

Congress of the United States
Washington, DC 20515

March 29, 2010

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Obama:

We are writing to encourage you to immediately nominate qualified individuals to the Privacy and Civil Liberties Oversight Board (PCLOB). Though both your Fiscal Year 2010 and 2011 budgets fund this Board, it is not operational. Given that the members of this Board must go through the time-consuming Senate confirmation process, it is imperative that you act expeditiously.

The PCLOB was originally authorized by the *Intelligence Reform and Terrorism Prevention Act* in 2004.¹ In 2007, *The Implementing Recommendations of the 9/11 Commission Act* strengthened it by transforming it into an independent agency within the Executive Branch.²

As envisioned by Congress, the Board would serve as an advisory body that assists the President and other senior Executive Branch officials in ensuring that concerns with respect to privacy and civil liberties are appropriately considered in the implementation of all laws, regulations, and Executive Branch policies related to preventing terrorism. Specifically, the Board is charged with responsibility for reviewing terrorism information sharing practices of Executive Branch departments and agencies to determine whether guidelines designed to protect privacy and civil liberties are followed. The Board has authority to complete its analysis, including the ability to issue subpoenas to compel production of evidence and testimony. Under the law, this independent and robust Board will remain accountable to the President and Congress through the issuance of semi-annual reports. Unclassified versions of the semi-annual reports will also be available to the American public.

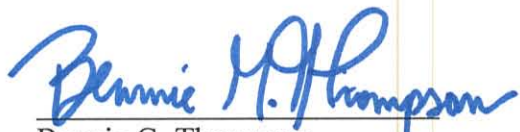
For over two years, the vision for the Privacy and Civil Liberties Oversight Board has not been realized. As new privacy and civil liberties issues emerge, such as the use of new screening technologies and watchlisting procedures, it is imperative that the Board be fully operational to evaluate and advise the Executive Branch on the privacy and civil liberties implications associated with such changes.

¹ Intelligence Reform and Terrorism Prevention Act, S. 2845, Public Law 108-458 (2004).

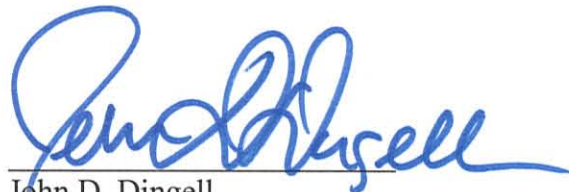
² Implementing Recommendations of the 9/11 Commission Act, H.R. 1, Public Law 110-53 (2007).

We urge you to nominate members to the Privacy and Civil Liberties Oversight Board as soon as possible.

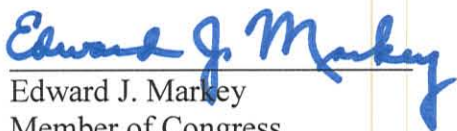
Thank you,



Bennie G. Thompson
Member of Congress



John D. Dingell
Member of Congress



Edward J. Markey
Member of Congress



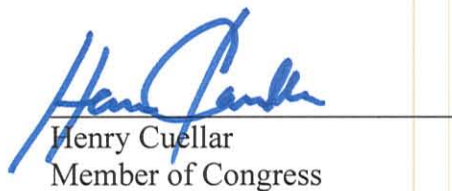
Michael E. Capuano
Member of Congress



Yvette D. Clarke
Member of Congress



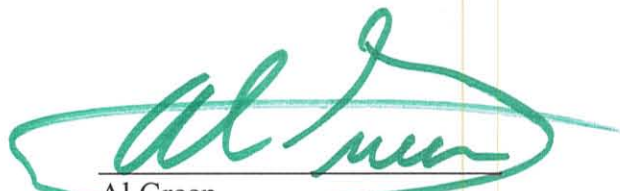
Emanuel Cleaver
Member of Congress




Henry Cuellar
Member of Congress



Peter A. DeFazio
Member of Congress



Al Green
Member of Congress



Raul M. Grijalva
Member of Congress



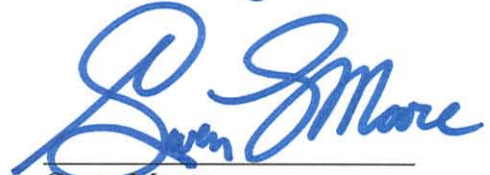
Rush D. Holt
Member of Congress



Sheila Jackson Lee
Member of Congress



Ben Ray Luján
Member of Congress



Gwen Moore
Member of Congress



Eleanor Holmes Norton
Member of Congress



William L. Owens
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Silvestre Reyes
Member of Congress



Laura Richardson
Member of Congress



Linda T. Sanchez
Member of Congress



Loretta Sánchez
Member of Congress



Carol Shea-Porter
Member of Congress