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# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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## Groups Urge Lawmakers to Block Efforts to Curb Privacy Board

WASHINGTON, D.C. -- Twenty-eight advocacy organizations are asking House leaders to support efforts to remove a provision from the 2016 intelligence authorization bill that would block access by the Privacy and Civil Liberties Oversight Board to information related to U.S. covert action programs.

In a [letter delivered](#) to the Hill earlier today, the groups said allowing executive branch agencies to withhold information about covert actions would "severely restrict" PCLOB's ability to conduct oversight of our nation's counterterrorism efforts.

"The Board simply cannot conduct oversight if it is unable to access information related to the very programs it is charged with overseeing," the letter said.

The groups pointed out that the limitation is "entirely unnecessary," noting that board members and staff all have top secret security clearances and routinely handle classified material. "There is no indication that any classified information has been compromised as a result of PCLOB's oversight function, including after two in-depth inquiries into surveillance programs," the groups wrote.

Rep. Tulsi Gabbard (D-Hawaii) and Rep. Jim Himes (D-Conn.) have proposed an amendment stripping the information restriction from the committee-approved bill. The House Rules Committee will decide later today whether to allow the amendment to be debated when the full House considers the measure (H.R. 2596) this week.

Among the groups joining The Constitution Project in sending the letter are the ACLU, the American Library Association, Center for Democracy and Technology, New America's Open Technology Institute, OpenTheGovernment.org, the Rutherford Institute and TechFreedom.

PCLOB is an independent [executive-branch agency](#) charged with ensuring that the federal government's efforts to prevent terrorism are balanced with the need to protect privacy and civil

liberties. It was established by Congress in 2007 in response to recommendations by the 9/11 Commission, but only became fully operational in 2013 due to delays in appointing the five members.

The Washington Post [reported](#) that the intelligence committee's apparent animosity toward the PCLOB stemmed from an op-ed written by board's chairman asserting that, if the government continues killing U.S. citizens by drone strikes aimed at terrorists, an independent review panel was needed to assess whether targeting decisions are appropriate. Others have [suggested](#) that the proposed information restriction may have been motivated by PCLOB's current inquiry into counterterrorism programs under Executive Order 12333.

A [separate letter](#) from members of The Constitution Project Liberty and Security Committee also urged lawmakers to block efforts to curb the PCLOB. The committee is a bipartisan group of former elected officials and members of the law enforcement and intelligence communities, as well as legal academics and practitioners from across the political spectrum.

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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 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 through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*

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