



PRESS RELEASE

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For Immediate Release

**PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD RELEASES NATIONAL
COUNTERTERRORISM CENTER OVERSIGHT REPORT**

WASHINGTON, DC – The Privacy and Civil Liberties Oversight Board (PCLOB) has released a report detailing its review of the National Counterterrorism Center’s (NCTC) access to and handling of datasets containing non-terrorism information. The report describes NCTC’s policies and practices concerning such materials, as well as how the governing laws, regulations, and policies work in NCTC’s day-to-day activities.

The Board’s review considers NCTC’s activities under procedures drafted by the Office of the Director of National Intelligence (ODNI) pursuant to Executive Order 12333, as well as under the NCTC Implementation Procedures.

The report includes six recommendations relating to queries, data retention, and oversight. The recommendations are as follows:

- 1) NCTC should require personnel to document justifications for any query seeking information about a U.S. person before conducting the query. NCTC should also develop a process to audit queries based on documented query justifications.
- 2) NCTC should require a capability in all appropriate NCTC applications for recording the justification of each query, to include a process that ensures compliance with the ODNI Attorney General Guidelines and NCTC Implementation Procedures.
- 3) NCTC should reduce evaluation periods consistent with NCTC’s mission operations.
- 4) NCTC should document and formalize oversight roles and responsibilities at each stage of the dataset lifecycle. Among other things, NCTC should clarify the role and purpose of the NCTC Civil Liberties and Privacy Officer.
- 5) NCTC should randomly select a targeted but representative sample of queries to audit each month. It should automate monthly query audits and other oversight functions where appropriate.

- 6) NCTC should develop a framework to guide the Center's Implementation Procedures review process. Additionally, it should reinstate certain reporting requirements from the 2012 NCTC guidelines.

Board Member Ed Felten submitted a separate statement expanding on one technical issue discussed in the report: the need for a comprehensive compliance framework that addresses information security risks and auditing requirements for data that NCTC accesses through non-federal government entities. Member Felten said this framework should include, but not be limited to, ensuring there is a mechanism to record query terms to enable NCTC to comply with the query standard. Member Felten stressed, however, that he fully concurred with the Board's report.

Board Member Beth A. Williams also submitted a separate statement, stating that she joined the Board's report except that she disagreed with the Board's first recommendation to the extent that the Board seeks through this Report to recommend additional requirements to queries of evaluated information. Member Williams explained that the Board does not have enough information at this time to assess the implications of such a requirement, including whether they are feasible or advisable. Member Williams also would have added a recommendation that the NCTC revise its Implementation Procedures to reflect the Congressional limitation on NCTC's activities concerning purely domestic terrorism.

For further information, please contact Public and Legislative Affairs Officer Alan Silverleib at info@pclub.gov or pao@pclub.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.