

Enabling Mission by Preserving Values



Office of Privacy and Civil Liberties

Protection ♦ Transparency ♦ Trust

2024

Annual Section 803 Report to Congress

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March 6, 2025

I am pleased to present the Section 803 Report of the Central Intelligence Agency's (CIA) Office of Privacy and Civil Liberties (OPCL), covering the period of January 1, 2024 to December 31, 2024.

As detailed in this report, OPCL advises components and senior agency officials regarding the protection of privacy and civil liberties in the conduct of the Agency's authorized intelligence mission and to conduct reviews to ensure CIA fulfills its obligation to appropriately protect the privacy rights and civil liberties of every American.

A handwritten signature in dark ink, appearing to read "Mark J. Mouser", with a long horizontal flourish extending to the right.

Mark J. Mouser
Privacy and Civil Liberties Officer
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I. Purpose and Scope

The Central Intelligence Agency (“CIA” or “Agency”) submits this Annual Report of the CIA’s Office of Privacy and Civil Liberties (OPCL) summarizing the activities of the CIA Privacy and Civil Liberties Officer (PCLO) for calendar year 2024, in accordance with Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, as amended (hereinafter, the Implementing Recommendations of the 9/11 Commission Act).¹ This Annual Report provides an overview of the activities of the PCLO and a summary of notable initiatives undertaken during 2024.

The Annual Report also provides representative descriptions of the kinds of activities pursued by OPCL throughout the reporting period. These activities included advice to the Agency’s various organizational components on Privacy and Civil Liberty relevant issues, reviews of Agency programs and activities, as well as documenting and responding to Privacy and Civil Liberty complaints from both the general public and the Agency’s workforce. As required by statute, this report has been prepared to the greatest extent possible in unclassified form.² As such, there is no classified annex to this report.

II. Overview of the Office of Privacy and Civil Liberties

CIA’s OPCL is led by the PCLO, a senior Agency official who carries out statutory authorities to safeguard privacy and civil liberties in CIA intelligence operations, policies, programs, and technologies. In accordance with the Implementing Recommendations of the 9/11 Commission Act,³ the CIA PCLO serves as the principal advisor to the Director of CIA (DCIA) with the following responsibilities:

- Assist the DCIA and other Agency officials in appropriately considering privacy and civil liberties concerns when such officials are proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines related to efforts to protect the Nation against terrorism;
- Periodically review CIA actions, policies, procedures, guidelines, and related laws and their implementation to ensure the CIA is adequately considering privacy and civil liberties in its actions;
- Ensure the CIA has adequate procedures to receive, investigate, respond to, and redress complaints from individuals who allege that CIA has violated their privacy or civil liberties; and
- In providing advice on proposals to retain or enhance a particular governmental power available to CIA, include consideration of whether the Agency has established that (i) the need for the power is balanced with the need to protect

¹ [42 U.S.C. § 2000ee-1\(f\)](#).

² *Id.* § 2000ee-1(g).

³ *Id.* § 2000ee-1(a).

privacy and civil liberties; (ii) that there is adequate supervision of the use by CIA of the power to ensure protection of privacy and civil liberties; and (iii) that there are adequate guidelines and oversight to properly confine its use.

The PCLO also serves as the CIA's designated Senior Agency Official for Privacy (SAOP) and the CIA Information Sharing Environment (ISE) Privacy Official. As the SAOP, the PCLO represents CIA on the [Federal Privacy Council](#) (FPC), the principal interagency forum established by Executive Order 13719⁴ to improve privacy practices at agencies across the Federal Government. The PCLO also serves as the CIA's liaison to the Privacy and Civil Liberties Oversight Board (PCLOB).

The PCLO has the additional duty and responsibility of serving as CIA's Transparency Officer, in support of the [Principles of Intelligence Transparency for the Intelligence Community](#). In this role, the PCLO proactively engages in various initiatives to enhance public understanding of intelligence activities needed to accomplish the national security mission.

A team of dedicated privacy and civil liberties officers supports the PCLO, who works closely with the Office of the Director, other Agency Directorates, Mission Centers, and components to ensure privacy and civil liberties safeguards are fully considered in the day-to-day conduct of the Agency's complex and varied intelligence mission. OPCL officers have diverse experience from across the CIA, executive branch agencies, and other Intelligence Community (IC) elements. OPCL officers receive specialized training in privacy and civil liberties and have backgrounds in law, information management, intelligence collection, intelligence analysis, and security. In addition, the PCLO and OPCL receive dedicated legal advice from a specialized data privacy attorney from CIA's Office of General Counsel.

III. Notable Initiatives

The following sections provide a brief summary of several notable initiatives undertaken during the reporting period.

CIA's Executive Order 12333 Attorney General Guidelines

Executive Order 12333 (EO 12333), United States Intelligence Activities, requires the CIA to collect, retain, and disseminate intelligence information concerning U.S. persons in accordance with procedures established by the Director of the CIA and approved by the Attorney General⁵, after consultation with the Director of National Intelligence.

Consistent with OPCL's statutory role to conduct reviews, OPCL advises and assists senior CIA officials on privacy and civil liberties concerns related to implementing the Attorney General Guidelines. During this reporting period, OPCL continued to support implementation of these guidelines by ensuring that components maintain processes to preempt threats and further U.S. national security objectives through lawful and appropriate collection of foreign intelligence

⁴ [Executive Order 13719, 81 Fed. Reg. 30 \(Feb. 9, 2016\)](#)

⁵ [See Attorney General Guidelines and a comprehensive explanation of the CIA Attorney General Guidelines.](#)

and counterintelligence, with full consideration of U.S. persons' rights, including freedoms, privacy rights, and civil liberties.

Specifically, OPCL assessed the collection of USP data under EO 12333 and provided guidance on the CIA's use of Commercially Available Information (CAI), a growing source of importance to the Intelligence Community (IC) that also poses risks to revealing sensitive information about individuals. OPCL coordinated with the Office of the Director of National Intelligence by providing commentary on ODNI's policy framework for CAI and worked with Agency components to implement the policy once it was finalized.

FISA 702 Reauthorization

Congress enacted a two-year extension of Section 702 of the Foreign Intelligence Surveillance Act (FISA), which authorizes the IC to acquire foreign intelligence on non-US persons located outside the US from US-based electronic communication service providers. In April, President Biden signed the extension into law. During this reporting period, the PCLO participated in a roundtable discussion between the Director of the CIA and civil society groups interested in Section 702 reauthorization. OPCL also provided guidance and oversight to the CIA's FISA Reauthorization Task Force charged with documenting the impact FISA authorities have on the Agency's foreign intelligence mission. OPCL also coordinated with IC partners and cooperated with the PCLOB, during the Congressional debate on FISA reauthorization.

Data Privacy Framework

Signed in October 2022, Executive Order 14086 (EO 14086), *Enhancing Safeguards for United States Signals Intelligence*⁶ officially directed implementation of commitments made as part of the European Union-US Data Privacy Framework (EU-US DPF). EO 14086 established safeguards that enhance privacy and civil liberties throughout the course of the United States' signals intelligence activities.

The CIA recognizes that signals intelligence is a critical component of our ability to protect US security interests and those of our allies and partners. We also acknowledge that our signal collection efforts must respect the dignity and privacy of all individuals, regardless of their nationality or residence. To this end, EO 14086 requires, among other measures, a mechanism for citizens of qualified states⁷ to seek review and, if necessary, adequate redress for covered violations of certain US laws.

At CIA, 2024 was a pivotal year in the implementation of EO 14086. OPCL worked closely with CIA components to provide EO 14086 implementation guidance, workforce training, and supported inter-agency coordination. This effort included representing the CIA in a weekly DPF conference call with IC partners and contributing to ODNI's participation in a joint US-EU review of EO 14086, among other aspects of the EU-US DPF.

⁶ [Executive Order 14086, 87 Fed. Reg. 62283 \(Oct. 7, 2022\)](#)

⁷ [See Attorney General's approved list of qualified states.](#)

Artificial Intelligence

The use of Artificial Intelligence⁸ (AI) related technology at CIA continued to expand throughout 2024. OPCL played a role in ensuring privacy and civil liberties protections were included in various AI governance initiatives. Most significantly was the office's coordination with its IC partners and internal components on the President's National Security Memorandum (NSM) on Artificial Intelligence. OPCL's effort was focused on using the community's existing policy structures for transparency, oversight, accountability, and reporting to establish the NSM's governing provisions. OPCL coordinated with the CIA's lead Artificial Intelligence component to ensure the Agency's internal policies were consistent with developing, acquiring, and using AI technology in an ethical, responsible, and legal manner.

During this reporting period, OPCL also responded to PCLOB inquiries on the CIA's use of AI in counter-terrorism related activities, reviewed an assortment of AI related policy documents, and provided recommendations on updating user training regarding personally identifiable information (PII) used in generative AI.

Privacy and Civil Liberties Oversight Board Engagement

Throughout 2024 OPCL continued to serve as the CIA's primary point of contact for the PCLOB. The PCLOB is an independent, bipartisan agency within the Executive Branch established by the Implementing Recommendations of the 9/11 Commission Act.⁹ The PCLOB's enabling statute vests it with two fundamental authorities: (i) to review and analyze actions the Executive Branch takes to protect the Nation from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties, and (ii) to ensure that liberty concerns are appropriately considered in the development and implementation of laws, regulations, and policies related to efforts to protect the Nation from terrorism.

During this reporting period OPCL assisted PCLOB with their oversight role by facilitating a meeting between the PCLOB and the Deputy Director of the CIA and organizing substantive briefings for the Board and staff on the Agency's use of AI in counter-terrorism. OPCL coordinated Agency responses to PCLOB reviews of FISA 702, the PCLOB's Annual Review Pursuant to EO 14086, and other topics of PCLOB interest. Additionally, OPCL coordinated with ODNI on the release of Agency materials requested by the PCLOB and provided information to support the PCLOB's Annual Review pursuant to EO 14086.

⁸ The term "Artificial Intelligence" refers to a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial Intelligence systems use machine and human-based inputs to (A) perceive real and virtual environments; (B) abstract such perceptions into models through analysis in an automated manner, and (C) use model inference to formulate options for information or action. National Artificial Intelligence Act, Pub. L. No. 116-283 § 5001(e).

⁹ 42 U.S.C. § 2000ee-1(a).

Workforce Engagement

During this reporting period OPCL overhauled its communication plan with the Agency workforce. This effort included an update of OPCL's internal website with a focus on providing the Agency's workforce with a user-friendly web-based repository of privacy and civil liberties related resources. The new website includes an informative library of frequently asked questions, a convenient portal to report breaches of personally identifiable information and report privacy and civil liberties complaints, and access to the searchable text of CIA's System of Records Notices (SORNs)¹⁰. This revamped multi-media communication campaign also included the creation of promotional brochures, hallway posters, and informative workforce newsfeed articles on Data Privacy, the history of the [Privacy Act](#), and the role and function of OPCL. As part of this revamped workforce engagement effort, OPCL established a requirement for the entire Agency workforce to successfully complete annual training on the Privacy Act and handling of PII.

Additionally, OPCL co-sponsored a Constitution Day celebration with the CIA's Office of General Counsel. This year's events included staffing an information kiosk where members of the Agency's workforce could test their knowledge of the Constitution. This year OPCL handed out copies of the Constitution to members of the Agency's workforce and organized a learning event on the origins of the Constitution and its ultimate ratification.

Interagency Engagement

OPCL serves as CIA's focal point for interactions with counterpart privacy and civil liberties organizations within the IC, particularly the Civil Liberties, Privacy, and Transparency (CLPT) Office at ODNI, and OPCL also frequently coordinates with other IC counterparts, and to a lesser extent with other departments and agencies within the Executive Branch, regarding privacy and civil liberties matters.

Representative examples of interagency engagement include the following:

- Met with privacy and civil liberties offices from the US Department of Justice to exchange best practices and discuss common issues;
- Coordinated with IC partners on the implementation of US-EU Data Privacy Framework;
- Participated in numerous Interagency Policy Committee and subordinate level committee meetings on topics such as privacy and civil liberties, AI, and refugee vetting;
- Participated in interagency groups and meetings, such as events and conferences sponsored by the Federal Privacy Council and the Intelligence Community's Civil

¹⁰ [SORNs](#) are public-facing documents published in the Federal Register which inform the public of the existence of records and provides notice to the public of their rights and procedures under the Privacy Act of 1974, as amended.

Liberties Privacy and Transparency Council;

- Coordinated with the national vetting enterprise in an interagency effort to ensure that the use of intelligence information in vetting determinations conforms to appropriate privacy, civil rights, and civil liberties protections.
- Coordinated with ODNI on Requests for Identities of U.S. Persons in Disseminated Intelligence Reports (ICPG 107.1) requirements for inclusion in ODNI's Annual Statistical Transparency Report (ASTR).

Public Engagement

Consistent with the [*Principles of Intelligence Transparency for the Intelligence Community*](#), OPCL conducts activities to inform the public about the laws, directives, authorities, and policies governing intelligence activities and the compliance and oversight frameworks in place that ensure such activities are conducted in a manner that respects privacy and civil liberties.

OPCL officers participated in panel discussions, various summits, conferences and symposia such as the 2024 Privacy Symposium Programme in Venice, International Association of Privacy Professionals (IAPP) events in Washington D.C. and the IC Privacy Summit.

SORNs are required under the Privacy Act to be updated and made publicly available in order to be transparent about how CIA collects, uses, shares, and disposes of records about US citizens and Lawful Permanent Residents. This year OPCL added a new SORN that covers how the Agency uses its business data to evaluate the utilization of resources and identify opportunities for efficiencies. This new Business Analytics (BA) SORN, published in the *Federal Register*, is available to the public along with the CIA's 43 other SORNs.

OPCL also manages content on the *Privacy* section of the CIA's public website, CIA.gov. The information posted on this site explains the role of OPCL, provides instructions on how members of the public can file a privacy or civil liberties complaint, provides access to oversight reports, and provides additional access to CIA's SORNs.

IV. Representative Examples and Metrics

In addition to the notable initiatives discussed above, this section describes representative examples and metrics regarding the activities of OPCL in carrying out the PCLO statutory responsibilities during the period covered in this report in each of the areas enumerated in Section 803 of the Implementing Recommendations of the 9/11 Commission Act.

Advice

OPCL provides advice to CIA components to ensure Agency programs and activities incorporate appropriate privacy and civil liberties protections. Advice includes providing information, guidance or assistance to Agency components. Advisory activities are generally

forward-looking and may involve a proposed course of action or providing comments on a proposed rule, policy, or guidance. During this reporting period, OPCL provided advice to various Agency Directorates and components, ODNI, other IC elements, and Executive Branch agencies on matters ranging from inter-agency initiatives to requests for advice regarding Privacy Act compliance, the proper handling of PII, administration of information technology systems, implementing guidelines, and other matters.

Representative examples include the following:

- Provided advice in support of CIA's AI governance policy;
- Advised CIA components and review initiatives on how to identify and respond to breaches, incidents, Privacy Act violations, and Privacy Act disclosures;
- Provided input, guidance, and advice to CIA components on the implementation of the CIA Attorney General Guidelines;
- Conducted meetings with Agency offices and components, including system developers, to advise on Privacy Act mandates and the applicability of System of Records requirements; and draft new SORNs when necessary;
- Continued to provide substantive input and comments on proposed policy initiatives or frameworks on matters involving security, data access, and training requirements to ensure the appropriate consideration of privacy and civil liberties in Agency activities;
- Provided advice regarding business processes and systems that provide administrative support to CIA; and
- Provided advice regarding privacy and civil liberties protections in CIA's workforce implementation of White House requirements.

Reviews

OPCL reviews CIA systems, processes, programs, and activities to ensure adherence to applicable laws, regulations, and policies, such as the Privacy Act and the Attorney General Guidelines.

For the purposes of this report, reviews are distinguished from the provision of advice insofar as a review consists of an assessment regarding whether an existing system, process, program, or activity complies with law, regulation, or policy, in contrast to providing advice, which consists of assessing a proposed system, action, or procedure. A review may be formal and responsive to a complaint or responsive to OPCL's periodic investigation and review of Agency systems, processes, programs, or activities. Often, several separate actions may take place to complete a review. When there is one output, such as a report, these actions will be counted as one review.

OPCL reviewed CIA processes, procedures, systems, and activities throughout 2024. OPCL reviewed new and updated CIA operating regulations and guidelines, participated in the accreditation process for information systems, reviewed reports on data breaches and the results of Inspector General reviews.

Examples of OPCL reviews include reviewing the Human Resource systems that store and process personal information of current and former Agency employees and individuals who apply for employment at the CIA.

Complaints

Complaints include any concerns raised by members of the public, CIA staff or contractors, or any other government officials to the PCLO indicating a possible violation of privacy protections or civil liberties in the administration of the programs and operations of CIA. The complaints received from CIA personnel and the public are indicated in the below illustrations. The PCLO conducted both internal reviews and inquiries to assess the nature of the complaints and their dispositions. The PCLO reviews each complaint from both internal and external to the CIA. During this reporting period, OPCL worked closely with internal stakeholders on frequently asked questions, developed internal tracking systems consistent with the Fair Information Practice Principles (FIPPs), and met individually with CIA employees on how to navigate a safe workforce, while protecting the privacy of individuals.

I. Internal Complaints:

Nature	Number	Disposition
Allegation that CIA violated a privacy or civil liberty right.	25 ¹¹	Closed. In each case, OPCL conducted a review, and as appropriate, provided advice and/or recommendations.

¹¹ During a review of OPCL's complaints tracking and management processes, OPCL identified 12 internal complaints that were opened in prior reporting periods that OPCL did not formally close in accordance with OPCL's standard operating procedures until this reporting period. To ensure full transparency, OPCL has included these 12 complaints in this reporting period's internal complaint metrics.

II. Complaints from the Public:

Nature	Number	Disposition
Allegation that CIA violated a privacy or civil liberty right.	6	Closed. In each case, OPCL determined there was an insufficient factual basis to support the complaint.
Request for assistance from CIA.	1	Closed. OPCL referred the complaint to the appropriate Agency component.
Individuals alleging that a third party is violating their privacy or civil liberties and requesting CIA intervention	8	Closed. In each case, OPCL determined there was either no discernable basis in fact for the complaint or the complaint had no nexus to the authorities and activities of the CIA.

Members of the public may continue to contact the CIA PCLO to make a complaint that indicates a possible violation of privacy protections or civil liberties in the administration of CIA programs and operations. The public can find instructions for submitting complaints at <https://www.cia.gov/privacy>. A complaint may be sent via U.S. postal mail to the following address:

Central Intelligence Agency
Privacy and Civil Liberties Officer
Washington, D.C. 20505

OPCL will review all complaints directed to the PCLO. A complaint must state the possible violation of privacy protections or civil liberties with sufficient detail to allow the PCLO to assess the nature of the complaint and whether a remedy may be appropriate. A response by the PCLO will neither confirm nor deny the accuracy of the complaint and/or whether the individual has been subject to CIA action, but will confirm that the complaint has been properly investigated and indicate, when appropriate, that the matter has been remedied or found to be in compliance with applicable law or policy. OPCL also may refer a complaint to the CIA Office of Inspector General or to another Federal Government agency, as appropriate.

V. Conclusion

This annual report summarizes the CIA OPCL's activities for the reporting period of January 1, 2024 to December 31, 2024. OPCL is committed to ensuring that CIA's activities align with our enduring commitment to protecting privacy and civil liberties.



Office of Privacy and Civil Liberties
Central Intelligence Agency