



United States Department of State

Washington, D.C. 20520

APR - 4 2018

The Honorable
Elisebeth B. Collins, Board Member
Privacy and Civil Liberties
Oversight Board
MS2 - 2C104
Washington, DC 20511

Dear Ms. Collins:

Pursuant to Section 803(f) of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, codified at 42 U.S.C.A. § 2000ee-1, the Department of State hereby submits the attached report, which includes information on reviews, advice, and compliance management across the privacy spectrum for July 1, 2017 through December 31, 2017.

We hope this information is useful to you. Please do not hesitate to contact us if we can be of further assistance on this or any other matter.

Sincerely,

A handwritten signature in cursive script that reads "William Todd".

William Todd
Deputy Under Secretary for Management

Enclosures:
As stated.

Department of State
Report on Privacy and Civil Liberties Activities
Section 803 of 9/11 Commission Act of 2007
Reporting Period July 1, 2017 – December 31, 2017

I. Introduction

In accordance with Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, 42 U.S.C. 2000ee-1 (hereinafter “Section 803”), the Department of State (“Department”) is herein reporting for the period of July 1, 2017 to December 31, 2017. Section 803 requires periodic reports on the discharge of the functions of the Department’s Privacy and Civil Liberties Officer (“PCLO”), including information on: (1) the number and types of reviews undertaken; (2) the type of advice provided and response given to such advice; (3) the number and nature of complaints received by the Department, agency, or element concerned for alleged violations; and (4) a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of the PCLO. *See* 42 U.S.C. 2000ee-1(f).

The Under Secretary for Management serves as the Department’s PCLO. The PCLO is the principal advisor to the Secretary of State on the privacy and civil liberties implications of Department policies and regulations. The Deputy Assistant Secretary for Global Information Services serves as the Department’s Senior Agency Official for Privacy (“SAOP”). The SAOP has overall responsibility and accountability for ensuring that privacy protections are integrated into all Department programs, policies, and procedures. Many of the day-to-day privacy compliance activities are handled by the Department’s Privacy Office, under the supervision of the SAOP. The Privacy Office is comprised of full-time program analysts who are responsible for conducting privacy compliance reviews, training Department personnel, assisting with reporting functions, and managing privacy breaches. The Office of the Legal Adviser advises the SAOP, the Privacy Office, and other Department personnel on compliance with the Privacy Act of 1974, as amended, 5 U.S.C. 552a, and other applicable laws and policies, including those pertaining to civil liberties.

II. Privacy Reviews

The Department of State conducts reviews of information technology systems and programs to assess potential privacy risks. The types of reviews conducted during this reporting period include the following:

1. **Privacy Impact Assessments (“PIAs”)** are a requirement of Section 208 of the eGovernment Act of 2002. The PIA is used to identify and assess privacy risks throughout the development lifecycle of a system or program.
2. **Systems of Records Notices (“SORNs”)** are required by the Privacy Act of 1974. *See* 5 U.S.C. 552a(e)(4). A SORN describes the existence and character of a system of records, including the categories of individuals whose records are in the system; the categories of records; and the routine uses of the records.
3. **Privacy Act Statements (“PASs”)** are required by the Privacy Act of 1974. *See* 5 U.S.C. 552a(e)(3). The PAS, which must be on the form used to collect the information or on a separate form that the individual can retain, includes the authority for collecting

3. **State-83, Ombudsperson Mechanism Records** – The EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework create a mechanism for companies on both sides of the Atlantic to comply with EU data protection requirements when transferring personal data from the European Union and Switzerland, respectively, to the United States in support of transatlantic commerce. The Frameworks each established an Ombudsperson Mechanism to address appropriate inquiries by individuals relating to U.S. Intelligence Community access to personal data transmitted from the EU or Switzerland to the United States through Privacy Shield and related commercial transfer mechanisms. The information covered by State-83 will be used by the Ombudsperson to ensure that requests are properly investigated and addressed in a timely manner, and that the relevant U.S. laws have been complied with or, if the laws have been violated, that the situation has been remedied.
- C. During this reporting period, the Department completed the review and approval of 25 PASs. Included below are three key PASs for this reporting period.**
1. **2017 Global Entrepreneurship Application** – The Bureau of International Information Programs (IIP) developed a form to register entrepreneurs for participation in the 2017 Global Entrepreneurship Summit (GES). This Summit convened emerging entrepreneurs, investors, and supporters from around the world and was co-hosted by the U.S. and India. The Privacy Office worked with IIP to review and approve a PAS that was included on the form.
 2. **DS-11 Web Form, Application for a US Passport** – The DS-11 web form provides a means for U.S. citizens to apply for a U.S. passport online. As the use of technology is ever increasing, this form makes the passport application process accessible to a wider range of individuals. The information collected on the form is used to establish the individual's identity and determine eligibility for a passport. The Privacy Office worked with the Bureau of Consular Affairs to review and approve this PAS.
 3. **U.S. National Commission for UNESCO Laura W. Bush Traveling Fellowship** – The Office of Specialized and Technical Agencies (IO/STA) uses this form to administer this privately funded travel grant for college students who propose projects consistent with UNESCO areas of work. The Privacy Office worked with IO/STA to review and approve this PAS.
- D. During this reporting period, the Department's Data Loss Prevention (DLP) tool reported 0 events for potential loss or misuse of sensitive PII.**