(U) Central Intelligence Agency



(U) 2016 Data Mining Report

(U) January 01, 2016 through December 31, 2016

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I. (U) Introduction

(U) This report addresses Central Intelligence Agency ("CIA") data mining activities subject to the reporting requirements of Section 804 of the Implementing Recommendations of the 9/11 Commission Act of 2007, also known as the Federal Agency Data Mining Reporting Act of 2007 ("Data Mining Reporting Act").[1] This is the first year CIA has engaged in activities meeting the definition of data mining under the Data Mining Reporting Act. As stated in CIA's recently updated E.O. 12333 Attorney General Guidelines, CIA activities occur "in a vigorous, innovative, and responsible manner that is consistent with the Constitution and applicable law and respectful of the principles upon which the United States was founded."[2] The data mining activities discussed in this report occur with thoughtful attention paid "to achiev[ing] the proper balance between the acquisition of essential information and protection of individual interests. The United States Government, including CIA, has a solemn obligation to protect fully the legal rights of all United States persons, including freedoms, civil liberties, and privacy rights guaranteed by federal law, including in the conduct of intelligence activities."[3]

A. (U) Scope

(U) This report addresses all CIA activities subject to the Data Mining Reporting Act that occurred between January 01, 2016 and December 31, 2016.

B. (U) Reporting Requirement

(U) The Federal Data Mining Reporting Act requires that "[t]he head of each department or agency of the Federal Government that is engaged in an activity to use or develop data mining shall submit a report to Congress on all such activities of the department or agency."[4] As defined by the Data Mining Reporting Act:

> *The term "data mining" means a program involving pattern-based queries, searches or other analyses of one or more electronic databases, where—*
>
> > *(A) a department or agency of the Federal Government, or a non-Federal entity acting on behalf of the Federal Government, is conducting the queries, searches, or other analyses to discover or locate a predictive pattern or anomaly indicative of terrorist or criminal activity on the part of any individual or individuals;*
> >
> > *(B) the queries, searches, or other analyses are not subject-based and do not use personal identifiers of a specific individual, or inputs associated with a specific*

[1] (U) 42 U.S.C. § 2000ee-3(c).
[2] (U) *CIA Intelligence Activities: Procedures Approved by the Attorney General Pursuant to Executive Order 12333 § 1.1, available at https://www.cia.gov/about-cia/privacy-and-civil-liberties/CIA-AG-Guidelines-Signed.pdf.*
[3] (U) *Id.*
[4] (U) 42 U.S.C. § 2000ee-3(c)(1).

individual or group of individuals, to retrieve information from the database or databases; and

(C) the purpose of the queries, searches, or other analyses is not solely—
(i) the detection of fraud, waste, or abuse in a Government agency or program; or
(ii) the security of a Government computer system.

C. (U) Report Content

(U) The Classified Annex describes and analyzes a CIA data mining activity that began during calendar year 2016. The Classified Annex includes: a description of the activity; a description of the technology and methodology used; a description of the data sources used; an efficacy assessment of the activity; an assessment of the privacy and civil liberties protections designed to limit the impact on the privacy and civil liberties of individuals as a result of the activity; and a list and analysis of the laws, regulations, and procedures governing the activity.