



July 10, 2013

Jennifer L. Hudson
Chief, Information and Data Management Group
Office of the Director of National Intelligence
Washington, D.C. 20511
Fax: (703) 874-8910

Re: Freedom of Information Act Request

Dear Jennifer Hudson or other FOIA staff,

I am making this request under the Freedom of Information Act (FOIA), 5 U.S.C. Section 552. Please provide records that have been provided to or maintained by the Office of the Director of National Intelligence (ODNI) or for ODNI by a government contractor in any format, including an electronic format, which is preferred, if available. Please provide the certifications and supporting information regarding related policies and procedures received by ODNI and submitted by Intelligence Community Elements and agencies in possession of classified information pursuant the Presidential Policy Directive 19 (PPD-19), Sections A and B, which state, respectively:

Within 270 days of the date of this directive, the head of each Intelligence Community Element shall certify to the Director of National Intelligence (DNI) that the personnel policies that apply to that element provide a process for employees to seek review of Personnel Actions they allege to be in violation of this directive and that the review process is consistent with the requirements of this directive. Such review process shall apply to Personnel Actions that arise after the date on which the department or agency ("agency") head certifies the agency review process.

And-

Within 270 days of the date of this directive, the head of each agency in possession of classified information shall certify to the DNI, acting in his or her capacity as the head of the entity selected by the President under subsection 435b(b) of title 50, United States Code, and as the Security Executive Agent designated in Executive Order 13467 of June 30, 2008, that the agency has a review process that permits employees to appeal actions affecting Eligibility for Access to Classified Information they allege to be in violation of this directive and that the review process is consistent with the requirements of this directive.

Each Intelligence Community Element and agency with classified information was required by submit certifications of compliance with PPD-19 to the ODNI by July 7. The Project On Government Oversight (POGO) expects this information on how agencies protect national security and intelligence community whistleblowers from reprisal to be essential to government accountability to taxpayers. We believe whistleblowers are vital to effective national security and intelligence activities and must be adequately protected against reprisal. Whistleblowers that are given the proper protection and work through the proper channels reduce leaks of classified information and help to rein in waste, fraud, abuse, and other illegalities.

Founded in 1981, the Project On Government Oversight is a nonpartisan independent watchdog that champions good government reforms. POGO's investigations into corruption, misconduct, and conflicts of interest achieve a more effective, accountable, open, and ethical federal government. The records requested will be used for one or more of the following activities: publication by email and on POGO websites; publication on POGO's blog which receives nearly 100,000 views per month, publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to educate Congress, the Executive Branch, and other policymakers; or in conjunction with the news media.

As such, I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. Section 552(a)(4)(A)(iii) and 5 C.F.R. Section 294.109(f). Disclosure of the requested records will contribute significantly to public's understanding of the operations or activities of the government and would not be primarily in the commercial interest of POGO as POGO has no commercial interests.

We urge you to apply the government's standard of a presumption of openness. However, if this request is denied in full or in part, please cite each exemption pursuant to 5 U.S.C. Section 552(b) that justifies each denial. If an exemption applies, however, please consider exercising the agency's discretionary release powers to disclose the records. Additionally, please release all reasonably segregable portions of the records that would not cause specific harm to an interest protected by an exemption under FOIA.

I look forward to your response. Please contact me at 202-347-1122 or acanterbury@pogo.org if this request requires further clarification. Thank you for your prompt attention to this matter.

Sincerely,

Angela Canterbury
Director of Public Policy
Project On Government Oversight (POGO)