



PRESS RELEASE

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For Immediate Release

**PCLOB RELEASES REPORT ON IMPACT OF EFFORTS TO COUNTER THREATS FROM FOREIGN RACIALLY MOTIVATED EXTREMIST ORGANIZATIONS**

**WASHINGTON, DC** – The Privacy and Civil Liberties Oversight Board (PCLOB) has released a report regarding the privacy and civil liberties impacts to U.S. persons from the use or recommended use of certain federal laws, regulations, and policies to counter threats posed by foreign racially motivated violent extremist (RMVE) organizations.

The unanimous report, which includes two Board recommendations, was issued in response to Section 824 of the Intelligence Authorization Act for Fiscal Year 2022 (Consolidated Appropriations Act, 2022; Division X) (Pub. L. No. 117-103) (IAA), which directed the Board to produce the report. It was submitted in conjunction with an Intelligence Assessment and an Intelligence Report previously provided to Congress by the Office of the Director of National Intelligence (ODNI) in accordance with Section 824 of the IAA.

The PCLOB report organizes the Board’s assessment by grouping the enumerated legal authorities as follows: Intelligence Collection, Analysis, and Dissemination; Information Sharing; Terrorist Designations; and Travel and Immigration-Related Vetting. PCLOB found that federal agencies largely apply the enumerated authorities to counter threats from foreign RMVE organizations in the same way they apply the authorities to counter threats from other international terrorist groups. Accordingly, the privacy and civil liberties impacts to U.S. persons are similar with respect to both applications.

The PCLOB report notes that the ODNI, in its report, did not identify any legal gaps or seek new or expanded authorities, and therefore there is no need for PCLOB to assess the privacy and civil liberties impacts of new authorities. It further explains that the Board’s assessment is circumscribed, and that “assessing in detail—in a single report—the agencies’ day-to-day implementation of the many privacy and civil liberties safeguards applicable to the authorities that Congress enumerated is not contemplated by Section 824.”

The report makes two recommendations where greater clarity and transparency might yield information that could help facilitate future assessments of privacy and civil liberties impacts stemming from the government's use of these authorities to counter foreign RMVE threats.

First, the Board recommends that Congress clarify who has authority to appoint a Program Manager (PM) for the Information Sharing Environment (ISE). The PM position is currently vacant and has remained so partly due to conflicting statutory interpretations, according to the Government Accountability Office.

Second, the Board recommends that Congress demand ODNI resume issuing statutorily required annual reports on the performance of the ISE. The ODNI stopped issuing these reports after 2019.

For further information, please contact Public and Legislative Affairs Officer Alan Silverleib at [info@pcllob.gov](mailto:info@pcllob.gov) or [pao@pcllob.gov](mailto:pao@pcllob.gov).

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*The Privacy and Civil Liberties Oversight Board is an independent agency within the Executive Branch established by the Implementing Recommendations of the 9/11 Commission Act of 2007. The Board's mission is to ensure that the federal government's efforts to prevent terrorism are balanced with the need to protect privacy and civil liberties. The Board's current Members are Sharon Bradford Franklin, Chair, Edward W. Felten, Travis LeBlanc, and Beth A. Williams.*