



Office of the Director of National Intelligence

## The Intelligence Transparency Council

### A. Official Designation: The Intelligence Transparency Council

**B. Purpose:** This Charter establishes the Intelligence Transparency Council (ITC). The ITC will advise and assist the Director of National Intelligence (DNI) on the implementation of the *Principles of Intelligence Transparency for the Intelligence Community* (Transparency Principles) in a consistent, coordinated, credible, and sustainable manner, and will oversee execution of the *Implementation Plan for the Principles of Intelligence Transparency* within the Intelligence Community (IC).

### C. Authorities and Guidance:

1. National Security Act of 1947, as amended
2. 50 U.S.C. Sec 3024(f)(3)(A)
3. Executive Order 12333, as amended
4. Executive Order 13526, 32 CFR part 2001
5. Executive Correspondence, *Intelligence Community Charters*, 2009
6. *The Principles of Intelligence Transparency for the Intelligence Community*
7. *The Transparency Implementation Plan*
8. DNI Executive Correspondence of October 16, 2015, *The Implementation Plan for the Principles of Intelligence Transparency*
9. *The Principles of Professional Ethics for the IC*

### D. Role of the ITC: The ITC shall perform the following functions:

1. Ensure that the public has information that clearly presents the mission, authorities, and oversight mechanisms that direct and guide the IC, as appropriate, while underscoring that all transparency efforts protect intelligence sources, methods, and activities consistent with counterintelligence principles.
2. Make recommendations to the DNI and IC leadership on implementing and sustaining transparency initiatives and practices within the IC, and coordinate and make recommendations for supporting activities.
3. Inform the ODNI Transparency Officer's development of transparency processes and practices for the IC consistent with the Transparency Principles, the Transparency Implementation Plan, and direction from the DNI.
4. Serve as the principal mechanism to identify possible new priority IC transparency topics to be selected by the DNI and IC leadership for implementation.
5. Provide a venue for IC elements (as represented by the Council members) to exchange views, share best practices, identify challenges, and resolve issues.

6. Establish interagency working groups to address specific transparency topics, as appropriate, in order to advance IC transparency efforts.
7. Monitor and evaluate execution of the Transparency Implementation Plan within each IC element, and make recommendations for adjustments to existing initiatives or the creation of new ones.
8. Update the Transparency Implementation Plan at least annually.

**E. Membership:**

1. ITC membership shall include representation from each of the IC elements.
2. Transparency Representatives shall be appointed by each IC element, be given the authority to make decisions on behalf of their home element, and have the expertise to manage integrated internal efforts through home element offices, such as General Counsel, Public Affairs, Information Management, Policy, and Civil Liberties and Privacy.
3. The identity and contact information for each element's Transparency Representative will be communicated to the ODNI Transparency Officer.
4. Transparency Representatives to the ITC should serve, at minimum, a two-year term.
5. Other U.S. Government departments and agencies that do not contain an IC element in its headquarters department or agency may be invited to provide representatives to the ITC in a consultative capacity, with concurrence of the ITC members.

**F. Responsibilities:**

1. **The ODNI Transparency Officer shall:**
  - a. Chair the ITC.
  - b. Coordinate the implementation of the Transparency Principles and the Transparency Implementation Plan through the ITC.
  - c. Perform executive secretariat functions for the ITC, acting in this capacity to:
    - i. prepare, schedule, and preside over the ITC meetings and track attendance;
    - ii. record meeting notes and motions deliberated and decided upon by the ITC, and disseminate meeting notes to ITC members; and
    - iii. exercise records management responsibilities with respect to the ITC and related matters.
  - d. Convene the ITC not fewer than six times a year.
2. **The ITC Members shall:**
  - a. Represent their home element to the ITC and represent the ITC to their home element.
  - b. Actively participate in ITC meetings, provide timely, relevant, and substantive information on transparency activities in their home element, and identify issues that may have impact on the overall transparency effort.
  - c. Prioritize, provide recommendations, and make decisions on the implementation of transparency initiatives in the IC.
  - d. Partake in and support ITC working groups to facilitate and implement transparency initiatives.

- e. Coordinate the implementation of ITC priority initiatives and projects at their home element.
- f. Identify a "Transparency Team" at their home elements comprising appropriate functional representatives (see Section E. 2, *infra*) to facilitate internal coordination and support the work of the ITC/Transparency Representative, and identify artifacts and data that relate to transparency initiatives for potential modified classification or release.
- g. Participate as a leader of the broader IC to help foster cross-agency collaboration and shared solutions above and beyond particular elements, advocating for ITC efforts and positions in other forums, as appropriate.

**3. Voting:**


- a. In instances where the ITC determines that a vote is necessary to make a decision on a transparency issue, each element will get one vote through its Transparency Representative.
- b. In instances where there is a disagreement between the ITC and the ODNI Transparency Officer, the ODNI Transparency Officer and one Transparency Representative (as selected by the Council) will present the alternate positions on the issue to the DNI for a final decision.

**G. Administrative:**

- 1. This Charter will be reviewed annually and updated periodically or as required to ensure compliance with IC policies, guidance, and changing business practices.
- 2. This Charter shall expire five years from the date of signature unless otherwise reauthorized by the DNI.

**H. Effective Date**

This Charter becomes effective upon the date of signature.

  
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James R. Clapper  
The Director of National Intelligence

5 April 2016  
Date