

Congress of the United States
Washington, DC 20515

January 10, 2017

Mr. Donald J. Trump
President-Elect of the United States of America
Trump Tower
735 5th Avenue
New York, NY 10022

Dear President-Elect Trump:

As of today, the bipartisan, independent Privacy and Civil Liberties Oversight Board (PCLOB) has just two members, lacks a full time chair, and does not have the requisite number of Senate-confirmed members to carry out its critical dual mission of reviewing the counterterrorism actions by intelligence and other Federal agencies and ensuring appropriate consideration of liberty concerns in counterterrorism laws, regulations, and policies. The PCLOB is at a critical juncture; unless you act swiftly upon taking office and submit three nominations to the Senate to commence the confirmation process on the PCLOB vacancies, there is a very real risk that this critical oversight body will become defunct—as was the case for five years starting in 2007.

In 2014, the PCLOB released two comprehensive assessments of National Security Agency mass surveillance programs. Ultimately, the recommendations issued by the PCLOB as a result of these assessments were critical in shaping the USA FREEDOM Act of 2015. More recently, the PCLOB commenced an oversight project on signals intelligence activities of the United States, as encouraged by Presidential Policy Directive 28. Given our reliance on signals intelligence, it is imperative that the PCLOB complete its work and put forth recommendations for your Administration to consider.

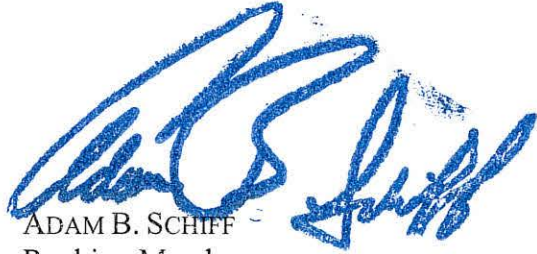
As our country continues to face wide-ranging terrorist threats, both abroad and at home, the intelligence community must have robust counterterrorism programs that adhere to the rule of law. Our counterterrorism programs must be subject to unbiased, independent oversight. The PCLOB has proven itself to be that essential oversight body. Its work must continue. A fully-functioning PCLOB conveys to Americans and our allies and enemies around the world that we, as a nation, prioritize protecting our country in a manner that respects liberty.

With that, we urge you, during this transition period, to identify nominees to serve on the PCLOB and act expeditiously to submit the nominees to the Senate.

Respectfully,



BENNIE G. THOMPSON
Ranking Member
House Committee on Homeland Security



ADAM B. SCHIFF
Ranking Member
House Permanent Select Committee on
Intelligence



JOHN CONYERS, JR.
Ranking Member
House Judiciary Committee



ELIJAH E. CUMMINGS
Ranking Member
House Committee on Oversight and
Government Reform