




Homeland
Security

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MEMORANDUM FOR THE CURRENT AND EMERGING THREATS CENTER

FROM:

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Senior Official Performing the Duties of the
Under Secretary for Intelligence & Analysis

SUBJECT:

Temporary Procedures for Review of Civil Unrest and Certain Election-
Related Raw Intelligence

Background: We anticipate that the period leading up to, including, and immediately following the presidential election on 3 November may give rise to physical violence, civil unrest, and other threats related to the election, as well as to federal personnel and locations. Given the role of the Current and Emerging Threats Center (CETC) in collecting open source intelligence within the United States, we likely will generate increased reporting on such issues. At the same time, we recognize that this mission space carries sensitivities and complexities that are not always anticipated or that do not lend themselves to bright line advanced guidance. Civil unrest and election- or voter-related issues often invoke U.S. Persons and First Amendment-protected activity.

To ensure all open source collectors have the necessary resources and guidance to achieve their mission, CETC will implement a pre-dissemination review of all open source intelligence reports (OSIRS) on election-related threats, and any other threats or acts of violence encountered or observed in conjunction with civil unrest arising during this time period, to serve as an additional safeguard to meet valid collection requirements and all legal and oversight standards.

Guidance: Beginning 1 November, all OSIRs will undergo pre-release review, per the below steps, when they contain authorized intelligence information and pertain to any one of the following activities: (i) civil unrest in the United States, (ii) civil disobedience or protest, (iii) threats of violence to critical infrastructure in the United States, including election infrastructure (as defined in requirements) and government resources, and (iv) election-related issues (as further outlined in the following requirements). This specifically includes reports aligned to OSINT: 902651228¹ and 902651278.² Serialized reports excluded from review are reports focused solely on existing validated foreign malign influence agents conducting influence activities targeting United States political parties, processes, infrastructure, or the United States electorate in the cyber domain (i.e., specifically excluding OSINT: 902650564³ and 902651289⁴).

¹ (U//FOUO) Violent Extremist and Domestic Terrorist Threats or Use of Violence Dangerous to Human Life

² (U//FOUO) Physical Threats to US Election Security 2020

³ (U//FOUO) Cyber Malign Foreign Influence Activities Targeting US Political Parties, Processes, or Infrastructure

⁴ (U//FOUO) Lead Generation Requirement

Prior to release, CETC will send draft OSIRS related to the election or associated civil unrest for coordination with the Collection Management Division (CMD), Office of General Counsel-Intelligence Law Division (ILD), and the Intelligence Oversight Officer (IOO).

- CMD will validate requirements and Essential Elements of Information citations and recommend any modifications, as necessary.
- ILD will review for compliance with I&A authorities and legal sufficiency.
- IOO will otherwise ensure compliance with I&A Intelligence Oversight Guidelines.
- ILD and IOO will individually communicate clearance or comments directly back to CETC.

This process in no way limits a collector from consulting with CMD, ILD, and IOO on any topic, including those specified above, at any time prior to, during, or following the drafting of any report.

To ensure timeliness, CMD, ILD, and IOO will operate under expanded hours, be on-call, and hold daily synchronization calls for I&A collectors. CMD, ILD, and IOO will provide operational leadership with a roster of contacts for collections personnel to call or email with exigent questions.

Nothing addressed in these temporary procedures is intended to preempt, interfere, or otherwise be carried out in a manner inconsistent with I&A's Intelligence Oversight Guidelines. Any violation of these temporary procedures shall be reported as a Questionable Activity in accordance with IA-1000 and the I&A Intelligence Oversight Program.

All I&A personnel shall have direct access to ILD, CMD, and IOO without needing pre-approval to seek and receive advice from those offices.