ADMINISTRATION AND MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-1950

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Protection of Civil Liberties in the Department of Defense (DoD)

Civil liberties are the rights of individuals to exercise constitutionally guaranteed freedoms without Governmental interference. It has been this Department's long-standing policy to protect the civil liberties of DoD personnel and the public to the greatest extent possible, given our operational requirements. These rights include freedom of speech, freedom of religion, the right to peaceable assembly, and the right to petition the government for redress.

Public Law 110-53,"Implementing Recommendations of the 9/11 Commission Act," requires the Department to consider civil liberties and privacy issues when conducting its activities and when proposing, developing, or implementing laws, regulations, policies, procedures or guidelines related to efforts to protect the Nation against terrorism.

In order to effectuate the law's requirements, the Department conducted an internal analysis with key stakeholders. As a result of those efforts, the Department's civil liberties functions were conjoined with those of the Defense Privacy Office to form the Defense Privacy and Civil Liberties Office (DPCLO) and Mr. Michael Reheuser was appointed as Director of DPCLO. Mr. Reheuser and his staff have been working to

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formalize our civil liberties processes. To that end, the Department will publish a Directive-Type Memorandum to provide additional guidance to the components. Additionally, Civil Liberties management construct is being formulated; meetings will begin in early 2011.

To assist in the further development of our processes, I ask that you review the placement of the civil liberties function within your component, to include assigning responsibilities as a chief civil liberties officer and a primary civil liberties point of contact (POC) prior to December 1, 2010. Component POCs should be senior military or civilian with authority to act on behalf of the Component Head.

Questions regarding these matters can be directed to Mr. Reheuser at (703) 607-2943 or Michael.Reheuser@osd.mil. Your assistance is greatly appreciated.

Michael L. Rhodes
DoD Civil Liberties Officer