Potential Questions and Answers (Q&As)
Regarding the Release of CIA's Deep Dive Materials
Under Executive Order 12333

1. What are the Privacy and Civil Liberties Oversight Board (PCLOB) "Deep Dive" reviews?

    - In 2014, the PCLOB announced that it would review counterterrorism-related intelligence activities conducted pursuant to Executive Order 12333, as amended.

    - In 2015, the PCLOB adopted a project description memorializing its approach to its EO 12333 oversight effort. Specifically, the PCLOB selected specific counterterrorism-related activities conducted under EO 12333 by the CIA and NSA.

    - The PCLOB selected two CIA counterterrorism-related intelligence activities conducted pursuant to Executive Order 12333, which resulted in a "Deep Dive I" report and recommendations. While the Board did not provide CIA with a Report and Recommendation for the second deep dive, PCLOB did provide staff-level documents, including recommendations, generated during the second deep dive.

    - In 2021, CIA initiated a public interest declassification review of the Deep Dive reviews.

2. Why did the PCLOB engage in this oversight effort?

    - As detailed in the recently declassified Deep Dive I Report, as well as the PCLOB's public report on EO 12333, understanding how IC elements implement EO 12333 is a critical part of understanding how elements balance the need to protect privacy and civil liberties with the need to protect the nation against terrorism.

3. Has CIA briefed Congress on these activities?

    - Yes. CIA keeps Congress fully and currently apprised of its activities and programs, to include the programs that Senator Wyden discussed in his letter.

4. What did PCLOB recommend following the PCLOB Deep Dive reviews?

    - As part of the CIA's public interest declassification review, the CIA has released, with redactions, the PCLOB recommendations following its Deep Dive I report as well as the staff-level recommendations associated with Deep Dive II review. [hyperlink to declass]. The PCLOB generally recommended that CIA clarify foreign intelligence justifications, continue to design privacy frameworks, and continue to address retention determinations.

5. What is the status of CIA's response to the PCLOB's recommendations?

    - CIA adheres to its current Attorney General Guidelines, which were not yet in effect when the Deep Dive I report was completed. However, the recommendations remain pertinent, and at present, the CIA Office of Privacy and Civil Liberties is working with CIA leadership to ensure that the PCLOB recommendations, as well as staff recommendations associated with Deep Dive II, are fully considered and, as appropriate, implemented.

6. Aren't there rules that govern the collection of large datasets?

    - CIA collects certain information without the use of search terms or other identifiers – sometimes referred to as "bulk" – and conducts certain other collections that can result in the acquisition of large volumes of information. CIA is not authorized to collect data solely for the sake of doing so. CIA is precluded from collecting datasets pertaining to U.S. persons that lack intelligence value or are otherwise unrelated to one of CIA's other authorized intelligence activities.