



Homeland Security

Privacy Office, Mail Stop 0655

January 15, 2010

Mr. Nathan D. Cardozo
Open Government Legal Fellow
Electronic Frontier Foundation
454 Shotwell Street
San Francisco CA 94110-1914 USA

Re: DHS/OS/PRIV 09-868

Dear Mr. Cardozo:

This is in further response to your June 19, 2009, Freedom of Information Act (FOIA) requests submitted to the Department of Homeland Security (DHS) Office of Inspector General (OIG) and the Office of the General Counsel (OGC). You requested copies of the following records:

- 1.) All reports submitted to the Intelligence Oversight Board ("IOB") pursuant to Section 2.4 of Executive order 12863 from February 25, 2008 to February 29, 2008; and
- 2.) All reports submitted to the IOB of the Director of National Intelligence ("DNI") pursuant to Section 1.7(d) of Executive order 12333 from February 29, 2008 to the present.
- 3.) All reports of any assessments or reviews of intelligence activities by the President's Intelligence Advisory Board (PIAB") to the DHS pursuant to Sec. 4(a)(ii) of Executive Order 13462 from February 29, 2008 to the present.
- 4.) All recommendations concerning intelligence matters identified by the PIAB to the DHS pursuant to Sec. 4(b) of Executive Order 13462 from February 29, 2008 to the present.
- 5.) All reports and recommendations by the IOB to the DHS pursuant to Sec. 6(e) of Executive Order 13462 concerning the performance of the DHS under Executive Order 13462 from February 29, 2008 to the present.
- 6.) All records containing information and all recommendations for corrective action submitted by the IOB to the DHS pursuant to Sec. 6(d) of Executive Order 13462 from February 29, 2008 to the present.
- 7.) All requests for investigations of intelligence activities by the IOB to the DHS and reports by the DHS to the IOB of the results of those investigations pursuant to Sec. 6(e) of Executive Order 13462 from February 29, 2008 to the present.
- 8.) All reports made by the DHS to the IOB or PIAB pursuant to Sec. 8(c) of Executive order 13462, concerning the reasons for not implementing a PIAB or IOB recommendation from February 29, 2008 to the present.

To date, our search has produced an additional 2 documents, totaling 3 pages, found to be responsive to your request. These documents are enclosed with certain information withheld pursuant to the FOIA, 5 U.S.C. §§ 552 (b)(6), FOIA Exemption 6, to protect information, the release of which would cause a clearly unwarranted invasion of personal privacy.

Although this matter is currently in litigation, please be advised that the DHS FOIA regulations, 6 C.F.R. § 5.9, set forth procedures for filing an appeal. Appeals must be submitted to DHS within 60 days of the date of our final response, to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at http://www.dhs.gov/xlibrary/assets/FOIA_FedReg_Notice.pdf; Internet; accessed December 11, 2009.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. As a media requester, you are responsible for the cost of duplication only in excess of 100 pages. Therefore, there is no charge associated with this response. As such, your request for a fee waiver is moot.

Our office continues to process your request. If you have any questions regarding this response, you may contact this office at 866-431-0486 or 703-235-0790. Please reference **DHS/OS/PRIV 09-868** in any future correspondence with this office.

Sincerely,


Vania T. Lockett
Associate Director, Disclosure & FOIA Operations

Enclosures: As stated, 3 pages

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**U.S. Department of
Homeland Security**

**United States
Coast Guard**



Public Availability to be Determined Under 5 U.S.C. §552

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: CG-094
Phone: (b)(6)
Fax: (b)(6)

3810

FEB 04 2008

MEMORANDUMFrom: **(b)(6)**

Judge Advocate General

Reply to CG-094
Attn of: **(b)(6)**To: General Counsel
Department of Homeland SecurityGeneral Counsel
Intelligence Oversight BoardSubj: CONSOLIDATED INTELLIGENCE OVERSIGHT AND INTELLIGENCE
OVERSIGHT BOARD QUARTERLY REPORTRef: (a) Executive Order 12333 and 12836
(b) Memorandum dtd 14 June 07 from Director J.M. McConnell and Chairman Stephen Friedman SUBJ: Intelligence Oversight Board Reporting Criteria.
(c) Coast Guard Intelligence Activities, COMDTINST M3820.12 (series)
(d) Oversight of Coast Guard Intelligence Activities, COMDTINST 3821.14 (series)

1. This intelligence oversight quarterly report for the Coast Guard National Intelligence Element covers the period from October through December 2007 and is submitted in compliance with references (a) and (b).
2. No reports of questionable or unlawful intelligence activities were received during the reporting period. There are no indications that Coast Guard intelligence activities have been conducted contrary to law, Executive Order, or Presidential Directive.
3. During this quarter, recently assigned Coast Guard intelligence personnel at Headquarters (CG-2) received the initial training as required in reference (c). Additionally, annual refresher training was provided at Atlantic Area (Ai), Pacific Area (Pi), Maritime Intelligence Fusion Center Atlantic, and the Intelligence Coordination Center in accordance with reference (c). An informal oversight inspection was conducted by the Intelligence Oversight Officer (IOO) at the Atlantic Area Intelligence Division and the IOO at the Maritime Intelligence Fusion Center Atlantic. All informal inspections resulted in satisfactory evaluations of retained records and collection practices.

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Subj: CONSOLIDATED INTELLIGENCE OVERSIGHT AND
INTELLIGENCE OVERSIGHT BOARD QUARTERLY
REPORT

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4. The Coast Guard Counterintelligence Service (CGCIS) has designated an IOO. CGCIS conducted training of newly reported personnel as required by reference (c). CGCIS continues to monitor and assist the Federal Bureau of Investigation (FBI) with four cases referred to the FBI as required by 50 U.S.C. §402a or 28 U.S.C. §533.

5. Please call (b)(6) at (b)(6) if there are any questions.

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Copy: COMDT (CG-2)
DHS Office of Inspector General
DNI General Counsel

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Homeland SecurityUnited States
Coast Guard

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Washington, DC 20593-0001
Staff Symbol: CG-094
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AUG 12 2008

MEMORANDUM**(b)(6)**

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From:

Judge Advocate General

Reply to: CG-0941
Attn of: (b)(6)To: General Counsel
Department of Homeland SecurityGeneral Counsel
Intelligence Oversight BoardSubj: CONSOLIDATED INTELLIGENCE OVERSIGHT AND INTELLIGENCE
OVERSIGHT BOARD QUARTERLY REPORTRef: (a) Ref Executive Order 12333 and 12863
(b) Memorandum dtd 14 June 07 from Director J.M. McConnell and Chairman Stephen Friedman SUBJ: Intelligence Oversight Board Reporting Criteria.
(c) Coast Guard Intelligence Activities, COMDTINST M3820.12 (series)
(d) Oversight of Coast Guard Intelligence Activities, COMDTINST 3821.14 (series)

1. This intelligence oversight quarterly report for the Coast Guard National Intelligence Element covers the period from April through June 2008 and is submitted in compliance with references (a) and (b).
2. The Intelligence Oversight Officers of Assistant Commandant for Intelligence and Criminal Investigations (CG-2) components report no issues with informal review of retained records. No reports of questionable or unlawful intelligence activities were received during the reporting period. There are no indications that Coast Guard intelligence activities have been conducted contrary to law, Executive Order, or Presidential Directive.
3. The Coast Guard Counter Intelligence Service (CGCIS) is the first of six CG-2 components to complete the biannual (formal) oversight inspection pursuant to references (c) and (d). There were no deficiencies or reportable issues. New personnel assigned to the CGCIS and CG-2 Headquarters staff received initial training this quarter as required in reference (d).
4. CGCIS continues to monitor and assist the Federal Bureau of Investigation (FBI) with three cases (one closed since the last report) referred pursuant to 50 U.S.C. §402a or 28 U.S.C. §533.
5. Please call (b)(6) CG-2 counsel, at (b)(6) for additional information.

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DNI General Counsel**FOR OFFICIAL USE ONLY**