

Administration of Joseph R. Biden, Jr., 2022

National Security Memorandum on Partial Revocation of Presidential Policy Directive 28

October 7, 2022

National Security Memorandum/NSM-14

Memorandum for the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, the Assistant to the President and Chief of Staff, the Director of the Office of Management and Budget, the United States Trade Representative, the Representative of the United States of America to the United Nations, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Assistant to the President for National Security Affairs, the Counsel to the President, the Assistant to the President for Economic Policy and Director of the National Economic Council, the Assistant to the President and Homeland Security Advisor and Deputy National Security Advisor, the Chair of the Council of Economic Advisers, the Director of the Office of Science and Technology Policy, the National Cyber Director, the Chairman of the Joint Chiefs of Staff, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, the Director of the National Counterterrorism Center, and the Director of the National Counterintelligence and Security Center

Subject: Partial Revocation of Presidential Policy Directive 28

The Executive Order of October 7, 2022 (Enhancing Safeguards for United States Signals Intelligence Activities), establishes enhanced safeguards for United States signals intelligence activities that supersede the safeguards for personal information collected through signals intelligence established by Presidential Policy Directive 28 of January 17, 2014 (Signals Intelligence Activities) (PPD-28). The Executive Order establishes enhanced safeguards in recognition that signals intelligence activities must be conducted in a manner that takes into account that all persons should be treated with dignity and respect, regardless of their nationality or wherever they might reside, and that all persons have legitimate privacy interests in the handling of their personal information. In addition, signals intelligence activities present the potential for national security damage if improperly disclosed. Therefore, it is essential to maintain the policy process refined by section 3 of PPD-28 and supplemented by the classified annex to PPD-28, under which national security policymakers consider carefully the value of signals intelligence activities to our national interests and the risks entailed in conducting those activities.

Section 1. Revocation. PPD-28 is hereby revoked except for sections 3 and 6 of that directive and the classified annex to that directive, which remain in effect.

Sec. 2. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

NOTE: An original was not available for verification of the content of this memorandum.

Categories: Communications to Federal Agencies : Presidential Policy Directive 28, partial revocation, memorandum.

Subjects: Defense and national security : Intelligence; Government organization and employees : Accountability and transparency, strengthening efforts; Government organization and employees : Federal programs, improvement efforts.

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