



Homeland  
Security

December 7, 2010

Lieutenant Tom Monahan  
Southern Nevada Counter-Terrorism Center  
6767 Spencer Street  
Las Vegas, NV 89119

Dear Lieutenant Monahan:

The Intelligence Reform and Terrorism Prevention Act of 2004, as amended by the Implementing Recommendations of the 9/11 Commission Act of 2007, established an information sharing environment for the sharing of terrorism-related information while protecting the privacy, civil rights, and civil liberties of individuals. The *Guidelines to Ensure that Information Privacy and Other Legal Rights of Americans are Protected in the Development and Use of the Information Sharing Environment* ("ISE Privacy Guidelines") require relevant entities, including fusion centers, to have a written privacy protection policy in place that is "at least as comprehensive" as the ISE Privacy Guidelines.

In my capacity as a co-chair of the Privacy and Civil Liberties Sub-Interagency Policy Committee, I have reviewed the Southern Nevada Counter-Terrorism Center privacy policy and recognize it to be "at least as comprehensive" as the ISE Privacy Guidelines. Fusion center privacy policies should be renewed and updated as necessary based on any future changes to the ISE Privacy Guidelines.

Completion of this written privacy policy is an important first step in the implementation of a strong privacy protection framework, to include training of fusion center personnel in privacy and civil liberties protections. In fostering trust among the public and your partners, I urge you to make this policy available to the public through a variety of different channels, to include electronic means. Centers must supply a copy of this privacy policy upon request, but I also recommend you post it on any public facing website your center maintains and be prepared to discuss it as you liaise with your local communities.

Finally, I strongly recommend that your center begin preparing a Privacy Impact Assessment (PIA) or updating an existing PIA, if applicable. A PIA is a vital tool used to evaluate possible privacy risks and to mitigate identified risks to the privacy, civil rights, and civil liberties of individuals. The Global Justice Information Sharing Initiative's *Guide to Conducting Privacy Impact Assessments for State, Local, and Tribal Information Sharing Initiatives* can be found at <http://www.it.ojp.gov/default.aspx?area=privacy&page=1295> and is a useful resource in PIA development.

Should you have any questions with regard to privacy issues, please feel free to contact the DHS Privacy Office on behalf of the Privacy and Civil Liberties Sub-IPC at 703-235-0780.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Ellen Callahan", with a long horizontal flourish extending to the right.


Mary Ellen Callahan  
Chief Privacy Officer  
Department of Homeland Security

cc: Alexander W. Joel, ODNI CLPO  
Nancy C. Libin, DOJ CP&CLO  
Margo Schlanger, DHS Officer for Civil Rights and Civil Liberties  
Mikeal Johnston, Director, I&A State and Local Program Office

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
PROGRAM MANAGER, INFORMATION SHARING ENVIRONMENT  
WASHINGTON, DC 20511

December 18, 2009

MEMORANDUM FOR: Thomas J. O'Reilly, Senior Policy Advisor  
Bureau of Justice Assistance  
U.S. Department of Justice

FROM: Josh K. Weerasinghe, Ph.D  
Executive for Policy and Resources  
Office of the Program Manager  
Information Sharing Environment 

SUBJECT: Review of SNCTC Fusion Center Privacy Policy for the  
National Suspicious Activity Reporting Initiative (NSI)

Federal sponsoring agency policy requires that each NSI participating site demonstrate that a privacy policy framework consistent with the ISE Privacy Guidelines is in place in order to participate in the NSI.

This memorandum is to advise you that the privacy policy submitted by the Las Vegas Metropolitan Police Department – Southern Nevada Counter-Terrorism Center (SNCTC) has, for purposes of participation in the NSI, been reviewed and determined to be consistent with the applicable requirements of the ISE Privacy Guidelines.

This NSI specific Fusion Center privacy policy will be reviewed and updated as necessary based on future changes in the Suspicious Activity Reporting (SAR) Functional Standard and to be consistent with the ISE Privacy Guidelines.

Please advise SNCTC by copy of the memorandum that it has qualified to participate in the NSI Initiative as of the date of this notice. Please also advise SNCTC that to continue to share and receive this information it must adhere to its privacy policies as well as all applicable federal, state, and local laws, regulations, and policies concerning the protection of privacy, civil rights, and civil liberties.

cc:  
Alex Joel, ODNI, Civil Liberties Protection Officer  
Nancy Libin, DOJ, Chief Privacy and Civil Liberties Officer  
Mary Ellen Callahan, DHS, Chief Privacy Officer