

OPEN GOVERNMENT PLAN FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (ODNI)

(Initial version, 1.0 for agency and public comment)

1. Introduction

The following is the Open Government Plan of the Office of the Director of National Intelligence (ODNI) as required by the Open Government Directive issued by the Director of the Office of Management and Budget (OMB) on December 8, 2009. The ODNI was created by the Intelligence Reform and Terrorism Prevention Act (IRTPA) and began operations when Ambassador John D. Negroponte was sworn in as the first Director of National Intelligence (DNI) on April 21, 2005.

The ODNI wholeheartedly supports the President's commitment to increase transparency, participation, and collaboration within the Government and with the American people, as stated in his January 21, 2009 "Memorandum on Transparency and Open Government." The ODNI will make every effort to increase transparency and openness, while also protecting classified and sensitive national security information and intelligence sources and methods from unauthorized disclosure.

The following plan describes how the ODNI currently promotes openness, identifies active public disclosure initiatives, and presents new initiatives planned for FY 2010 and beyond. This plan *does not* represent the entirety of Open Government initiatives within the Intelligence Community (IC) as a whole.

2. Transparency

The ODNI has posted three high-value data sets on its public website, www.dni.gov, and it will continue to post information that will improve public knowledge of the ODNI and its operations (see section 2 (b) below).

The ODNI currently meets its information dissemination obligations by making available a variety of unclassified publications on its public website. Publications of high public interest include various Reports to Congress, National Intelligence Council (NIC) studies, declassified National Intelligence Estimates or key analytic judgments, the *IC Legal Reference Book*, the 2010 National Counterterrorism Center (NCTC) Counterterrorism Calendar, the 2008 *NCTC Report on Terrorism*, and *National Intelligence: A Consumer's Guide*.

http://www.dni.gov/nic/NIC_home.html

<http://www.nctc.gov/site/index.html>

a. Strategic Action Plan:

2. *High- Value Information Currently Available for Download*

In addition to the aforementioned publications, the ODNI publishes other current and timely data routinely on its public website. This information includes speeches, press releases, Congressional testimony, and statements for the record by the DNI and other senior ODNI officials, in various formats. The formats include video recordings, podcasts, RSS feeds, and e-mail subscriptions.

3. *Increase Public Knowledge and Promote Scrutiny of Agency Services*

Pursuant to Executive Order 13392 and memorandums on openness issued by the President and the Attorney General, the ODNI continues to pro-actively publish information on its public website to increase public knowledge. Examples of this information include various unclassified policy documents including Intelligence Community Directives (ICDs), Intelligence Community Policy Guidance (ICPGs) documents, and Intelligence Community Policy Memorandums (ICPMs). These disclosures are unprecedented within the Intelligence Community and have been viewed positively by public interest groups. In addition, the ODNI continues to broaden dissemination of information to the public relating to the work of the Chief Human Capital Officer.

4. *High-Value Information to be Disseminated*

- i. The ODNI will make available in an open format many of its policy documents currently posted on its public website (conversion scheduled to be completed within 90 days).
- ii. In conjunction with the Central Intelligence Agency (CIA), the ODNI will make available in open formats, unclassified ODNI legacy data previously released prior to 2005, including National Intelligence Council products (conversion scheduled to be completed in 180 days).
- iii. The ODNI will inventory and review unclassified ODNI records, such as Inspector General Reports, for release in open formats (conversion scheduled to be completed in 240 days).

b. Compliance with Transparency Initiative Guidance

The ODNI has posted three high-value data sets to fulfill the requirement to post information to www.data.gov. These data sets consist of documents relating to the Chief Human Capital Officer, the ODNI's ten oldest FOIA requests, and various documents relating to the ODNI's records management program. Privacy, confidentiality, security, and other restrictions prevent the ODNI from posting financial, or acquisitions-related data to eRulemaking, IT Dashboard, Recovery.gov, USAspending.gov and other public disclosure sites.

c. Public Notification of Significant Actions

Currently, the ODNI currently releases publicly a variety of speeches, transcripts of public testimony, documents, and press releases relating to senior staff appointments in order to inform the public of significant actions and the business of the ODNI. In FY 2010, ODNI will engage with organizations such as the Public Interest Declassification Board (PIDB) to ask them to host a public meeting on behalf of the ODNI and the IC to learn the public's views on Open Government and how the IC's declassification programs can become more transparent to the average citizen.

d. Records Management

Since the ODNI began operations in April 2005, the ODNI Records Management program has been working with the National Archives and Records Administration (NARA) to create ODNI Records Control Schedules. The Records Management Office has completed drafting over 50% of the schedules and has submitted them to NARA. Draft schedules have been completed for various components of the ODNI, including the Mission Managers and the National Counterterrorism Center (NCTC), the largest organization within the ODNI. A portion of the draft schedules have also been published in the Federal Register for public comment. The office is currently hosting appraisal visits from NARA staff and providing answers to their questions on technology issues. These responses will assist NARA with their evaluation of the ODNI's electronic records management program.

http://www.dni.gov/electronic_reading_room/Records_Control_Schedule_for_Terrorist_Identity_Records_April_2010.pdf

e. Freedom of Information Act

ODNI has taken steps to apply the presumption of openness to its FOIA program. In a May 21, 2009 memorandum to the workforce, the ODNI's Chief FOIA Officer affirmed ODNI's commitment to accountability and transparency by reminding all agency employees that unless disclosure of information would harm national security, cause an unwarranted invasion of personal privacy, or impede law enforcement proceedings, openness should prevail. In this memorandum, the Chief FOIA Officer made it clear that

while the FOIA office has the leading role in processing requests, every individual plays a part in ensuring full compliance with all aspects of the FOIA. The President's FOIA Memorandum and the Attorney General's FOIA Guidelines were attached to that memorandum to ensure complete understanding. Below is a link to the ODNI FOIA page which contains the ODNI FOIA Handbook and regulations, information about office staffing and organizational structure, and information on how to submit a FOIA request by e-mail, in addition to links to other IC FOIA pages.

<http://www.dni.gov/foia.htm>

3. Participation

The ODNI is working with internal ODNI components and IC partners to evaluate potential security and counterintelligence issues associated with the development of more automated disclosure of ODNI information to the public. Since the mission of ODNI is to protect and advance U.S. national security interests much of the work the ODNI performs is classified, and the public's participation in the decision-making process of the office may be impractical. However, the ODNI continues to provide to the public its guiding documents such as the *National Intelligence Strategy*. ODNI welcomes public feedback and comments relating to any aspect of this strategy, and to its FOIA, disclosure, and declassification policies. A public feedback loop is will be available April 7, 2010 at open-gov@dni.gov.

4. Collaboration

Information sharing is a key component of the Director of National Intelligence's strategy to better enable the Intelligence Community to provide timely and accurate information to decision-makers, war fighters, and other U.S. Government departments and agencies. The ODNI has several active initiatives that enable information sharing between agencies of the U.S. Government, Non-Title 50 entities, and state, local, and tribal governments. A key technical innovation in these initiatives is the development of a "Common Trust Environment" which would put in place uniform identity management, information security standards, user authorization, and access control to promote common trust. Similar initiatives, such as privilege management control technologies and access control pilots, are being discussed as part of the Information Sharing Environment (ISE).

Additional information relating to the ODNI and Intelligence Community information sharing initiatives and the Information Sharing Environment may be found at these sites.

http://www.dni.gov/ICIS/index_public.html

http://www.ise.gov/docs/Fact_Sheet_Privilege_Management-FINAL.pdf

5. Flagship Initiative

One of the ODNI's major initiatives is the Analytic Transformation (AT) Program. Analytic Transformation seeks to broaden participation in established analytic efforts. Initiatives are also underway to enhance the quality of analytic products, implement common analytic standards across the IC, and continue to foster analytic collaboration across the IC. Some of the major Analytic Transformation initiatives underway to support these efforts to enable information sharing include the creation of collaboration zones, portals, wikis, and blog software that operates in both unclassified and classified work environments. For more information on this initiative please see:

http://www.dni.gov/content/AT_Digital%2020080923.pdf

Comments to this plan may be submitted to the following addresses:

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