



PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD  
WASHINGTON, D.C. 20002

Sharon Bradford Franklin, Chair  
Edward W. Felten  
Travis LeBlanc  
Beth A. Williams

July 1, 2024

Mr. Troy A. Miller  
Senior Official Performing the Duties of the Commissioner  
Customs and Border Protection  
1300 Pennsylvania Avenue NW  
Washington, D.C., 20229

Re: (U) Completion of Board Oversight Project of Passenger Name Records

(U) Mr. Miller,

We are writing to inform you that the Privacy and Civil Liberties Oversight Board (or “Board”) has concluded its Passenger Name Records (“PNR”) oversight project with CBP. The topic of this project was CBP’s matching of PNR data for screening and vetting, including those of U.S. Persons (“USP”). The Board’s review indicates that since 2019, [REDACTED] changes were made to minimize the potential for intentional or inadvertent surveillance of U.S. persons and improve the protection of individual privacy while continuing to screen travelers. The changes CBP [REDACTED] implemented since 2019 constitute meaningful steps towards improving programmatic privacy safeguards.

In 2019, the Board initiated a review of the applicable legal authorities, analytic techniques used, [REDACTED] to ensure that privacy and civil liberties interests were appropriately balanced with CBP’s [REDACTED] counterterrorism mission needs. The review examined the matching of PNR data pertaining to U.S. persons [REDACTED] for screening and vetting. The review also examined the legal authorities applicable to such screening or vetting of U.S. persons; the analytic techniques applied, including any [REDACTED] queries, data-mining, and watchlist nominations; [REDACTED]

[REDACTED]

[REDACTED]

After PCLOB staff expressed concern [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Following numerous rounds of questioning and requests for document production, the PCLOB staff is satisfied that the redesigned systems [REDACTED] lead to a CBP program that is less intrusive to USP privacy than as originally designed. The Board requests that CBP notify PCLOB of any changes made to the PNR program or its procedures in the future.

In addition, PCLOB appreciates the agency's efforts to minimize the amount of U.S.-person information that is subject to queries [REDACTED]. These safeguards instill greater confidence that the government is not unduly infringing the privacy of its citizens in its efforts to protect them.

[REDACTED]

We would like to thank CBP for working with the Board and its staff on this oversight review. We look forward to continuing to work with you as PCLOB fulfills its mission of reviewing executive branch actions to protect the nation from terrorism, while balancing national security and privacy and civil liberties concerns.

<sup>1</sup> (U) Protected status may include U.S. permanent residents, visa holders, and asylum seekers and additional categories.

[REDACTED]

/s/  
Sharon Bradford Franklin, Chair  
Edward W. Felten  
Travis LeBlanc  
Beth A. Williams