



**Homeland
Security**

August 2, 2022

MEMORANDUM FOR THE OFFICE OF INTELLIGENCE AND ANALYSIS WORKFORCE

FROM:

(b) (6) (b) (6) (b) (6)

Deputy Under Secretary for Intelligence Enterprise Operations

SUBJECT:

**Policy Guidance on Disseminating United States Persons Information
in Office of Intelligence and Analysis Serialized Raw Intelligence
Reports**

Purpose: To provide policy guidance and procedures for disseminating United States Persons Information (USPI) in Office of Intelligence and Analysis (I&A) serialized raw intelligence reports, consistent with legal and oversight requirements.

Background: This memorandum provides amplifying guidance with respect to Section 2.3 of the I&A Intelligence Oversight Guidelines (Guidelines), which establishes the circumstances under which USPI may be disseminated in I&A serialized raw intelligence reports.¹ As defined in the Guidelines, the term USPI refers to information that is reasonably likely to identify one or more specific U.S. Persons. It may be either a single item of information or information that, when combined with other available information, is reasonably likely to identify one or more specific U.S. Persons. This memorandum supersedes all previously issued guidance regarding disseminating USPI in I&A serialized raw intelligence reports and applies to all I&A raw intelligence reporting, including Intelligence Information Reports (IIR), Field Intelligence Reports (FIR), and Open Source Intelligence reports (OSIR).

Policy Guidance: Effective immediately, USPI will be disseminated in I&A serialized raw intelligence reporting when a collector and a collections Certified Release Authority (CRA) judge that including the USPI would benefit recipients in conducting one or more of the recipient's lawful intelligence, counterterrorism, law enforcement, or other homeland security-related missions. Standard operating procedures related to producing I&A serialized raw intelligence reports will include criteria to assist collectors and CRAs in articulating their judgement and documenting it in the appropriate approved intelligence production system. Collectors and CRAs may consult with I&A subject matter experts to aid in determining the value of including USPI in a serialized intelligence report. USPI that does not meet this standard will be anonymized (masked) in I&A raw serialized intelligence reports.

If at any time I&A collects or acquires credible and specific information indicating an impending threat of intentional killing, serious bodily injury, or kidnapping directed at an intended victim, as

¹ The Guidelines are attached as Appendix B to I&A Instruction IA-1000, *Office of Intelligence and Analysis Intelligence Oversight Program and Guidelines*.

Policy Guidance on Disseminating United States Persons Information in Office of Intelligence and Analysis Serialized Raw Intelligence Reports

Page 2

outlined in I&A Instruction IA-105, Revision 01, *DHS Intelligence and Analysis Duty to Warn*, dated 28 November 2018, I&A has a duty to warn the intended victim or those responsible for protecting the intended victim, as appropriate. Therefore, restrictions on disseminating USPI will not apply to the submission of duty-to-warn.

Requesting USPI: Requests for anonymized USPI in I&A serialized raw intelligence reporting—including source identities or identities of any individuals associated with the report—must be submitted in writing to the DHS Single Point of Service (DHS-SPS) as outlined in DHS Instruction 264-01-010, *Requests for Identities of U.S. Persons in Disseminated Intelligence Reports*, dated 24 February 2020. The informal sharing of the identities of anonymized USPI in I&A serialized raw intelligence reporting is not permitted. Where a delay could negatively affect intelligence activities, I&A personnel seeking an exemption to this requirement (requesting entity) may request a waiver as follows:

1. The Deputy Under Secretary for Intelligence Enterprise Operations (DUSIEO) or a designee may approve—orally or in writing—a request made by a requesting entity for immediate disclosure of the USPI.
2. Within five business days of such a disclosure, the DUSIEO or the designee responding to an exigent request provides in writing all information required by DHS Instruction 264-01-010, Section VI.A.2, to DHS-SPS for record keeping.
4. Each Mission Center or Division is responsible for designating qualified personnel to respond to requests from DHS-SPS.

Nothing addressed in this policy guidance is intended to preempt, interfere, or otherwise be carried out in a manner inconsistent with I&A Instruction IA-1000, *Office of Intelligence and Analysis Intelligence Oversight Program and Guidelines*, and Executive Order 12333, *United States Intelligence Activities*. In accordance with IA-1000, any Questionable Activity should be reported to the Intelligence Oversight Officer or the Associate General Counsel for Intelligence. Questions or concerns regarding this memorandum should be addressed to the Strategic Planning and Policy Division at **(b) (6), (b) (7)(E)**@hq.dhs.gov.