:

September 19, 2017, 3:00 PM- Beth will participate in a panel in Washington, DC on the first annual joint review of the functioning of the EU-U.S Privacy Shield agreement

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for February 7, 2017

Date to Highlight:

The quarterly threat assessment briefing will be this Friday, February 10, 2017, at 11am in PCLOB's Conference Room.

UPDATE ON LEGAL AND COMPLIANCE ISSUES

- As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.
- Members can provide comments on the interim draft of the FOIA Reference Book, which will need to be posted on the website when completed. 5 U.S.C. § 552(g).

· [REDACTED]
(b) (5)

- The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are being processed for publication in the Federal Register as direct final rules.
- The 2017 compliance calendar requirements for February are below. Please make sure that I receive a copy of the final reports for filing purposes. An updated compliance calendar is also attached.

- Feb. 01: Ethics Pledge Assessment/Ethics Program Questionnaire to OGE [Lynn] – Completed and filed.
- Feb. 03: Quarterly ISOO Data Call [(b) (5)] – In progress
- Feb. 03: Chief FOIA Officer Report [Eric/Lynn/Mason] – Provided to DOJ for review, will be finalized/posted on website in Mar.
- Feb. 07: Congressional Budget Justification [Adriel] – Postponed into Spring due to Presidential transition.
- Feb. 15: Confidential Financial Disclosure Forms [Eric] – In progress.
- Feb. 28: ISOO Costs Estimate [(b) (5)] – In progress.
- Feb. 28: Report on Experts/Consultants [Eric] – In progress.

UPCOMING DATES:

March 24-25, 2017 - Beth will be on a panel for the Harvard Law School Federalist Society Alumni Symposium on.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for February 21, 2017

Date to Highlight:

Monday, February 27, 9:00 AM, conference room-- Beth is meeting with the project teams be briefed on updates on their research.

POLICY UPDATE:

(b) (5)

UPDATE ON LEGAL AND COMPLIANCE ISSUES

· As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.

· Members can provide comments on the interim draft of the FOIA Reference Book, which will need to be posted on the website when completed. 5 U.S.C. § 552(g).

(b) (5)

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are with the Federal Register pending issuance as direct final rules.

· The 2017 compliance calendar requirements for February are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Feb. 01: Ethics Pledge Assessment/Ethics Program Questionnaire to OGE [Lynn] – Completed and filed.
- Feb. 03: Quarterly ISOO Data Call (b) (6) – Completed.
- Feb. 03: Chief FOIA Officer Report [Eric/Lynn/Mason] – Provided to DOJ for review, will be finalized/posted on website in Mar.
- Feb. 07: Congressional Budget Justification [Adriel] – Postponed into Spring due to Presidential transition.
- Feb. 15: Confidential Financial Disclosure Forms [Eric] – In progress.
- Feb. 28: ISOO Costs Estimate (b) (6) – In progress.
- Feb. 28: Report on Experts/Consultants [Eric] – In progress.

UPCOMING DATES:

March 24-25, 2017 - Beth will be on a panel for the Harvard Law School Federalist Society Alumni Symposium

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for February 28, 2017

PROJECT UPDATE:

(b) (5)

TELEWORK REMINDER FOR STAFF:

When you are teleworking, please remember to send the two emails required by the HR Flexibilities Memo: (1) an email when you sign in that briefly describes what you will be working on during the day; and (2) an email when you sign out that briefly describes what you worked on that day.

UPDATE ON LEGAL AND COMPLIANCE ISSUES

- As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.
- The FOIA Reference Book is being finalized. When it is complete, the PCLOB will post it on the website. 5 U.S.C. § 552(g).

(b) (5)

- The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are with the Federal Register pending issuance as direct final rules.
- The 2017 compliance calendar requirements for February are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Feb. 01: Ethics Pledge Assessment/Ethics Program Questionnaire to OGE [Lynn] – Completed and filed.
- Feb. 03: Quarterly ISOO Data Call [(b) (6)] – Completed.
- Feb. 03: Chief FOIA Officer Report [Eric/Lynn/Mason] – Provided to DOJ for review, will be finalized/posted on website in Mar.
- Feb. 07: Congressional Budget Justification [Adriel] – Postponed into Spring due to Presidential transition.
- Feb. 15: Confidential Financial Disclosure Forms [Eric] – Extended to Mar. 1
- Feb. 28: ISOO Costs Estimate [(b) (6)] – Will be completed today.
- Feb. 28: Report on Experts/Consultants [Eric] – Completed and filed.

UPCOMING DATES:

March 20, 2017: Eric will guest lecture at a political science class at the University of Toledo.

March 24-25, 2017 - Beth will be on a panel for the Harvard Law School Federalist Society Alumni Symposium on.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for January 18, 2017

UPDATE ON LEGAL AND COMPLIANCE ISSUES

- As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.
- Members can provide comments on the interim draft of the FOIA Reference Book, which will need to be posted on the website when completed. 5 U.S.C. § 552(g).

(b) (5)

- The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be sent to the Federal Register shortly as direct final rules.

- The PCLOB has completed the Office of Special Counsel (“OSC”)’s 2302(c) certification program for compliance with whistleblowing protections and prevention of prohibited personnel practices. Recertification is required every three years.

- There is now a separate “Board Contractors” list for emails that need to go to contractors as well as staff.

(b) (5)

- Please remember that staff aren’t authorized to speak to the media about PCLOB matters. In addition, disclosure of any classified, privileged, or sensitive information is prohibited by law and ethics rules. If you’re contacted by a journalist or media outlet, please let Jen know.

- Any binders borrowed from colleagues should be returned after you’ve finished using them. Please also check with colleagues before taking any binders from their spaces so that everyone can track their materials.

- The 2017 compliance calendar is attached and the January compliance requirements are below. Since it’s still early in 2017, the dates of some items or reports may change. If you are responsible for a particular item or report and the dates changes, please let me know.

- Jan. 27: Quarterly FOIA Report (Q1) [Mason] –
- Jan. 31: IT Security Awareness Training [(b) (5)] –
- Jan. 31: MD-715 Report to EEOC [Lynn] –

UPCOMING DATES:

January 23, 2017 - Rachel will participate on a panel on surveillance reform at the “State of the Net” internet conference, hosted by the Internet Education Foundation, at the Newseum, Washington, D.C.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for January 31, 2017

Legislative Update-

The Senate FY 2017 Intelligence Authorization Act (S. 133) Report includes PCLOB language authored by Senator Wyden. That language is in the attached document.

UPDATE ON LEGAL AND COMPLIANCE ISSUES

- As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.
- Members can provide comments on the interim draft of the FOIA Reference Book, which will need to be posted on the website when completed. 5 U.S.C. § 552(g).

· [REDACTED]
(b) (5)

- The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are with the Federal Register pending issuance as direct final rules.

- The 2017 compliance calendar requirements for January and February are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Jan. 27: Quarterly FOIA Report (Q1) [Mason] – Completed and posted on website
- Jan. 31: IT Security Awareness Training [(b) (6)] – Due today, please finish if not yet done.
- Jan. 31: MD-715 Report to EEOC [Lynn] – Completed and filed.
- Feb. 01: Ethics Pledge Assessment/Ethics Program Questionnaire to OGE [Lynn] – Completed and filed.
- Feb. 03: Quarterly ISOO Data Call [(b) (6)] – Will be distributed shortly.
- Feb. 03: Chief FOIA Officer Report [Eric/Lynn/Mason] – Provided to DOJ for review, will be finalized/posted on website in Mar.
- Feb. 07: Congressional Budget Justification [Adriel] – Postponed into Spring due to Presidential transition.
- Feb. 15: Confidential Financial Disclosure Forms [Eric] – In progress.
- Feb. 28: ISOO Costs Estimate [(b) (6)] – In progress.
- Feb. 28: Report on Experts/Consultants [Eric] – In progress.

UPCOMING DATES:

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for July 12, 2017

Date to Highlight:

On **Tuesday, June 27**, Beth is scheduled to testify before the Senate Judiciary Committee for a hearing titled, “The FISA Amendments Act: Reauthorizing America’s Vital National Security Authority and Protecting Privacy and Civil Liberties. The hearing is scheduled to begin at 9:30 AM.

Further details about the hearing are included in the following link:

<https://www.judiciary.senate.gov/meetings/the-fisa-amendments-act-reauthorizing-americas-vital-national-security-authority-and-protecting-privacy-and-civil-liberties>

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

- Please remember to put planned leave, meetings outside of the office, and telework on the shared calendar.
- The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

(b) (5)

- The 2017 compliance calendar requirements for June are provided below.
- June 30: PCLOB Quarterly Relocation Briefing – To Be Scheduled

UPCOMING DATES:

- **October 5, 2017** – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC
- **October 6, 2017** – Beth will be a guest speaker for the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for July 19, 2017

Recommended Reading:

A list of "New Hire Recommended Reading" is now complete (attached). This list includes a compilation of various unclassified articles related to national security, counterterrorism and privacy/civil liberties. Two binders containing these documents are located at the PCLOB library. The soft copies of the documents can be found at: **O:\Library - New Hire.**

This resource will be part of the incoming mission staff review (but of course, this is available to anyone who is interested)

TIME & ATTENDANCE:

Please input all time by the close of business on the Friday before the end of the bi-monthly pay period, and in no event later than 10 a.m. on the following Monday. Certifications must happen by 11 a.m.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· [REDACTED]
(b) (5)

· The 2017 compliance calendar requirements for June/July are provided below. I've also attached an updated compliance calendar

- June 30: PCLOB Quarterly Relocation Briefing (Adriel/Jen) – [REDACTED]
(b) (5)
- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress
- July 03 (tentative): M-17-12 PII Breach Plan update (b) (6) – In progress
- July 11: OGE Form 278 (Eric/Lynn) – In progress
- July 14: E.O. 13800/M-17-25 Cybersecurity Framework Implementation Action Plan (b) (6) – Completed and filed with OMB
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – Will schedule in advance of FY 2019 budget build
- July 15 (tentative): Records refresher training (b) (6) – Will schedule after next staff meeting
- July 21: E.O. 13781/M-17-22 Performance Plan (Adriel/Eric) – In progress
- July 28: PCLOB Quarterly FOIA Report (Mason) – In progress
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses, (b) (5)
- July 28 (tentative): Quarterly ISOO Data Call (b) (6) – In progress

UPCOMING DATES:

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for July 26, 2017

Date to Highlight:

Monday, August 21, 2017 10:00 am – 12:00 pm: Mandatory FOIA Training for all PCLOB Staff: DoJ Office of Information Policy will join us at MS2 for a two-hour training on FOIA basics and responsibilities for all PCLOB Staff. This training is mandatory. If you cannot attend in person, you may call-in. Please let Mason or Lynn know if you have any questions.

OCIO Update:

The OCIO is working to complete the final deliverable (Risk Mitigation Letter) for Executive Order 13800 which is due to OMB on 9 August 2017. The CIO will attend a telecon hosted by OMB for the EO Agency Senior Accountable Official on 1 August at 11:00 AM to discuss the deliverable and their expectations. The CIO plans to finalize the deliverable and send to Ms. Collins that evening or early on August 2 for approval prior to the 9th.

Security Update:

Please see the security attachment with information on: security awareness and the process related to having uncleared detail staff on site; leaving the SCIF in the evening; and the upcoming 3rd quarter classification count.

TIME & ATTENDANCE:

Please input all time by the close of business on the Friday before the end of the bi-monthly pay period, and in no event later than 10 a.m. on the following Monday. Certifications must happen by 11 a.m.

In addition, please remember to properly document all of your regular (92) or ad hoc/situational telework (91) in your time and attendance.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

· [REDACTED]
(b) (5)

- The 2017 compliance calendar requirements for July are provided below.
- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress

- July 03 (tentative): M-17-12 PII Breach Plan update (b) (6) – In progress
- July 11: OGE Form 278 (Eric/Lynn) – In progress
- July 14: E.O. 13800/M-17-25 Cybersecurity Framework Implementation Action Plan (b) (6) – Completed and filed with OMB
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – In progress
- July 15 (tentative): Records refresher training (b) (6) – Will schedule after next staff meeting
- July 21: E.O. 13781/M-17-22 Performance Plan (Adriel/Eric) – In progress
- July 28: PCLOB Quarterly FOIA Report (Mason) – In progress
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses, (b) (6)
- July 28 (tentative): Quarterly ISOO Data Call (b) (6) – In progress

UPCOMING DATES:

September 19, 2017, 3:00 PM- Beth will participate in a panel in Washington, DC on the first annual joint review of the functioning of the EU-U.S Privacy Shield agreement

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.



PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
WASHINGTON, D.C. 20511

October 12, 2017

Re: PCLOB FOIA 2017-030

This is the second interim response to your Freedom of Information Act ("FOIA") request dated August 16, 2017 and clarified/perfected on August 23, 2017, in which you seek "a copy of each administrative Weekly Report and MFR at PCLOB during Calendar Years 2016 and 2017 to date."

As noted in the acknowledgment letter dated September, 20, 2017, a search was conducted and documents were located that are responsive to your request. However, some of the documents require consultation with other executive branch agencies. As previously explained, the PCLOB has no control over the timing of the consultation process. In the meantime, however, we are providing you with this interim response and hope to continue to provide records (if they become available) on a rolling basis.

Therefore, I have attached an additional 15 pages for release in response to your request. I have determined that redactions are appropriate in some records pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), which pertain to certain inter- and intra-agency memorandums or letters protected by the deliberative process privilege and information the disclosure of which would "constitute a clearly unwarranted invasion of personal privacy," respectively. Redactions have been clearly marked with the corresponding exemption. I have further determined that disclosure of the information subject to exemption 5 would harm the Board's deliberative process privilege; however, I have segregated the information and non-exempt information is being provided to you at this time.

Additionally, redactions have been made pursuant to Exemption 1(A) of the FOIA, 5 U.S.C. § 552(b)(1)(A) which protects classified information.

As explained above, we will provide you with interim responses on a rolling basis if additional records are determined to be subject to release.

You may contact me or the PCLOB's FOIA Public Liaison Eric Broxmeyer at (202) 331-1986 or foia@pclob.gov for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the PCLOB Freedom of Information Act Appeal Authority, at MS2 Room 2C104, Washington, DC 20511, or you may submit an appeal via email to foia@pclob.gov. Your appeal must be postmarked or electronically transmitted within ninety calendar days from the date of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Mason Clutter". The signature is fluid and cursive, with the first name "Mason" and last name "Clutter" clearly distinguishable.

Mason C. Clutter
Freedom of Information Act Officer
Attorney-Advisor
(202) 296-4729

Weekly Board Update for October 4, 2016

DATES TO HIGHLIGHT

The Board briefings on the (b) (5) initially scheduled for October 12 will be rescheduled for Monday, October 17 as the 12th is Yom Kippur.

OCIO UPDATE

(b) (5)

The VDI system has been up and running for several weeks and appears to be working well. (b) (5)

(b) (5). OCIO has been able to resolve all requests for support to date. If any users have any unresolved issues please notify the OCIO team so they can assist in resolution.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· *EEO and Anti-Harassment Policies: All Board Members have voted, and Eric will circulate the certification as soon as the low side is online at Maryland Square.*

· *Next Projects: A vote on Rachel's motion for the NCTC project description is in progress.*

· (b) (5): Eric will tee up the notational vote on the (b) (5) today.

· *12333 Public Report: (b) (5)*

· *12333 Deep Dive Report: One of the CIA deep dive reports is in the notational review process.*

· *Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.*

· *Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.*

· *Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.*

- *Compensation/Promotion Policy and Performance Policy: All Board Members have commented on the promotion policy and revised performance policy. Lynn is now revising them.*

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- *If you have not yet completed the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff, please do so ASAP.*

Compliance – Eric will update the compliance calendar and weekly next week. There are no deadlines in early October.

UPCOMING DATES:

October 11-12 – *Rachel will be speaking on a panel convened by the United Nations Special Rapporteur on the Right to Privacy at the “International Intelligence Oversight Forum 2016” in Bucharest, Romania.*

October 14: *Sharon to participate in panel presented by The Constitution Project on intelligence surveillance (with a focus on Section 702) and post-collection restrictions on access, use, and retention of data.*

October 17 – *TENTATIVE Board Briefing on PCLOB Open Government Plan*

October 17 – (b) (5)

October 17 - (1:30 to be confirmed).

(b) (5)

October 19: *Jim to be speaking on Oversight and Accountability Principles for Government Access to Data at the 38th International Data Protection and Privacy Commissioners Conference, Marrakech, Morocco. <https://www.privacyconference2016.org/en>*

Oct. 24-26, 2016 – *Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.*

Weekly Board Update for October 11, 2016

(b) (5)

(b) (5)

Internal Controls Update

1)

(b) (5)

2)

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- EEO and Anti-Harassment Policies: All Board Members have voted, and Eric has certified the vote. He will circulate them on Oct. 12.
- Next Projects: A vote on Rachel's motion for the NCTC project description is in progress.
- 12333 Public Report: (b) (5)
- 12333 Deep Dive Report: The CIA (b) (1) (A) deep dive report is in the notational review process.
- Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.

- Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.
- Compensation/Promotion Policy and Performance Policy: All Board Members have commented on the promotion policy and revised performance policy. Lynn is now revising them.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

If you have not yet completed the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff) please do so **ASAP**. If you are having technical difficulties with the NFA training, please let Eric and Lynn know.

(b) (5)

Compliance – Eric will update the compliance calendar next week. There are no deadlines until late October.

UPCOMING DATES:

October 11-12 – This week, Rachel is speaking on a panel convened by the United Nations Special Rapporteur on the Right to Privacy at the “International Intelligence Oversight Forum 2016” in Bucharest, Romania.

October 14 - Sharon to participate in panel presented by The Constitution Project on intelligence surveillance (with a focus on Section 702) and post-collection restrictions on access, use, and retention of data.

October 17 – TENTATIVE Board Briefing on PCLOB Open Government Plan

October 17 – (b) (5)

October 19 - (1:00 to be confirmed),

October 19 - Jim to be speaking on Oversight and Accountability Principles for Government Access to Data at the 38th International Data Protection and Privacy Commissioners Conference, Marrakech, Morocco. <https://www.privacyconference2016.org/en>

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

October 24, 2016 -Jim will be moderating a panel at the San Francisco General Counsel Cyber Summit, sponsored by DOJ, FBI and UC Berkeley.

Weekly Board Update for October 18, 2016

PERSONNEL UPDATE:

(b) (5) will be joining us as a Program Analyst on October 31st.

RECORDS MANAGEMENT UPDATE:

Last month, NARA announced changes to the General Records Schedules (GRS). The changes reflected in the attached document affect the PCLOB and will be incorporated into the PCLOB Records Management Policy Appendix B. These records schedule items are effective immediately. If you have any questions, please contact (b) (6).

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- EEO and Anti-Harassment Policies: The Board unanimously approved the attached EEO Policy, Anti-Harassment Policy, and EEO Q&A.
- Next Projects: The Board unanimously adopted the attached NCTC project description.
- Compensation/Promotion Policy and Performance Policy: All Board Members have commented on the promotion policy and revised performance policy. A vote is likely to begin on Oct. 24, 2016.
- 12333 Public Report: (b) (5)
- 12333 Deep Dive Report: The CIA (b) (1) (A) deep dive report is in the notational review process.
- Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.
- Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· If you have not yet completed the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff) please do so **ASAP**.

· The current compliance requirements are below.

- Sept. 30: Semi-Annual Report (b) (6) – End of reporting period.
- Oct. 28: Quarterly FOIA Report [Mason] – In progress.
- Oct. 31 (tentative): Annual Telework Report [Sharon/Eric] – OPM data call not yet received.
- Oct. 31 (tentative): Quarterly Report on Relocation Effort to HAC/SAC (b) (6) – Update when RLP process is complete.
- Oct. 31: EEOC Form 462 [Lynn] – Per EEOC, we will file our initial report next year.

UPCOMING DATES:

October 19, 2:00 PM - (b) (5)

October 19: Jim to be speaking on Oversight and Accountability Principles for Government Access to Data at the 38th International Data Protection and Privacy Commissioners Conference, Marrakech, Morocco. <https://www.privacyconference2016.org/en>

Oct. 24-26 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

Oct. 24 – Jim will be moderating a panel at the San Francisco General Counsel Cyber Summit, sponsored by DOJ, FBI, and UC Berkeley.

October 31 – TENTATIVE Board Briefing on PCLOB Open Government Plan (note that this was moved back from the Oct 19 date. (b) (5)

Weekly Board Update for September 28, 2016

PERSONNEL UPDATE:

(b) (6) will be joining PCLOB as an Attorney Advisor, beginning on Monday, October 3.

(b) (6)

PROJECT UPDATES:

(b) (5)

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

- EEO and Anti-Harassment Policies: All Board Members have voted, and Eric will circulate the certification as soon as the low side is online at Maryland Square.
- Next Projects: A vote on Rachel's motion for the NCTC project description will likely begin on Thurs., Sept. 29. Eric provided notice last Thursday.

(b) (5)

- 12333 Public Report: (b) (5)
- 12333 Deep Dive Report: One of the CIA deep dive reports is now in the notational review. Eric circulated it on the high side today.
- Transition Documents: The revised (b) (5) and the Sub-Quorum Policy are undergoing a second round of notational review.
- Pre-Publication Policy: The revised Pre-Publication Policy is in notational review for Member revision and comment.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is currently undergoing the second round of notational review.
- Compensation/Promotion Policy and Performance Policy: All Board Members have commented on the promotion policy and revised performance policy. Lynn is now revising them.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

- Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016). Last week, Eric sent an email to those who still needed to complete the training.

The current compliance requirements are below.

· Sept. 30: Year-end finance/budget closeout [Adriel/(b) (6)] – in progress, an update will be part of mid-October finance/budget briefing for the Board.

· Sept. 30 (tentative): Annual Telework Report [Sharon/Eric] – OPM data call not yet received.

· Sept. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Adriel/Jen] – will update when RLP process is complete.

· Sept. 30: Semi-Annual Report – end of reporting period.

UPCOMING DATES:

September 29 - Jim to speak on the FTC role's in cybersecurity at a conference sponsored by Baker & McKenzie, Palo Alto

October 11-12 – Rachel will be speaking on a panel convened by the United Nations Special Rapporteur on the Right to Privacy at the “International Intelligence Oversight Forum 2016” in Bucharest, Romania.

October 12 – TENTATIVE Board Briefing on PCLOB Open Government Plan

October 12 – (b) (5)

October 14: Sharon to participate in panel presented by The Constitution Project on intelligence surveillance (with a focus on Section 702) and post-collection restrictions on access, use, and retention of data.

October 17 -

(b) (5)

October 19: Jim to be speaking on Oversight and Accountability Principles for Government Access to Data at the 38th International Data Protection and Privacy Commissioners Conference, Marrakech, Morocco. <https://www.privacyconference2016.org/en>

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

Weekly Board Update for December 13, 2016

Date to Highlight:

The ugly holiday sweater potluck luncheon will be on **Monday, December 19, 2016 from 12pm to 2pm** in the conference room!

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· 12333 CIA Deep Dive Report ((b) (5)): A notational vote is in progress regarding whether to send the draft to the IC for accuracy and classification review. Three Members concurred to begin the vote yesterday.

· 12333 NSA Deep Dive Report: (b) (5)

· PPD-28: A notational vote is in progress regarding whether to send the draft to ODNI for accuracy and classification review. Three Members concurred to begin the vote yesterday.

· Watchlist Project: A notational vote is in progress regarding whether (1) whether the Board shall close out the notational review process on the Watchlist project, and (2) whether the Board adopts a new project based on the Watchlist project description. Three Members concurred to begin the vote yesterday.

· 12333 Public Report: (b) (5)

· Next Projects: The Board is considering additional next projects in the notational review process.

· (b) (5)

· Sub-Quorum Policy: The Sub-Quorum Policy is currently in third round of notational review process.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.

· Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· [REDACTED]
(b) (5)

· Please return your ethics training certifications to Lynn by Dec. 30, 2016.

· The current compliance requirements are below. An updated compliance calendar is attached.

- Sept. 30: Semi-Annual Report [REDACTED] – Notational review in progress
- Dec. 13: Reappointment to SGE Status for Judge [Eric] – In progress
- Dec. 15: E-Government Report to OMB [REDACTED] – OMB does not require agency to file
- Dec. 17: Annual Telework Report [Sharon] – Completed and filed
- Dec. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when have update
- Dec. 30: Accounting & Administrative Systems Compliance Statement [Eric/Adriel/[REDACTED]] –
- Dec. 30: Mandatory PCLOB ethics training [Eric/Lynn] –
- Dec. 30 (tentative): Board Briefing on Quarterly Spend Plan (Q1) [Adriel] –
- 2017 (tentative) Open Government Plan [Sharon/Jen] [REDACTED]

(b) (5)

UPCOMING DATES:

December 20: Sharon and [REDACTED] will be attending a meeting of the Institute for Defense Analyses (IDA) – a non-profit organization whose mission is to promote national security and advance scientific learning – and Sharon will be speaking to the group about the PCLOB and its work.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for December 21, 2016

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· 12333 CIA Deep Dive Report (b) (5): The Board voted unanimously to approve sending the 12333 CIA Deep Dive Report to the Intelligence Community for accuracy and classification review.

(b) (5)

· PPD-28: The Board voted unanimously to approve sending the PPD-28 Report to the ODNI for accuracy and classification review.

(b) (5)

· Watchlist Project: A The Board voted unanimously to (1) close out the notational review process on the Watchlist project, and (2) adopt a new project based on the attached Watchlist project description.

· 12333 NSA Deep Dive Report:

(b) (5)

· 12333 Public Report: (b) (5)

· Next Projects: The Board is considering additional next projects in the notational review process.

(b) (5)

· Sub-Quorum Policy: The Sub-Quorum Policy is currently in third round of notational review process.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.

· Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· Please return your ethics training certifications to Lynn by Dec. 30, 2016.

· The current compliance requirements are below. An updated compliance calendar is attached.

- Sept. 30: Semi-Annual Report [(b) (5)] – Notational review in progress
- Dec. 13: Reappointment to SGE Status for Judge [Eric] – Completed
- Dec. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when have update
- Dec. 30 (tentative): Board Briefing on Quarterly Spend Plan (Q1) [Adriel] – Will occur in New Year
- Dec. 30: Accounting & Administrative Systems Compliance Statement [Eric/Adriel/ (b) (5)] –
- Dec. 30: Mandatory PCLOB ethics training [Eric/Lynn] –

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for April 25, 2017

Project Update

The TFTP team will [REDACTED]

(b) (5)

TIME & ATTENDANCE

At the last mission staff meeting, Eric provided a reminder about time and attendance. The federal workday is 8 ½ hours with a mandatory ½ hour for lunch. You cannot work through lunch. You must account for your working 8 hours on your time & attendance sheet, which your supervisor must certify every other week. You must work onsite during the workday, unless you have taken annual or sick leave, are teleworking pursuant to a telework agreement, are using credit hours, or have another authorized absence. Please make sure your supervisor and team members are aware when you are out of the office and always keep the calendar updated. A more detailed time and attendance refresher will circulate in an upcoming weekly.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

[REDACTED]
(b) (5)

· The 2017 compliance calendar requirements for April are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Apr. 07: Briefing on budget/spending [Adriel] – Completed and provided to Board Member.
- Apr. 13: Plain Writing Compliance Report [Eric] – Completed and posted on website.
- Apr. 28: Quarterly FOIA Report [Mason]–

Weekly Board Update for January 4, 2017

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· 12333 CIA Deep Dive Report (b) (5): The Board voted unanimously to approve sending the 12333 CIA (b) (5) Deep Dive Report to the Intelligence Community for accuracy and classification review. (b) (5)

· PPD-28: The Board voted unanimously to approve sending the PPD-28 Report to the ODNI for accuracy and classification review. (b) (5)

· Watchlist Project: A The Board voted unanimously to (1) close out the notational review process on the Watchlist project, and (2) adopt a new project based on the attached Watchlist project description.

· 12333 NSA Deep Dive Report: (b) (5)

· 12333 Public Report: (b) (5)

· Next Projects: The Board is considering additional next projects in the notational review process.

(b) (5)

· Sub-Quorum Policy: The Sub-Quorum Policy is currently in third round of notational review process.

· Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

· FOIA Regulation: Proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), are in the notational review process. The external deadline is Dec. 27, 2016.

· Semi-Annual Report: The Semi-Annual Report (Apr.-Sept. 2016) is in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· Please return your ethics training certifications to Lynn by Dec. 30, 2016.

· The current compliance requirements are below. An updated compliance calendar is attached.

- Sept. 30: Semi-Annual Report [Jen (b) (6)] – Notational review in progress
- Dec. 13: Reappointment to SGE Status for Judge [Eric] – Completed
- Dec. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [(b) (6)] – Will schedule when have update
- Dec. 30 (tentative): Board Briefing on Quarterly Spend Plan (Q1) [Adriel] – Will occur in New Year
- Dec. 30: Accounting & Administrative Systems Compliance Statement [Eric/Adriel/ (b) (6)] –
- Dec. 30: Mandatory PCLOB ethics training [Eric/Lynn] –

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.



PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
WASHINGTON, D.C. 20511

October 23, 2017

Re: PCLOB FOIA 2017-030

This is the third interim response to your Freedom of Information Act ("FOIA") request dated August 16, 2017 and clarified/perfected on August 23, 2017, in which you seek "a copy of each administrative Weekly Report and MFR at PCLOB during Calendar Years 2016 and 2017 to date."

As noted in the acknowledgment letter dated September, 20, 2017, a search was conducted and documents were located that are responsive to your request. However, some of the documents require consultation with other executive branch agencies. As previously explained, the PCLOB has no control over the timing of the consultation process. In the meantime, however, we are providing you with this interim response and hope to continue to provide records (if they become available) on a rolling basis.

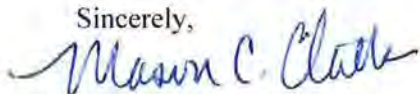
Therefore, I have attached an additional 8 pages for release in response to your request. I have determined that redactions are appropriate in some records pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), which pertain to certain inter- and intra-agency memorandums or letters protected by the deliberative process privilege and information the disclosure of which would "constitute a clearly unwarranted invasion of personal privacy," respectively. Redactions have been clearly marked with the corresponding exemption. I have further determined that disclosure of the information subject to exemption 5 would harm the Board's deliberative process privilege; however, I have segregated the information and non-exempt information is being provided to you at this time.

As explained above, we will provide you with interim responses on a rolling basis if additional records are determined to be subject to release.

You may contact me or the PCLOB's FOIA Public Liaison Eric Broxmeyer at (202) 331-1986 or foia@pclob.gov for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the PCLOB Freedom of Information Act Appeal Authority, at MS2 Room 2C104, Washington, DC 20511, or you may submit an appeal via email to foia@pclob.gov. Your appeal must be postmarked or electronically transmitted within ninety calendar days from the date of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Mason C. Clutter". The signature is fluid and cursive, with the first name "Mason" being the most prominent part.

Mason C. Clutter
Freedom of Information Act Officer
Attorney-Advisor
(202) 296-4729

Weekly Board Update for July 13, 2017

TIME & ATTENDANCE:

Please input all time by the close of business on the Friday before the end of the bi-monthly pay period, and in no event later than 10 a.m. on the following Monday. Certifications must happen by 11 a.m.

SECURITY:

ODNI has released new reporting requirements for individuals who hold clearances. These new requirements, effective June 12, 2017, are attached. (b) (5) will be sending out a PowerPoint in the coming weeks that will summarize these requirements. Please contact (b) (6) with any questions related to the attached document.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be published soon as direct final rules in the Federal Register.

(b) (5)

· The 2017 compliance calendar requirements for June/July are provided below. I've also attached an updated compliance calendar

· June 30: PCLOB Quarterly Relocation Briefing (Adriel/Jen) – (b) (5)

- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress
- July 03 (tentative): M-17-12 PII Breach Plan update (b) (6) – In progress
- July 11: OGE Form 278 (Eric/Lynn) – In progress
- July 14: E.O. 13800/M-17-25 Cybersecurity Framework Implementation Action Plan (b) (6) – In progress
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – Will schedule in advance of FY 2019 budget build
- July 15 (tentative): Records refresher training (b) (6) – Will schedule after next staff meeting
- July 21: E.O. 13781/M-17-22 Performance Plan (Adriel/Eric) – In progress
- July 28: PCLOB Quarterly FOIA Report (Mason) – In progress
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses, (b) (5)
- July 28 (tentative): Quarterly ISOO Data Call (b) (6) – In progress

UPCOMING DATES:

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for November 8, 2016

Open Season:

Reminder that Open Season is Monday, November 14, 2016 through December 12, 2016. Below is a link that provides some open season information, and there is information posted in the office. Please see (b) (6) if you have questions.

<http://www.opm.gov/healthcare-insurance/healthcare/reference-materials/#url=BALs>

Project Update:

(b) (5)

Security Update:

(b) (6) When arranging meetings, it is important that this be conveyed to the POC for the agency you are coordinating with so they can have their security folks send visit requests so the (b) (6) folks receive them within this 3-day window. Please also allow the CSO lead time to submit the required paperwork. (Those with IC badges can get same-day visit requests.)

Please note that (b) (6), ASO (b) (6) (b) (6) has stated that they will not accept same day visit requests unless it is an emergency (website going down.)

IT Update:

PCLOB Annual FISMA reports will be submitted on 10 November. The annual FISMA report and Privacy reports will be forwarded to the Board for Signature as soon as final reviews are completed.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· Pre-Publication Policy: A notational vote is in progress on whether to approve the revised Pre-Publication Policy.

· 12333 Public Report: (b) (5)

(b) (5)

(b) (5)

- Promotion Policy and Performance Policy: A notational vote is in progress on whether to approve the draft Promotion Policy and revised Performance Policy.

(b) (5)

12333 Deep Dive Report:

(b) (5)

(b) (5)

- PPD-28: The PPD-28 Report is in the notational review process.
- Sub-Quorum Policy: The Sub-Quorum Policy is in the notational review process.
- Sunshine Act Regulation: The proposed amendment to the Sunshine Act regulation is in the notational review process.

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

- The current compliance requirements are below. Eric has also attached an updated compliance calendar.
 - Sept. 30: Semi-Annual Report (b) (6)] – End of reporting period.
 - Nov. 01: Annual Self-Inspection Report to ISOO (b) (6)] – Completed and Submitted
 - Nov. 15: ISOO SF 311 Report (b) (6)] –
 - Nov. 15: FISMA Reporting (b) (6)] –
 - Nov. 15 (tentative): Year-end Budget & Spend Plan Briefing [Adriel/ (b) (6)] – Completed on Nov. 7
 - Nov. 15 (tentative): Initial FY 2018 Budget Request to OMB [Adriel/ (b) (6)] –

- Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] –
- Nov. 30 (tentative): Annual Telework Report [Sharon/Eric] –
- Nov. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC (b) (6) –
- Nov. 30 (tentative): Open Government Plan [Sharon/Jen] –

UPCOMING DATES:

November 9, 2016 – Beth will be a guest lecturer for a national security law class at the University of Virginia School of Law. She will also be the keynote speaker for a luncheon at UVA following the class.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for August 11, 2017

Date to Highlight:

Reminder: Monday, August 21, 2017 9:30 AM, all staff meeting followed by mandatory FIOA training from 10:00 am – 12:00 pm: DoJ Office of Information Policy will join us at MS2 for a two-hour training on FOIA basics and responsibilities for all PCLOB Staff. Please let Mason or Lynn know if you have any questions.

Personnel Updates:

(b) (6) and (b) (6) last day with PCLOB will be Friday August 18.

Security Awareness Tip:

The fact that classified information appears in the media does not mean it is automatically declassified. Staff must treat the information as classified until formally advised to the contrary. If you read an article in the paper or watch a news network and become aware the information you just learned is classified, you should not further disseminate the classified information. If you are reading a news article and there is a link to classified information, please do not click on the link.

You should also not comment on, confirm, or deny any classified information printed in news articles or other media. Official PCLOB statements and information releases to the media will be coordinated by the Public Affairs Officer. Either confirmation or denial could add to the damage created by the publication or can lend credibility to the reported information. If you discover classified information related to the PCLOB's work was publicly released, please inform the CSO and General Counsel immediately.

Also, please do not search for classified information that may have been leaked to the public. The unauthorized dissemination of classified information without the proper level of security clearance and a need-to-know is considered a security violation and can impact your personal security clearance as well as an entity's facility clearance.

If you have any questions, please let (b) (6) know.

UPDATE ON LEGAL AND COMPLIANCE ISSUES:

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, are currently in the Federal Register as direct final rules. If there is no comment on them by August 28, the amended regulations become final. If there is comment, the PCLOB will answer them and the regulations become final.

(b) (5)

- The 2017 compliance calendar requirements for July and August are provided below.
- July 01 (tentative): Initial FY 2019 Budget Request for Board (Adriel) – In progress
- July 03 (tentative): M-17-12 PII Breach Plan update (b) (6) – In progress
- July 15 (tentative): Board briefing on Quarterly Spend Plan (Adriel) – In progress
- July 15 (tentative): Records refresher training (b) (6) – Will schedule after next staff meeting
- July 28 (tentative): Response to Congressional Marks (Adriel/Jen) – Will decide if appropriate as FY 2018 budget process progresses, (b) (5)
- Aug. 13: OGE Form 278 (Eric/Lynn) – In progress

UPCOMING DATES:

September 19, 2017, 3:00 PM- Beth will participate in a panel in Washington, DC on the first annual joint review of the functioning of the EU-U.S Privacy Shield agreement

October 5, 2017 – Beth will be moderating a panel at the Privacy + Security Forum in Washington, DC

October 6, 2017, 8:30-10:00 AM PST – Beth will be a panelist the annual conference sponsored by the U.S. District Court in Oregon.

Weekly Board Update for January 24, 2017

Training Reminder

Just a reminder that it is time for PCLOB's annual Security Awareness training. Please complete the training by Jan. 31, 2017.

Take the training available @ http://iatraining.disa.mil/eta/cyberchallenge_v4/launchPage.htm. This link can be accessed from home. Please let (b) (6) know if you have questions.

UPDATE ON LEGAL AND COMPLIANCE ISSUES

· As Beth mentioned in the last staff meeting, please coordinate with Eric on project matters as necessary to ensure that we are proceeding consistent with our sub-quorum status.

· Members can provide comments on the interim draft of the FOIA Reference Book, which will need to be posted on the website when completed. 5 U.S.C. § 552(g).

· (b) (5)

· The amended FOIA and Sunshine Act regulations, which the Board voted out before it lost a quorum, will be sent to the Federal Register shortly as direct final rules.

· Please remember to check with Eric or Lynn prior to accepting gifts from outside sources or providing gifts to other PCLOB employees to ensure compliance with federal ethics rules.

· Please make sure that (b) (6), who is the Agency Records Officer, receives final Board documents, such as project reports, so that he can ensure they are filed in accordance with our Agency Records Schedule.

· Mission staff should bring leave, telework, and training requests to Eric.

· The 2017 compliance calendar requirements for January are below. Please make sure that I receive a copy of the final reports for filing purposes.

- Jan. 27: Quarterly FOIA Report (Q1) [Mason] –
- Jan. 31: IT Security Awareness Training (b) (6) –
- Jan. 31: MD-715 Report to EEOC [Lynn] –

UPCOMING DATES:

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.



PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
WASHINGTON, D.C. 20511

November 18, 2021

Re: PCLOB FOIA 2017-030

This is the final response to your Freedom of Information Act ("FOIA") request dated August 16, 2017, and clarified/perfected on August 23, 2017, in which you seek "a copy of each administrative Weekly Report and MFR at PCLOB during Calendar Years 2016 and 2017 to date." We have previously provided you with responsive documents on three occasions.

As we noted in our acknowledgment letter of September, 20, 2017, we conducted a search and located documents that are responsive to your request. We explained that some of the documents required consultation with other executive branch agencies. That consultation process is now complete, and we are producing to you the remaining twenty-four responsive documents.

I have determined that these documents should be redacted pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), which pertain to certain inter- and intra-agency memorandums or letters protected by the deliberative process privilege and information the disclosure of which would "constitute a clearly unwarranted invasion of personal privacy," respectively. These redactions are clearly marked with the corresponding exemption. I have further determined that disclosure of the information subject to Exemption 5 would harm the Board's deliberative process privilege; however, I have segregated that information and provided to you non-exempt information.

You may contact me directly or write foia@pclob.gov for further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services ("OGIS") at the National Archives and Records Administration ("NARA") to inquire about the FOIA mediation services they offer. The contact information for OGIS is Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the PCLOB Freedom of Information Act Appeal Authority, at 800 N. Capitol St., NW, Washington, DC 20002, or you may submit an appeal via email to foia@pclob.gov. Your appeal must be postmarked or electronically transmitted within ninety calendar days from the date of this letter.

Sincerely,

/s/ David R. Dorey

David R. Dorey
Freedom of Information Act Officer
(202) 296-4649

Enclosure

Weekly Board Update, January 12, 2016

UPCOMING BOARD BRIEFINGS:

- **Wednesday, Jan. 13, 10:30 AM-12:30 PM**, 5th floor conference room, staff briefing for Board on PPD-28, 12333 public report; and recommendations assessments.
- **Wednesday, Jan. 13, 2pm-4pm**, 5th floor conference room, CIA briefing for Board on (b) (1) (A) deep dive.
- **Wed. Jan. 20, 11:00 AM**, staff briefing for Board on (b) (5)
- **Wed. Jan 20, 12:00 PM** staff briefing on internal controls.
- (b) (5)
- **February 2, 8:30 am to 2:15 pm** (exact start time and location TBD): Board/staff retreat
- (b) (5)
(U) (S)
- **February 1 or 3**, exact time TBD: next threat briefing for Board

BUDGET UPDATE:

Congressional Budget Justification Book: The final FY 2017 CBJB is out for Board Member revision and comment. Once all comments have been received and incorporated, Eric will circulate the final draft for a notational vote. The final document must be submitted to the Hill the first week in February.

PERSONNEL UPDATE:

As a reminder, (b) (6) last day is Friday. Staff and any Board Members who are available will be having a brown bag lunch with him in the conference room on Friday to bid him farewell and wish him best in his new endeavor. All are welcome to join!

Today, (b) (6) has joined the staff as Beth's new counselor. We welcome her to the team!

(b) (6) will soon be joining PCLOB as our first technology scholar beginning the next pay period. (b) (6)

ETHICS TRAINING COMPLETED

Thank you to everyone for completing the 2015 ethics training, which is an important part of our ethics compliance program. If you have any ethics questions, please bring them to Eric and Lynn.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL PROCESS AND VOTING

- (b) (5) [REDACTED]
- (b) (5) [REDACTED]

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- (b) (5) [REDACTED]
- (b) (5) [REDACTED]
- The 2016 compliance requirements for this month are as follows:
 - Jan. 01: Annual Ethics Training Plan [Lynn] – Completed and filed internally
 - Jan. 29: Records Management Self-Assessment [(b) (6)]
 - Jan. 29: Senior Agency Annual Records Report [Sharon/ (b) (6)]
 - Jan. 29: Annual Energy Management Reporting [Eric]
 - Jan. 29: Quarterly FOIA Report (Q1) [(b) (6)]
 - Jan. 29: Quarterly ISOO Data Call (b) (6) w/ staff assistance]
 - Jan. 31: EEOC Form 715-01 [Eric/Lynn]

UPCOMING DATES/EVENTS

- **January 22** - (b) (5) [REDACTED]
- **January 25** - David will participate in the quarterly meeting of DHS' Data Privacy and Integrity Advisory Committee
- **January 25-26**: Rachel will participate in a Hoover Institution National Security, Technology, and Law Working Group symposium on "The Next Wave of Surveillance Reform" at Stanford.
- **January 29** - Rachel will moderate a panel on "Implementing Transatlantic Intelligence Reform: Security and Privacy Two Years On" at the 2016 Computer Privacy and Data Protection Conference in Brussels.
- **Week of Feb. 15** - Rachel will give the keynote address at a Government of Austria-sponsored "European Data Protection Day" event in Vienna.

- **February 25** - Rachel will be at the University of Chicago Law School to speak at a Federalist Society event and serve as a visiting instructor for (b) (6) Federal Courts class
- **March 3** - David will speak in (b) (6) Howard University Law School privacy law class.
- **March 30** - David will speak in (b) (6) Penn Law privacy law class
- **April 6** – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists (b) (6) and (b) (6).
- **April 12** - David will speak in (b) (6) Harvard Law School privacy law class.
- **April 20** - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, January 28, 2016

UPCOMING BOARD BRIEFINGS:

- **Mon. February 1, 9:00-10:00 AM, 4th floor conference room:** NCTC next threat briefing for Board.
- (b) (5) [REDACTED]
- **February 2, 8:30 am to 2:15 pm:** Board/Staff Retreat. The retreat will be held at the (b) (6) [REDACTED]
- **February 3, 10:00 am – 11:30 am, 4th floor conference room:** [REDACTED]
(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL PROCESS AND VOTING

- **Congressional Budget Justification Book:** The final FY 2017 CBJB is out for a notational vote. Please vote as soon as possible, as the external deadline is Monday, Feb. 1.

[REDACTED]

[REDACTED]

[REDACTED]

- **12333 Project** [REDACTED]
(b) (5)

[REDACTED]

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- (b) (5) [REDACTED]
- (b) (5) [REDACTED]
- OGE has informed us that all 2015 Form 278s have now been certified and thanked us for our compliance with the financial disclosure requirement.

The compliance requirements for this month are as follows:

- Jan. 01: Annual Ethics Training Plan [Lynn] – Completed and filed internally

- Jan. 29: Records Management Self-Assessment [(b) (6)] – Completed and filed with NARA
- Jan. 29: Senior Agency Annual Records Report – Completed and filed with NARA
- Jan. 29: Annual Energy Management Reporting [Eric] – [(b) (5)] this report does not need to be filed this year.
- Jan. 29: Quarterly FOIA Report (Q1) [(b) (6)]
- Jan. 29: Quarterly ISOO Data Call [(b) (6)], w/ staff assistance]

Since this is the last week in January, the compliance requirements for next month are as follows:

- Feb. 01: FY 2017 CBJB [(b) (6)] – Undergoing notational vote
- Feb. 01: DATA Act Implementation Plan [Eric]
- Feb. 01: Annual Ethics Questionnaire [Lynn]
- Feb. 01: Annual Ethics Pledge Assessment [Lynn] - Completed and filed with OGE
- Feb. 05: Chief FOIA Officer Report [Sharon/Mason]
- Feb. 08: EEOC Form 715-01 [Lynn] – Moved from Jan. 31 due to snowstorm.
- Feb. 29: ISOO Security Costs Est. Report [(b) (6)]
- Feb. 29: Report on Experts/Consultants [Eric]

UPCOMING DATES/EVENTS

- **January 25-26:** Rachel and Jim participating in a Hoover Institution National Security, Technology, and Law Working Group symposium on “The Next Wave of Surveillance Reform” at Stanford.
- **January 29** - Rachel will moderate a panel on “Implementing Transatlantic Intelligence Reform: Security and Privacy Two Years On” at the 2016 Computer Privacy and Data Protection Conference in Brussels.
- **February 8** – Judge Wald and Beth to speak at DHS’s Security Data Privacy and Integrity Advisory Committee public meeting.
- February 9 – staff meeting with ACLU lawyers on their letter regarding E.O. 12333
- February 11 – staff meeting with [(b) (5)]
- **Week of Feb. 15** - Rachel will give the keynote address at a Government of Austria-sponsored “European Data Protection Day” event in Vienna.
- **February 18:** staff team attending [(b) (5)]
- **February 25** - Rachel will be at the University of Chicago Law School to speak at a Federalist Society event and serve as a visiting instructor for [(b) (6)] Federal Courts class
- **February 26:** Jim will give the keynote talk at a symposium entitled "Programming the Law: Privacy, Security, and Innovation" sponsored by the UC Hastings Communication and Entertainment Law Journal and the UC Hastings Science and Technology Law Journal.

- **March 3** - David will speak in (b) (6) Howard University Law School privacy law class.
- **March 30** - David will speak in (b) (6) Penn Law privacy law class
- **April 6** – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists (b) (6) (b) (6)
- **April 12** - David will speak in (b) (6) Harvard Law School privacy law class.
- **April 20** - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, February 3, 2016

PROJECT UPDATES:

[REDACTED]

(b) (5) [REDACTED]

NSA 12333 Deep Dive:

(b) (5) [REDACTED]

Section 803 Project:

(b) (5) [REDACTED] (b) (5) [REDACTED]

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL
PROCESS AND VOTING

- **Congressional Budget Justification Book:** The Board has unanimously approved the final Fiscal Year (“FY”) 2017 Congressional Budget Justification Book (“CBB”) for distribution to the Office of Management of Budget and the House and Senate Appropriations Committees, as well as posted on the Board’s website.
- (b) (5) [REDACTED]
- **Recommendations Assessment Report:** (b) (5) [REDACTED] has been teed up for a notational vote along with the Fact Sheet.

- **12333, Sec. 2.3 Advice Request:** Per the Advice Function Policy and Procedure, a notational vote is currently pending on whether to accept the ODNI/NSA/DOJ request for advice on the draft procedures pursuant to EO 12333, Section 2.3.2016.
- **Document Request Vote:** There will be a vote circulated shortly on the supplemental deep dive document request that (b) (6) has discussed with Members.
- **12333 Project Timeline:** The Board completed its vote on the five questions related to the E.O. 12333 project's work plan and timeline:

- (1) (b) (5)
- (2) (b) (5)
- (3) (b) (5)
- (4) (b) (5)
- (5) The Board unanimously approved the goal of releasing the public report by the summer of 2016 and its consequent impact on the deep dive timelines (as reflected in the attached chart).

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- Last Friday (Jan. 29) was the official end of Jim's term appointment as a Board Member. Under the holdover provision in our enabling statute, Jim can continue to serve until Mar. 29, 2016 or, if his successor's nomination is submitted to the Senate by then, until the final adjournment of Congress (likely in late Dec. 2016).
- (b) (5)
- (b) (5)

-

(b) (5)

The compliance requirements for last month are as follows:

- Jan. 01: Annual Ethics Training Plan [Lynn] – Completed and filed internally
- Jan. 29: Records Management Self-Assessment [(b) (6)] – Completed and filed with NARA
- Jan. 29: Senior Agency Annual Records Report – Completed and filed with NARA
- Jan. 29: Annual Energy Management Reporting [Eric] –

(b) (5)

- Jan. 29: Quarterly FOIA Report (Q1) [Mason] – Completed and filed with NARA
- Jan. 29: Quarterly ISOO Data Call [(b) (6)] w/ staff assistance] [REDACTED]

The compliance requirements for this month are as follows:

- Feb. 01: FY 2017 CBJB [(b) (6)] – Completed and filed with OMB, going to Hill shortly
- Feb. 01: DATA Act Implementation Plan [Eric] – Completed and filed with OMB
- Feb. 01: Annual Ethics Questionnaire [Lynn] – Completed and filed with OGE
- Feb. 01: Annual Ethics Pledge Assessment [Lynn] – Completed and filed with OGE
- Feb. 05: Chief FOIA Officer Report [Sharon/(b) (6)] – Will be filed shortly
- Feb. 08: EEOC Form 715-01 [Lynn] – Moved from Jan. 31 due to snowstorm.
- Feb. 29: ISOO Security Costs Est. Report [(b) (6)]
- Feb. 29: Report on Experts and Consultants [Eric]

UPCOMING DATES/EVENTS

- **February 8** – Judge Wald and Beth to speak at DHS's Security Data Privacy and Integrity Advisory Committee public meeting.
- **February 9** – staff meeting with ACLU lawyers on their letter regarding E.O. 12333
- **February 9** – Staff meeting with SSCI and HPSCI (b) (5)
- **February 11** – staff meeting with (b) (5)
- **February 18:** staff team attending (b) (5)
- **February 25** - Rachel will be at the University of Chicago Law School to speak at a Federalist Society event and serve as a visiting instructor for (b) (6) Federal Courts class
- **February 26:** Jim will give the keynote talk at a symposium entitled "Programming the Law: Privacy, Security, and Innovation" sponsored by the UC Hastings Communication and Entertainment Law Journal and the UC Hastings Science and Technology Law Journal.
- **March 3** - David will speak in (b) (6) Howard University Law School privacy law class.
- **March 30** - David will speak in (b) (6) Penn Law privacy law class

- **April 1** – Judge Wald to speak at the Kennedy School and to (b) (6) law clerks on PCLOB activities.
- **April 6** – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists (b) (6) and (b) (6).
- **April 12** - David will speak in (b) (6) Harvard Law School privacy law class.
- **April 20** - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, February 23, 2016

PROJECT UPDATE:

E.O. 12333 (b) (1) (A) deep-dive:

- (1) (b) (5)
- (2) Earlier this month, the team sent the CIA the Board's second document request. On Wednesday, the team will meet with the CIA to (b) (5)
- (3) Earlier this month, the team met with the CI (b) (5)
- (4) (b) (5)

OCIO UPDATE:

The Office of the Chief Information Officer (OCIO) mailed the agency's annual Federal Information Security Management Act (FISMA) of 2002 report to Congress today. FISMA requires that each agency submit a report to the OMB Director, DHS Secretary and specified committees of Congress to provide an assessment of the agency's information security program and describe each major computer security incident. In FY2015, the CISO improved the robustness of the agency's security architecture by implementing Phase 1 of the PCLOB Enterprise Information Security Architecture, completing the OMB directed 30-Day Cybersecurity Sprint and achieving an Authority to Operate for Microsoft Office 365. No computer security incidents occurred during FY2015.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

(b) (5)

If you attended the Nov. 9, 2016 closed meeting, please take a look at the transcript by the end of the month (Feb. 29) and let Eric know if you see anything that needs to be changed.

The compliance requirements for this month are as follows:

- Feb. 01: FY 2017 CBJB [(b) (5)] – Completed and filed with OMB, provided to the Hill, and posted on the Board's website
- Feb. 01: DATA Act Implementation Plan [Eric] – Completed and filed with OMB
- Feb. 01: Annual Ethics Questionnaire [Lynn] – Completed and filed with OGE
- Feb. 01: Annual Ethics Pledge Assessment [Lynn] – Completed and filed with OGE
- Feb. 07-13: Quarterly ISOO Data Call [(b) (5)] w/ staff assistance] – Completed internally
- Feb. 05: Chief FOIA Officer Report [Sharon (b) (6)] – Completed and filed with DOJ
- Feb. 08: EEOC Form 715-01 [Lynn] – Completed and filed with EEOC
- Feb. 29: ISOO Security Costs Est. Report [(b) (5)]
- Feb. 29: Report on Experts and Consultants [Eric]

UPCOMING DATES/EVENTS

- **February 25** - Rachel will be at the University of Chicago Law School to speak at a Federalist Society event and serve as a visiting instructor for (b) (6) Federal Courts class
- **February 26:** Jim will give the keynote talk at a symposium entitled "Programming the Law: Privacy, Security, and Innovation" sponsored by the UC Hastings Communication and Entertainment Law Journal and the UC Hastings Science and Technology Law Journal
- **February 29 at 2 PM:** Staff briefs the Board on E.O. 12333 Section 2.3 Advice Project (b) (5)
- **March 3** - David will speak in (b) (6) Howard University Law School privacy law class.
- **March 4** – Staff meeting with SSCI and HPSCI (b) (5)
- **March 14 at 2:00 pm, 4th floor,** (b) (5)

-March 14 8AM-2PM and/or all day March 16 TENTATIVE- Board sessions with various NGOs. Details TBD.

· **March 30** - David will speak in (b) (6) Penn Law privacy law class

· **March 30** – David and Beth to speak at UT/LBJ spring intelligence conference

· **April 1** – Judge Wald to speak at the Kennedy School and to (b) (6) law clerks on PCLOB activities.

· **April 6** – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists (b) (6) and (b) (6).

· **April 12** - David will speak in (b) (6) Harvard Law School privacy law class.

· **April 20** - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

Weekly Board Update, March 8, 2016

DATES TO HIGHLIGHT:

As per earlier discussions, Board Member listening sessions with NGO's with regard to E.O. 12333 have been scheduled. All NGO sessions will be in the 8th floor conference room, and these have been added to the PCLOB calendar. In addition, (b) (6) is scheduled to be available on Wednesday morning to meet with Board Members, as well as Board Member Counselors, the NSA deep dive team, Sharon, and Eric to discuss his plans for work with us. The schedule is as follows:

(Mon) March 14, 9:30-10:30 AM, 8th floor – listening session with the Center for Democracy and Technology (CDT)

March 14, 11:00AM-12:00 PM, 8th floor– listening session with Human Rights Watch and Amnesty International

March 14, 2:00-4:00 PM, 4th floor, DoD briefing (b) (5)

(Wed) March 16, 9:30-10:30 AM, 5th floor conference room, meet with (b) (6)

March 16, 11:00 AM- 12:00 PM, 8th floor, listening session with the Brennan Center

March 16, 1:30-2:30 PM, 8th floor, listening session with the ACLU.

PERSONNEL UPDATE:

Unfortunately for PCLOB, (b) (6) will soon be moving on, but happily for him it will be to an exciting new opportunity (b) (6). We are planning a farewell brownbag lunch for Thursday, March 17th.

LEGISLATIVE UPDATE:

(b) (5) Jen, Sharon, (b) (6), and (b) (6) are scheduled to meet with FSGG staff on the Hill on Thursday morning to provide an update and answer any other questions they may have.

PROJECT UPDATES:

Section 2.3 Advice team:

(b) (5)

12333 (b) (1) (A) Deep-Dive team:

For (b) (1) (A) deep-dive: (b) (5)

E.O. 12333 Public Report

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

(b) (5)

The compliance requirements for this month are as follows:

- Mar. 01: Audited Financial Statement [(b) (6)] – Waived by OMB
- Mar. 01: FISMA Report to Congress [(b) (6)] – Completed and filed
- Mar. 10 (previously with placeholder date of Mar. 31): Quarterly Report on PCLOB's Relocation Efforts [(b) (6)] – Will provide to the House and Senate Appropriations Committees
- Mar. 17: Operating Plan [(b) (6)]
- Mar. 18: Regulatory Agenda Reporting [(b) (6)] – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Semi-Annual Report [(b) (6)] – Reporting period ends
- Eric attended an OGE conference session yesterday on the next round of Form 278 financial disclosure filings. [(b) (5)] the financial disclosures, which are due May 16, 2016 (with the possibility of two 45-extensions).

“Pi Day” (3.14, or March 14 for those among us who are not math inclined)

Please join us for a short Pi Day celebration this **Monday, March 14, from 1-1:45pm** in the conference room. Pi Day involves eating pie and playing a few (non-math) games. (Thanks to [(b) (6)] for organizing!)

Anyone who wishes to bring their favorite pie recipe is welcome to do so. But bringing a pie is not necessary. It is also not necessary to know the actual mathematical significance of 3.14159265359 in order to participate.

UPCOMING DATES/EVENTS

March 10, 9:45 AM– staff to provide update on PCLOB move to House and Senate Financial Services and General Government Appropriations Subcommittee (FSGG) staff

March 14 at 2:00 pm, 4th floor, DoD briefing for the Board [(b) (5)]

March 14 and March 16, 8th floor – NGO listening sessions as indicated previously

March 28 - David will speak in [(b) (6)] Penn Law privacy law class

March 30 – David and Beth to speak at UT/LBJ spring intelligence conference

April 1 – Judge Wald to speak at the Kennedy School and to [(b) (6)] law clerks on PCLOB activities.

April 6 – David will be chairing a panel at the IAPP Global Privacy Summit on “National Security and Privacy: Not Just for Citizens?” with panelists [(b) (6)] and [(b) (6)].

April 12 - David will speak in [(b) (6)] Harvard Law School privacy law class.

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20- Beth will be speaking to the National Security Law Association at Rutgers Law School

Weekly Board Update, March 29, 2016

DAVID UPDATE:

Pertinent Capitol Hill staff have been notified about David's intent to resign from the Board. Attached is a copy of his resignation letter to the White House.

PROJECT UPDATE:

Section 2.3 Advice team:

(b) (5)

Section 2.3 Advice team:

(b) (5)

PPD-28 team:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

It is time again to start preparing Form 278 financial disclosures, which are due May 16, 2016 (with the possibility of two 45-day extensions). (b) (5) and Lynn has sent notices of Integrity Forms to Board Members. There will be an Integrity training session on April 4 at 1 p.m. The training will focus on how to use the Integrity financial disclosure system.

(b) (5)

The compliance requirements for this month are as follows:

- Mar. 01: Audited Financial Statement [(b) (6)] – Waived by OMB
- Mar. 01: FISMA Report to Congress [(b) (6)] – Completed and filed
- Mar. 10: Quarterly Report on PCLOB's Relocation Efforts [(b) (6)] – Provided to the House Appropriations Committee ("HAC") and Senate Appropriations Committee ("SAC")
- Mar. 17: Operating Plan [(b) (6)] – Provided to OMB
- Mar. 18: Regulatory Agenda Reporting [(b) (6)] – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Semi-Annual Report [(b) (6)] – Reporting period ends

UPCOMING DATES/EVENTS

March 28 - David will speak in (b) (6) Penn Law privacy law class

March 30 - David, Beth, and Rachel to speak at UT/LBJ spring intelligence conference

April 1 - Judge Wald to speak at the Kennedy School and to (b) (6) law clerks on PCLOB activities.

April 6 - David will be chairing a panel at the IAPP Global Privacy Summit on "National Security and Privacy: Not Just for Citizens?" with panelists (b) (6) and (b) (6).

April 12 - David will speak in (b) (6) Harvard Law School privacy law class.

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20 - Beth will be speaking to the National Security Law Association at Rutgers Law School

Weekly Board Update, March 29, 2016

MOVE UPDATE:

An update on our office move (b) (5) is attached.

PROJECT UPDATE:

Section 2.3 Advice team:

(b) (5)

(b) (5)

(b) (5)

(b) (1) (A) deep-dive:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL
REVIEW AND VOTING

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

It is time again to start preparing Form 278 financial disclosures, which are due May 16, 2016 (with the possibility of two 45-day extensions). (b) (5)

(b) (6) Lynn has sent notices of Integrity Forms to Board Members. There will be an Integrity training session on April 4 at 1 p.m. The training will focus on how to use the Integrity financial disclosure system.

(b) (5)

The compliance requirements for this month are as follows:

- Mar. 01: Audited Financial Statement [(b) (6)] Waived by OMB
- Mar. 01: FISMA Report to Congress (b) (6) – Completed and filed
- Mar. 10: Quarterly Report on PCLOB's Relocation Efforts (b) (6) – Provided to the House Appropriations Committee ("HAC") and Senate Appropriations Committee ("SAC")
- Mar. 17: Operating Plan (b) (6) – Provided to OMB
- Mar. 18: Regulatory Agenda Reporting (b) (6) – Nothing to report
- Mar. 30: No FEAR Act Report [Eric/Lynn]
- Mar. 31: Semi-Annual Report [(b) (6)] – Reporting period ends

UPCOMING DATES/EVENTS

March 30 – David, Beth, and Rachel to speak at UT/LBJ spring intelligence conference

April 1 – Judge Wald to speak at the Kennedy School and to (b) (6) law clerks on PCLOB activities.

April 4 at 1:00 pm, conference room – OGE training for Board Members on Form 278s and Integrity system

April 6 – David will be chairing a panel at the IAPP Global Privacy Summit on "National Security and Privacy: Not Just for Citizens?" with panelists (b) (6) and (b) (6)

April 8 –

(b) (5)

April 11 – (b) (5)

April 12 - David will speak in (b) (6) Harvard Law School privacy law class.

April 18 -

(b) (5)

April 20 - David will be a panelist at the Center on Law and Security at NYU School of Law/Woodrow Wilson International Center for Scholars Intelligence Oversight conference.

April 20- Beth will be speaking to the National Security Law Association at Rutgers Law School

April 28 -

(b) (5)

Weekly Board Update for April 26, 2016

PROJECT UPDATE:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Records Policy: On Dec. 11, 2015, the Board voted to revise its records policy (2014-002).

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

The Board is now operating under the Internal Agency Procedures for Notational Review and Notational Voting, which the Board unanimously approved. Please let Eric know if you have any questions about these procedures for Board review and decision of new and existing matters.

OGE has moved the deadline for Form 278 financial disclosures to May 25, 2016 (with the possibility of two 45-day extensions). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let

Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (6)

(b) (5)

The compliance requirements for this month are below.

- Mar. 31: Semi-Annual Report (b) (6) – Reporting period ends
- Apr. 13: Plain Writing Compliance Report [Eric] – Completed and posted to the PCLOB website
- Apr. 29: Quarterly FOIA Report [(b) (6)] – Completed
- Apr. 29: Quarterly ISOO Data Call (b) (6) –

UPCOMING DATES/EVENTS

(b) (5)

April 28 – 1:00-4:00 PM (b) (5)

Apr. 26 – Rachel will be a panelist on “Reconciling Liberty and Security in 2016” at a conference on “Hindsight: Reflections on 15 Years of the War on Terror” at Fordham University Law School’s Center on National Security.

May 4 – Rachel will speak to the Charlotte, North Carolina lawyers chapter of the Federalist Society on “Privacy and National Security: Balancing the Discussion.”

May 4 at 1 PM: NSA and ODNI brief the Board on (b) (5) (b) (5)

June 10 – David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

Weekly Board Update for May 3, 2016

PERSONNEL UPDATE:

(b) (5) will be starting as EA/HR officer on May 9th. (b) (6)

(b) (6) has been selected as the Board's new Chief Information Security Officer ("CISO") and will be starting Monday, July 25, 2016.

(b) (6)

(b) (6) last day with us will be Friday, May 20.

UPCOMING DATES TO HIGHLIGHT:

Rachel and David have been invited to testify next Tuesday (May 10) during a Senate Judiciary Committee hearing on Section 702.

Please mark your calendars for June 24 for David's sending off. Time and location TBD. (Thanks to (b) (6) for taking the lead on this!)

Board Member Opinion Piece:

Rachel authored an opinion piece titled "What Does Effective Intelligence Oversight Look Like?" It was posted on Lawfare this afternoon.

<https://www.lawfareblog.com/what-does-effective-intelligence-oversight-look>

PROJECT UPDATE:

E.O. 12333:

(b) (5)

Section 2.3 Advice Project:

(b) (5)

IT UPDATES:

On the afternoon of May 6, the IT staff will be conducting necessary maintenance on our unclassified IT infrastructure. There may be short term outages as we reboot some of the systems but we do not foresee any long term outages. If you are working remotely you will not notice any outages in your mail service.

(b) (6) and (b) (6) will be off-site on 9-10 May (Monday and Tues) working on the VDI architecture implementation which provides an enhanced remote access as well as continuity of operations. For routine issues please submit to the IT help desk. For urgent needs please call (b) (6) at (b) (6) and she and (b) (6) will respond as required.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

PCLOB

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Records Policy: On Dec. 11, 2015, the Board voted to revise its records policy (2014-002).

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

The Board is now operating under the Internal Agency Procedures for Notational Review and Notational Voting, which the Board unanimously approved. Please let Eric know if you have any questions about these procedures for Board review and decision of new and existing matters.

· OGE has moved the deadline for Form 278 financial disclosures to May 25, 2016 (with the possibility of two 45-day extensions, one to July 11 and a second to Aug. 23). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

(b) (5)

The compliance requirements for this month are below. An updated compliance calendar is also attached.

- Mar. 31: Semi-Annual Report (b) (6) – Reporting period ended
- Apr. 29: Quarterly ISOO Data Call (b) (5) – In progress
- May 25: OGE Form 278 (Due date without extension) –
- May 30: SGE Reappointment (Beth) –
- May 31: SF 326 Travel Report –

UPCOMING DATES/EVENTS

May 4 – Rachel will speak to the Charlotte, North Carolina lawyers chapter of the Federalist Society on “Privacy and National Security: Balancing the Discussion.”

May 4, 1 PM - NSA and ODNI brief the Board on (b) (5) and (b) (5)

May 5, 10 AM - staff to brief HPSCI/SSCI at HPSCI SCIF

May 10, 10AM (will confirm time) - David and Rachel to testify before Senate Judiciary on 702 program reauthorization.

May 11 - (b) (5)

May 20 -

(b) (5)

May 23 (Mon), time TBD - staff to brief Board on Open Government Plan. (b) (5)

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

July TBD- The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for May 4 , 2016

We should also include an update on (b) (6) who will be starting as EA/HR officer on May 9th. (b) (6)

Personnel:

(b) (6) has been selected as the Board's new Chief Information Security Officer ("CISO") and will be starting Monday, July 25, 2016.

Rachel has been invited to testify next Tuesday (May 10) during a Senate Judiciary Committee hearing on Section 702

PROJECT UPDATE:

(b) (6)

(b) (5)

IT Updates:

On the afternoon of 6 May, the IT staff will be conducting necessary maintenance on our unclassified IT infrastructure. There may be short term outages as we reboot some of the systems but we do not foresee any long term outages. If you are working remotely you will not notice any outages in your mail service.

(b) (6) and (b) (6) will be off-site on 9-10 May (Monday and Tues) working on the VDI architecture implementation which provides an enhanced remote access as well as continuity of operations. For routine issues please submit to the IT help desk. For urgent needs please call (b) (6) at (b) (6) and she and (b) (6) will respond as required.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

(b) (5)

(b) (5) [REDACTED]

- **Records Policy:** On Dec. 11, 2015, the Board voted to revise its records policy (2014-002).

(b) (5) [REDACTED]
(b) (5) [REDACTED]

(b) (5) [REDACTED]

(b) (5) [REDACTED]

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- The Board is now operating under the Internal Agency Procedures for Notational Review and Notational Voting, which the Board unanimously approved. Please let Eric know if you have any questions about these procedures for Board review and decision of new and existing matters.

- OGE has moved the deadline for Form 278 financial disclosures to May 25, 2016 (with the possibility of two 45-day extensions). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (5)) or email: (b) (5). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5) [REDACTED]

(b) (5) [REDACTED]

The compliance requirements for this month are below.

- Mar. 31: Semi-Annual Report [(b) (5)] – Reporting period ends
- Apr. 13: Plain Writing Compliance Report [Eric] – Completed and posted to the PCLOB website
- Apr. 29: Quarterly FOIA Report (b) (5) – Completed
- Apr. 29: Quarterly ISOO Data Call [(b) (5)] –

UPCOMING DATES/EVENTS

The Center for a New American Security (CNAS) has reached out to us because they would like in the next couple of months to brief the Board on their surveillance reform initiative which is titled, "Surveillance Reform: Shaping the Next Administration's Approach." The project is led by (b) (6) and (b) (6) and will examine specific policy issues as well as broader questions about the future of surveillance policy. (b) (6) will work to identify an upcoming Monday or Wednesday for this briefing to occur for any Board Members who are interested in attending.

April 28 –

(b) (5)

Apr. 26 – Rachel will be a panelist on "Reconciling Liberty and Security in 2016" at a conference on "Hindsight: Reflections on 15 Years of the War on Terror" at Fordham University Law School's Center on National Security.

May 4 – Rachel will speak to the Charlotte, North Carolina lawyers chapter of the Federalist Society on "Privacy and National Security: Balancing the Discussion."

May 4 at 1 PM: NSA and ODNI brief the Board on (b) (5) and Section 2.3

June 10 – David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

Weekly Board Update for May 3, 2016

PERSONNEL UPDATE:

(Reminder) (b) (5) has been selected as the Board's new Chief Information Security Officer ("CISO") and will be starting Monday, July 25, 2016.

(b) (5) last day with PCLOB is Friday, May 20, and (b) (5) last day is May 31.

PROJECT UPDATE:

Section 2.3 Advice Project:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

Three likely votes have been noticed for the Board one week in advance: (1) Social Media delegation, vote begins on or after May 11; (2) (b) (5), vote begins on or after May 11; (3) (b) (5) vote begins on or after May 16.

(b) (5)

(b) (5)

Records Policy: On Dec. 11, 2015, the Board voted to revise its records policy (2014-002).

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- The Board is now operating under the Internal Agency Procedures for Notational Review and Notational Voting, which the Board unanimously approved. Please let Eric know if you have any questions about these procedures for Board review and decision of new and existing matters.

- OGE has moved the deadline for Form 278 financial disclosures to May 25, 2016 (with the possibility of two 45-day extensions, one to July 11 and a second to Aug. 23). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

(b) (5)

The compliance requirements for this month are below. An updated compliance calendar is also attached.

- Mar. 31: Semi-Annual Report [(b) (6)] – Reporting period ended
- Apr. 29: Quarterly ISOO Data Call [(b) (6)] – Completed, please provide tally sheets to (b) (6)
- May 25: OGE Form 278 (Due date without extension) –
- May 30: SGE Reappointment (Beth) –
- May 31: SF 326 Travel Report –

UPCOMING DATES/EVENTS

May 11, 2 PM: NSA and ODNI brief the Board on (b) (5) and (b) (5)

May 11 – 4 PM (b) (5)

(b) (5)

May 20 –

(b) (5)

May 23 (Mon), time TBD - staff to brief Board on Open Government Plan. (b) (5)

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

July TBD- The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for May 17, 2016

DATES TO HIGHLIGHT

(b) (5)

(b) (5)

June 1, 3:00 PM - The Relocation Planning Team will provide Board Members an update on the move. The plan will be to brief the Board the first Wednesday of every month at 3 PM schedule permitting.

Mark your calendars for **Friday, June 24 at around 12:00 PM (TBD)** for a going away ceremony and reception for David. Details forthcoming.

LEGISLATIVE UPDATE

(b) (5)

Personnel Update

This Friday, May 20th, will be (b) (5) last day with the Board before she returns to ODNI. We will be having a farewell brown bag lunch in the conference room for all who are available on Friday at 12:30 pm.

Move Update

(b) (5)

the team will brief the details on 1 June at 3pm in the PCLOB conference room, and they will also provide a monthly update on the 1st Wednesday of every month, schedule permitting.

(b) (5)

12333 Public Report: [REDACTED]

(b) (5) [REDACTED]

Advice on 12333, Sec. 2.3 procedures: (b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5) [REDACTED]

- The Board is now operating under the Internal Agency Procedures for Notational Review and Notational Voting, which the Board unanimously approved. Please let Eric know if you have any questions about these procedures for Board review and decision of new and existing matters.
- OGE has moved the deadline for Form 278 financial disclosures to May 25, 2016 (with the possibility of two 45-day extensions, one to July 11 and a second to Aug. 23). If an extension is needed, please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202 (b) (5)) or email: (b) (5). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

The compliance requirements for this month are below. An updated compliance calendar is also attached.

- Mar. 31: Semi-Annual Report (b) (6) – Reporting period ended
- Apr. 29: Quarterly ISOO Data Call [(b) (6)] – Completed
- May 25: OGE Form 278 (Due date without extension) –
- May 30: SGE Reappointment (Beth) –
- May 31: SF 326 Travel Report –

UPCOMING DATES/EVENTS

May 25, 10:00-11:30 AM, 5TH Floor conference room - (b) (3)

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

June 15 - David will be a panelist at a program on 'Privacy and Civil Liberties for a 21st Century Government' in London chaired by UK former Deputy Prime Minister Nick Clegg.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

June 24, 12:00 PM (TBD) David's departure ceremony and reception.

July TBD (likely July 11) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for May 24, 2016

DATES TO HIGHLIGHT:

- (b) (5)
- (b) (6) farewell brownbag lunch is on Wednesday, May 25th.
- (b) (6) farewell brownbag lunch is on Wednesday, June 8th.

LEGISLATIVE UPDATE

(b) (5)

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

Two likely votes have been noticed to begin on or after May 31, 2016: (1) Records Policy – whether to approve revisions to Records Policy 2014-002 and (2) Pre-Publication Policy – whether to approve revising the Pre-Publication Policy 2014-003.

· Social Media Delegation: The Board voted unanimously to approve the social media delegation on May 19, 2016.

· Legislative Talking Points: The Board voted to unanimously approve the attached talking points to SSCI prior to their mark-up of the FY17 Intelligence Authorization Act, which is scheduled for Tuesday, May 24.

(b) (3) 2333 Public Report: [REDACTED]

12333 Public Report

(b) (5)

Advice on Sec. 2.3 procedures:

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

All Form 278 filers have either submitted their forms or sought an extension to July 11. If an extension is needed (to Aug. 23), please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

(b) (5)

(b) (5)

In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be within 5 working days

of the end of travel. (b) (5) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below. An updated compliance calendar is also attached.

- Mar. 31: Semi-Annual Report [(b) (6)] – (b) (5)
- May 25: OGE Form 278 (Due date without extension) –
- May 30: SGE Reappointment (Beth) –
- May 31: SF 326 Travel Report –

UPCOMING DATES/EVENTS

May 25, 10:00-11:30 AM, 5TH Floor conference room - (b) (3)

June 1, 3:00 PM 5th Floor Conference Room – staff to provide a move update to the Board

June 1, 3:30 PM 5th Floor Conference room - (b) (5)

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

June 15 - David will be a panelist at a program on 'Privacy and Civil Liberties for a 21st Century Government' in London chaired by UK former Deputy Prime Minister Nick Clegg.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

June 24, 12:00 PM (details forthcoming) David's departure ceremony and reception.

July TBD (likely July 11) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for the week of May 31, 2016

DATES TO HIGHLIGHT:

- (b) (6) farewell brownbag lunch is on Wednesday, June 8th.
- David's departure reception will be Friday, June 24th, 1:30-3:30 PM. GSA- 301 7th St. SW, Room # 5643 (This has been added to the PCLOB calendar)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

Pre-Publication Policy: The Board unanimously to authorize the Pre-Publication Policy (Policy 2014-003) to be revised.

(b) (5)

Semi-Annual Report:

There is no external deadline. (b) (5)

12333 Public Report:

(b) (5)

12333 Public Report

(b) (5)

Advice on Sec. 2.3 procedures:

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· All Form 278 filers have either submitted their forms or sought an extension to July 11. If an extension is needed (to Aug. 23), please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (5)) or email: (b) (5). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

(b) (5)

(b) (5)

(b) (5)

· In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be within 5 working days of the end of travel. (b) (5) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below.

- Mar. 31: Semi-Annual Report [(b) (6)] – Undergoing notational review.
- May 25: OGE Form 278 (Due date without extension) – [(b) (6)]
- May 30: SGE Reappointment (Beth) – In progress
- May 31: SF 326 Travel Report – Completed and filed with OGE

UPCOMING DATES/EVENTS

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

June 15 - David will be a panelist at a program on 'Privacy and Civil Liberties for a 21st Century Government' in London chaired by UK former Deputy Prime Minister Nick Clegg.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

June 24, 1:30-3:30 PM David's departure ceremony and reception at the GSA.

July TBD (likely July 11) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for June 7, 2016

DATES TO HIGHLIGHT:

- (b) (6) farewell brownbag lunch is on Wednesday, June 8th.
- David's departure reception will be Friday, June 24th, 1:30-3:30 PM. GSA- 301 7th St. SW, Room # 5643 (This has been added to the PCLOB calendar)

PROJECT UPDATES:

E.O. 12333 (b) (1) (A) deep-dive:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (6)

(b) (5)

Semi-Annual Report:

There is no external deadline,

12333 Public Report:

12333 Public Report

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

All Form 278 filers have either submitted their forms or sought an extension to July 11. If an extension is needed (to Aug. 23), please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-208-0848) or email: integrity@oge.gov. Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5)

(b) (5)

· In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be within 5 working days of the end of travel. (b) (6) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below, as are some carryovers. I've attached an updated 2016 compliance calendar.

- Mar. 31: Semi-Annual Report (b) (6) – Undergoing notational review
- May 30: SGE Reappointment for Beth [Eric] – In progress
- June 29 (tentative): Board briefing on Quarterly Spend Plan/Budget Request One-Pager [CMO (b) (6)] –
- June 30: Annual Telework Report [Eric/Lynn] –
- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (6)/Jen] –
- June 30 (tentative): Open Gov't Plan [Sharon (b) (6)] –

UPCOMING DATES/EVENTS

June 10 - David and Beth will speak at the Transatlantic Dialogue on Surveillance in Berlin sponsored by the Strauss Center for International Security and Law (UT-Austin), University of Glasgow and the German Institute for International and Security Affairs.

June 15 - David will be a panelist at a program on 'Privacy and Civil Liberties for a 21st Century Government' in London chaired by UK former Deputy Prime Minister Nick Clegg.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

June 24, 1:30-3:30 PM David's departure ceremony and reception at the GSA.

June 28 – Eric will attend a discussion with the OPM/DOD transition team for the National Background Investigations Bureau (NBIB), which is being stood up as a new agency to handle security clearances. The team is seeking to identify best practices for starting up a new agency.

July TBD (likely July 11) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for June 14, 2016

DATES TO HIGHLIGHT:

- David's departure reception will be Friday, June 24th
- July 11th at 2 pm: Records management training (Mandatory for Board Members and Staff)

PERSONNEL UPDATES:

Adriel (b) (6) Harvey (Chief Management Officer) will start with PCLOB on June 27th
(b) (6) (Internal Controls Officer) will start on June 20th

PROJECT UPDATES:

EO 12333 (b) (1) (A) deep-dive: [REDACTED]

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

The Board voted unanimously to (1) approve the attached Section 803 Report recommendations, which will be circulated to the Privacy and Civil Liberties Officers from the eight agencies designated in 42 U.S.C. § 2000ee-1(a) and the White House Office of Science and Technology Policy; and (2) make the attached Section 803 Report recommendations public on the Board's website after giving notice to the Privacy and Civil Liberties Officers from the eight agencies designated in 42 U.S.C. § 2000ee-1(a), the White House Office of Science and Technology Policy, and the Judiciary and Intelligence Committees in the House of Representatives and the Senate.

Advice on Sec. 2.3 procedures: The Board approved conveying the advice contained in the classified memorandum on the Executive Order 12333, Sec. 2.3 procedures to the Office of the Director of National Intelligence ("ODNI") and the National Security Agency ("NSA"), with the vote being unanimous except for the 3-2 vote as to Section II.B ¶ 4 and additional passages as specified in the separate statement of Board Members Collins and Brand. The Board also approved the advice to be in writing. The advice memorandum and separate statement were transmitted together in accordance with Section IV.B.xi of our voting procedures.

(b) (5)

· Records Policy: The Board voted unanimously to approve the revised Records Policy (Policy 2014-002), which is attached. (b) (6) will provide a records management training on July 11 at 2pm now that we have a revised policy and agency records schedule.

· Sub-Quorum Policy: The Board voted unanimously to authorize the Sub-Quorum Policy to be drafted. (b) (5)

(b) (5)

There is no external deadline. (b) (5)

· 12333 Public Report:

(b) (5)

· 12333 Public Report

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· All Form 278 filers have either submitted their forms or sought an extension to July 11. If an extension is needed (to Aug. 23), please send an email to Eric and Lynn. Also contact Eric and Lynn with any questions. If you have technical issues, please let Eric or Lynn know, or contact the Integrity Help Desk directly via telephone (202-(b) (6)) or email: (b) (6). Hours are 8 a.m. – 5:30 p.m. Monday – Friday.

(b) (5) [REDACTED]

(b) (5) [REDACTED]

(b) (5) [REDACTED]

(b) (5) [REDACTED]

In order to avoid confusion with our financial service providers, all PCLOB employees engaged in official travel should obtain a travel authorization in advance of your departure. Per the Federal Travel Regulations, claims for travel reimbursement should be submitted within 5 working days of the end of travel. (b) (5) will hold a travel briefing to provide additional guidance in the future.

The compliance requirements for this month are below, as are some carryovers. I've attached an updated 2016 compliance calendar.

- Mar. 31: Semi-Annual Report [(b) (5)] – Undergoing notational review
- May 30: SGE Reappointment for Beth [Eric] – Completed and filed internally
- June 29 (tentative): Board briefing on Quarterly Spend Plan/Budget Request One-Pager [CMO/(b) (5)] –
- June 30: Annual Telework Report [Eric/Lynn] –
- June 30 (tentative): Quarterly Report to HAC/SAC on PCLOB's Relocation Efforts [(b) (5)/Jen] –
- June 30 (tentative): Open Gov't Plan [Sharon (b) (5)] –

UPCOMING DATES/EVENTS

June 15 - David will be a panelist at a program on 'Privacy and Civil Liberties for a 21st Century Government' in London chaired by UK former Deputy Prime Minister Nick Clegg.

June 20 – David and Rachel will participate in the Vienna sessions of the Parliamentary Intelligence Security Forum, which will be co-sponsored by the Congressional Task Force on Terrorism and Unconventional Warfare and the Austrian Ministry of the Interior.

June 24, 1:30-3:30 PM David's departure ceremony and reception at the GSA.

June 28 – Eric will attend a discussion with the OPM/DOD transition team for the National Background Investigations Bureau (NBIB), which is being stood up as a new agency to handle security clearances. The team is seeking to identify best practices for starting up a new agency.

July 11th at 2 pm: Records management training (MANDATORY for Board Members and Staff)

July TBD (likely July 11) The Center for a New American Security to brief the Board on its surveillance reform initiative.

Weekly Board Update for August 9, 2016

PERSONNEL UPDATE:

(b) (6) of NSA started his detail as an attorney advisor with the PCLOB on Monday, August 8th.

(b) (6) has transitioned ETAMS, Board Days, Parking and other administrative tasks back to the OCMO. If you have any questions, please direct them to (b) (6), (b) (6) or Adriel Harvey our Chief Management Officer.

MOVE/TRANSITION UPDATE:

The transition to College Park will begin on September 22, 2016. The OCIO recommends that staff plan to telework from September 23-26. (b) (5)

(b) (5) If you have any specialized IT requirements during this time please submit a trouble ticket to the OCIO or coordinate directly with (b) (5).

Help Desk URL:

(b) (7) (E)

PROJECT UPDATES:

(b) (5)

(b) (5)

SECURITY REMINDER

When bringing visitors into our SCIF, whether for meetings or interviews, please remember to follow our Security Policy/SOP (2013-010), which is attached. That includes giving (b) (6) 24-hour notice in advance of an uncleared or cleared visitor (see SOP 10.A, p. 18, for the information to provide). Uncleared visitors need to be escorted and the blue light needs to be turned on (see SOP 5.A, 5.D, p. 13).

TRANSITION DOCUMENTS

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

12333 Public Report:

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

Please generally copy Lynn on notes to Eric so that they can divide up the legal workload and be aware of outstanding matters, (b) (5)

(b) (5)

Last week, Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).

The current compliance requirements are below. An updated version of the compliance calendar is attached.

Mar. 31: Semi-Annual Report [(b) (5)] – notational vote is underway.

- July 29: Quarterly ISOO Data Call (b) (5) – in progress.
- Aug. 22: SGE Re-appointment for Jim and Rachel [Eric] –
- Aug. 31 (tentative): Annual Telework Report [Sharon/Eric] –

UPCOMING DATES/EVENTS

Wed. August 10, 11:00 AM-12:30 PM, conference room, (b) (5)

August 11: PCLOB staff meeting with agency CLPOs.

August 12-24: (b) (5) Lynn will be available.

Wed., Aug. 24 at 10:00 am: CIA briefing on (b) (5)

Wed., Aug 31, 10:00-11:30 AM, NCTC threat briefing for the Board.

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

Weekly Board Update for August 16, 2016

PERSONNEL UPDATE:

(b) (6) of NSA started his detail as an attorney advisor with the PCLOB on Monday, August 8th.

(b) (6) has transitioned ETAMS, Board Days, Parking and other administrative tasks back to the OCMO. If you have any questions, please direct them to (b) (6), (b) (6) or Adriel Harvey our Chief Management Officer.

MOVE/TRANSITION UPDATE:

The transition to College Park will begin on September 22, 2016. The OCIO recommends that staff plan to telework from September 23-26. (b) (5)

If you have any specialized IT requirements during this time please submit a trouble ticket to the OCIO or coordinate directly with (b) (6)

Help Desk URL:

(b) (7) (E)

PROJECT UPDATES:

(b) (5)

(b) (5)

SECURITY REMINDER

When bringing visitors into our SCIF, whether for meetings or interviews, please remember to follow our Security Policy/SOP (2013-010), which is attached. That includes giving (b) (6) 24-hour notice in advance of an uncleared or cleared visitor (see SOP 10.A, p. 18, for the information to provide). Uncleared visitors need to be escorted and the blue light needs to be turned on (see SOP 5.A, 5.D, p. 13).

TRANSITION DOCUMENTS

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

(b) (5)

12333 Public Report:

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

Please generally copy Lynn on notes to Eric so that they can divide up the legal workload and be aware of outstanding matters, (b) (5)

(b) (5)

Last week, Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).

The current compliance requirements are below. An updated version of the compliance calendar is attached.

Mar. 31: Semi-Annual Report (b) (5) – notational vote is underway.

- July 29: Quarterly ISOO Data Call (b) (5) – in progress.
- Aug. 22: SGE Re-appointment for Jim and Rachel [Eric] –
- Aug. 31 (tentative): Annual Telework Report [Sharon/Eric] –

UPCOMING DATES/EVENTS

Wed. August 10, 11:00 AM-12:30 PM, conference room, [REDACTED]

(b) (5)

August 11: PCLOB staff meeting with agency CLPOs.

August 12-24: (b) (5)

(b) (5)

Wed., Aug. 24 at 10:00 am: CIA briefing on (b) (5)

Wed., Aug 31, 10:00-11:30 AM, NCTC threat briefing for the Board.

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

Weekly Board Update for August 17, 2016

PERSONNEL UPDATES:

(b) (6), Senior Acquisitions Officer, will be starting starting August 22
(b) (6) Attorney Advisor, will be starting September 6
(b) (6), Counselor to Beth Collins, will also be starting September 6

PROJECT UPDATES:

[REDACTED]

(b) (5) [REDACTED]

LEGISLATIVE UPDATE:

The Semi-Annual Report has been distributed.

SECURITY REMINDER

Just a reminder that when bringing visitors into our SCIF, whether for meetings or interviews, please remember to follow our Security Policy/SOP (2013-010). That includes giving (b) (6) 24-hour notice in advance of an uncleared or cleared visitor (see SOP 10.A, p. 18, for the information to provide). Uncleared visitors need to be escorted and the blue light needs to be turned on (see SOP 5.A, 5.D, p. 13).

TRANSITION DOCUMENTS

(b) (5) [REDACTED]

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

Semi-Annual Report: The notational vote for the Semi-Annual Report (Oct. 2015 – Mar. 2016) was certified on August 15, 2016.

12333 Public Report: [REDACTED]

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· Please generally copy Lynn on notes to Eric so that they can divide up the legal workload and be aware of outstanding matters.

(b) (5)

· Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).

· The current compliance requirements are below. An updated version of the compliance calendar is attached.

- Mar. 31: Semi-Annual Report [REDACTED] – notational vote is complete
- July 29: Quarterly ISOO Data Call [REDACTED] – in progress.
- Aug. 22: SGE Re-appointment for Jim and Rachel [Eric] – complete
- Aug. 31 (tentative): Annual Telework Report [Sharon/Eric] –

UPCOMING DATES/EVENTS

August 12-24: [REDACTED] Lynn will be available.

Wed., Aug. 24 at 10:00 am: CIA briefing on [REDACTED]

Wed., Aug 31, 10:00-11:30 AM, NCTC threat briefing for the Board.

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

Oct. 24-26, 2016 – Rachel will be a speaker at the "Privacy + Security Forum 2016" at the George Washington University.

Weekly Board Update for August 30, 2016

PERSONNEL UPDATES:

(b) (5) Attorney Advisor, will be starting September 6
(b) (5), Counselor to Beth Collins, will also be starting September 6

Move Update/Move Dates to Highlight:

- **Thursday, September 22** - High side computers will be taken down sometime that afternoon.
- **Friday, September 23 and Monday, September 26**, mandatory telework days for staff.
- **Saturday, September 24**, HADS (cleared movers) to move office from 2100 K St. to Maryland Square.
- **Tuesday, September 27**, Maryland Square office, computers and equipment ready for staff to report to work.

Other items:

- We are awaiting response from (b) (5) request to remain at MS2 longer than the original lease agreement.
- We are also awaiting badging of PCLOB personnel for MS2 pending PCLOB providing clearance memo to DNI.
- Virtual Desktop system installation nearing completion and testing will begin next week. The system is expected to go live shortly after Labor Day.

Legislative Update:

Attached is a legislative update memo prepared by Jen.

TRANSITION DOCUMENTS

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

UPCOMING DATES/EVENTS

Wed., Aug 31, 10:00-11:30 AM, NCTC threat briefing for the Board.

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

September 14 – (b) (5)

September 26- Judge Wald at Connecticut College to give a talk.

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

Weekly Board Update for September 6, 2016

PERSONNEL UPDATES:

- (b) (6), Attorney Advisor, will be starting September 6
- (b) (6) Counselor to Beth Collins, will also be starting September 6
- Unfortunately, (b) (6) who had been set to join us as an attorney advisor in October, (b) (6)

Move Update/Move Dates to Highlight:

- **Thursday, September 22** - High side computers will be taken down sometime that afternoon.
- **Friday, September 23 and Monday, September 26**, mandatory telework days for staff.
- **Saturday, September 24**, HADS (cleared movers) to move office from 2100 K St. to Maryland Square.
- **Tuesday, September 27**, Maryland Square office, computers and equipment ready for staff to report to work.

Other items:

- We are awaiting response from (b) (5) request to remain at MS2 longer than the original lease agreement.
- We are also awaiting badging of PCLOB personnel for MS2 pending PCLOB providing clearance memo to DNI.
- Virtual Desktop system installation nearing completion and testing will begin next week. The system is expected to go live shortly after Labor Day.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

12333 Public Report: (b) (5)

(b) (5)

(b) (5)

(b) (5)

EEO and Anti-Harassment Policies: The EEO Anti-Harassment Policies are undergoing a notational vote.

(b) (5) [REDACTED]

[REDACTED]

(b) (5) [REDACTED]

(b) (5) [REDACTED]

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

- Eric circulated two trainings (less than an hour) on the No FEAR Act (for Board Members and Staff) and the Plain Writing Act (for Staff). Both trainings will need to be completed by the end of the Fiscal Year (Sept. 30, 2016).
- The current compliance requirements are below. An updated compliance calendar is attached.
- Sept. 2: Regulatory Agenda Reporting – Nothing to report
- Sept. 15 Open Government Plan [(b) (6)] – Board briefing to be schedules
- Sept. 15 (tentative): Initial FY 2018 Budget Request to OMB [Adriel (b) (6)] – may be postponed until Feb. 2017.
- Sept. 30 (tentative): Year-end Board budget briefing [Adriel (b) (6)] –
- Sept. 30 (tentative): Year-end Spend Plan [Adriel/ (b) (6)] –
- Sept. 30 (tentative): Year-end budget & finance closeout [Adriel/ (b) (6)] –
- Sept. 30 (tentative): Annual Telework Report [Sharon/Eric] – OPM data call not yet received
- Sept. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC –
- Sept. 30: Semi-Annual Report – end of reporting period

UPCOMING DATES/EVENTS

September 14, 2016 – Rachel will speak on a panel at the 10th anniversary celebration of the Department of Justice's National Security Division.

September 14 – (b) (6)

September 26- Judge Wald at Connecticut College to give a talk.

Oct. 24-26, 2016 – Rachel will be a speaker at the “Privacy + Security Forum 2016” at the George Washington University.

October 14: Sharon to participate in panel presented by The Constitution Project on intelligence surveillance (with a focus on Section 702) and post-collection restrictions on access, use, and retention of data.

Weekly Board Update for November 15, 2016

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· Pre-Publication Policy: The Board voted unanimously to approve the revised Pre-Publication Policy (see attached). Going forward, please submit all pre-publication review requests to Eric, who will consult with other staff as needed.

· Promotion Policy and Performance Policy: The Board voted unanimously to approve the new Promotion Policy and Revised Performance Policy (see attached), which are effective for the next evaluation period (i.e., not for the period that just ended).

· [REDACTED]
(b) (5)

· 12333 Public Report: With respect to the E.O. 12333 public report (b) (5) [REDACTED] the Notational Review Process ("revised draft"):

a. The Board voted 2-2 regarding whether to close out the Notational Review Process and proceed directly to a vote on the revised draft. Since the vote was a tie, the matter at issue was not

approved by the Board, i.e., (b) (5) [REDACTED] the Notational Review Process remains open.

b. The Board voted 2-2 regarding whether to send the revised draft to the Intelligence Community for accuracy and declassification review. Since the vote was a tie, the matter at issue was not approved by the Board, i.e., the revised draft will not be sent.

c. The Board voted 4-0 [REDACTED]
(b) (5)

d. The Board voted 4-0 against suspending work on the E.O. 12333 public report apart from work on the deep dive projects until such time as it votes to resume work on the public report.

· [REDACTED]
(b) (5)

· 12333 CIA Deep Dive Report: (b) (5)

· 12333 NSA Deep Dive Report: (b) (5)

· (b) (5)

· (b) (5)

· (b) (5)

· (b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

· (b) (5)

· For new employees, please make sure to give ethics training forms to Lynn.

· The current compliance requirements are below. Eric has also attached an updated compliance calendar.

- Sept. 30: Semi-Annual Report (b) (5) – End of reporting period, report in progress
- Nov. 10: FISMA Reporting [(b) (5)] – Completed and filed
- Nov. 15: ISOO SF 311 Report (b) (5) – In progress
- Nov. 15 (tentative): Initial FY 2018 Budget Request to OMB [Adriel/(b) (5)] – In progress
- Nov. 30: SF 326/31 U.S.C. 1353 Report on Non-Federal Travel Reimbursements [Eric] – In progress
- Nov. 30 (tentative): Annual Telework Report [Sharon/Eric] – Now due Dec. 17, 2016
- Nov. 30 (tentative): Quarterly Report on Relocation Effort to HAC/SAC [Sharon/Adriel/Jen] – Will schedule when update is ready
- Nov. 30 (tentative): Open Government Plan [Sharon/Jen] – In progress

UPCOMING DATES:

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for January 4, 2017

Date to Highlight:

Monday, January 9, 10:30 AM, (PCLOB Conference Room), [REDACTED]

(b) (5)

Legislative Update:

(b) (5)

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

· PPD-28: The Board voted unanimously (1) to approve sending the PPD-28 report to the President by emailing it to the National Security Council ("NSC"); and (2) to notify the House Permanent Select Committee on Intelligence ("HPSCI") and the Senate Select Committee on Intelligence ("SSCI"), immediately after sending the PPD-28 report to the NSC, that the Board (a) sent the report to the NSC and (b) will make the report available to them; (b) (5) [REDACTED] end the PPD-28 report to the HPSCI and SSCI, noting that PCLOB staff are available to brief the HPSCI and SSCI if they are interested. The PPD-28 report has now been delivered to the NSC and SSCI/HPSCI.

· 12333 CIA Deep Dive Report (Combined Facts & Evaluation/Recommendations): The Board voted unanimously to: (1) approve sending the 12333 CIA (b) (1) (A) Deep Dive Report, which will be marked (a) Pending final classification review and (b) Contains deliberative information, to the Central Intelligence Agency ("CIA") and then a day later to Office of the Director of National Intelligence ("ODNI"); (2) notify the Department of Treasury that the 12333 CIA (b) (1) (A) Deep Dive Report has been provided to the CIA and the ODNI; and (3) approve sending the 12333 CIA (b) (1) (A) Deep Dive Report to the Senate Select Committee on Intelligence ("SSCI") and the House Permanent Select Committee on Intelligence ("HPSCI") once (a) the CIA's final classification review is complete, and (b) the CIA has released its new 12333 Attorney General Guidelines to Congress. CIA notified the PCLOB that classification review is now complete. The Deep Dive Report, including the changes made during classification review after team consultation with Board Members, has been delivered to CIA and will be delivered to ODNI today at the close of business.

· 12333 NSA Deep Dive Report: The Board voted 3-1 to send the originally circulated fact section of the 12333 NSA Deep Dive Report as a staff draft to the Intelligence Community for accuracy and classification review (with Board Member Wald voting to send a revised fact section).

· Next Projects: The Board has approved three new projects: DHS Data Framework, Treasury Terrorist Finance Tracking Program, and FBI Open Source (see attached descriptions). Two other projects, NCTC and Terrorist Watchlist, were previously approved by the Board. New

projects will be prioritized in the order they were approved by the Board.

(b) (5)

(b) (5)

12333 Public Report: (b) (5)

FOIA Regulation: Notational review is complete, and Eric has noticed a vote with a request for Member concurrence to vote as soon as possible while the Board has a quorum. The proposed amendments to the Board's FOIA Regulation, including those required by the FOIA Improvement Act, Pub. L. No. 114-185 (2016), will (if approved) be sent to the Federal Register as a Direct Final Rule.

Semi-Annual Report: Notational review is complete, and the Semi-Annual Report (Apr.-Sept. 2016) is now being revised. Eric will notice a vote with a request for Member concurrence to vote as soon as possible.

(b) (5)

42 U.S.C. §

2000ee(e)(1)(B).

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

If you have not completed your ethics training, please do so as soon as possible and turn your certification into Lynn.

- The Board has designated Chief Management Officer Adriel Harvey as the Senior Procurement Executive per 41 U.S.C. § 1702(c). The Senior Procurement Executive is generally responsible for management direction and implementation of the agency's procurement process. In this role, the Senior Procurement Executive will coordinate with other senior staff to ensure that our procurement processes are standard and efficient.

- Eric is coordinating with other staff on the 2017 compliance calendar, which will be circulated next week. Thank you to everyone for your hard work in meeting with the 2016 compliance requirements.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.

Weekly Board Update for January 11, 2017

Date to Highlight:

As a reminder, Sharon's last day with PCLOB is Wednesday, January 18th, and in celebration of her service to the agency we are hosting a farewell luncheon on Friday, January 13th from 12-2 pm. The luncheon will be potluck.

- Sharon's certificate is available for signature in the Board's conference room.
- We are accepting voluntary donations for food and/or gift for Friday's farewell party. If you have not already done so and wish to contribute a nominal amount, please provide to (b) (6) (b) (6) by noon tomorrow.
- There is a potluck sign up in the kitchen (or feel free to email (b) (6) (b) (6) and we can add your item to the master sheet). Again, please sign up by noon tomorrow so we know what gaps need to be filled.

UPDATE ON BOARD POLICIES AND OTHER MATTERS IN NOTATIONAL REVIEW AND VOTING

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(b) (5)

(b) (5)

· 12333 Public Report: (b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

UPDATE ON INTERNAL LEGAL AND COMPLIANCE ISSUES

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· Eric is coordinating with other staff on the 2017 compliance calendar, which will be circulated next week. Thank you to everyone for your hard work in meeting with the 2016 compliance requirements.

UPCOMING DATES:

January 23, 2017 - Rachel will participate on a panel on surveillance reform at the "State of the Net" internet conference, hosted by the Internet Education Foundation, at the Newseum, Washington, D.C.

April 19-20, 2017 – TENTATIVE – Beth will be a panelist at the IAPP Global Privacy Summit 2017 in Washington, DC.