

# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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## Confirmation of Chair Means Privacy Board at Full Strength

**WASHINGTON, D.C.** -- According to The Constitution Project, a nonpartisan watchdog group, today's vote in the U.S. Senate confirming David Medine as chair of the Privacy and Civil Liberties Oversight Board will permit the independent privacy board finally to operate the way Congress intended when it passed the law in 2007.

"The confirmation of David Medine as chair means the board is finally at full strength and can move forward at full speed with its vital oversight work," said Sharon Bradford Franklin, senior policy counsel at The Constitution Project.

Although the Senate had confirmed the other four members of board -- Rachel Brand, Elisebeth Collins Cook, James Dempsey, and Patricia Wald -- last summer, the chair is the board's only full-time member and only member with the authority to hire a staff.

First created in 2004 based on the recommendations of the 9/11 Commission, the five-member Privacy and Civil Liberties Oversight Board (PCLOB) is designed to oversee the privacy and civil liberties implications of national security programs and policies. In 2007, Congress enacted legislation to strengthen the PCLOB, including making it an independent agency and giving it subpoena power, but no members were confirmed until 2012, and the board was non-existent for more than five years.

"Today's confirmation vote is long overdue, but we are thrilled that the Board will now be fully operational. We commend Senator Leahy for his persistence in moving all five nominations forward, and ensuring that all were brought to a vote by the full Senate," Franklin said.

TCP has long urged [Congress](#) and the [president](#) to establish and staff an independent privacy board.

The board can conduct oversight of even the most secret national security programs, so it could prove to be a significant counterbalance to the erosion of civil liberties that have occurred since the terrorist attacks of 9/11, she said.

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## [About The Constitution Project](#)

*Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*



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