



# **U.S. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD**

## **SEMI-ANNUAL REPORT**

### **JULY-DECEMBER 2024**

# **Privacy and Civil Liberties Oversight Board**

## **Semi-Annual Report: July - December 2024**

**JUNE 2025**

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD  
800 N. CAPITOL STREET, NW  
WASHINGTON, DC 20002

This report is available at [www.pclob.gov/SemiAnnual](https://www.pclob.gov/SemiAnnual).  
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## PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

### REPORT DISTRIBUTION

In accordance with Section 801 of the Implementing Recommendations of the 9/11 Commission Act of 2007, the Privacy and Civil Liberties Oversight Board is providing this Semi-Annual Report, which covers the period from July 2024 to December 2024, to the President and the Members of Congress listed below.

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The Honorable Donald J. Trump  
President of the United States of America

The Honorable Susan Collins  
Chair  
U.S. Senate Committee on Appropriations

The Honorable Patty Murray  
Vice Chair  
U.S. Senate Committee on Appropriations

The Honorable Tom Cole  
Chair  
U.S. House of Representatives Committee on Appropriations

The Honorable Rosa DeLauro  
Ranking Member  
U.S. House of Representatives Committee on Appropriations

The Honorable Rand Paul  
Chair  
U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Gary C. Peters  
Ranking Member  
U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Tom Cotton  
Chair  
U.S. Senate Select Committee on Intelligence

The Honorable Mark R. Warner  
Vice Chair  
U.S. Senate Select Committee on Intelligence

The Honorable Rick Crawford  
Chair  
U.S. House of Representatives Permanent Select Committee on Intelligence

The Honorable Jim Himes  
Ranking Member  
U.S. House of Representatives Permanent Select Committee on Intelligence

The Honorable Chuck Grassley  
Chair  
U.S. Senate Committee on the Judiciary

The Honorable Richard J. Durbin  
Ranking Member  
U.S. Senate Committee on the Judiciary

The Honorable Jim Jordan  
Chair  
U.S. House of Representatives Committee on the Judiciary

The Honorable Jamie Raskin  
Ranking Member  
U.S. House of Representatives Committee on the Judiciary

The Honorable Mark Green  
Chair  
U.S. House of Representatives Committee on Homeland Security

The Honorable Bennie Thompson  
Ranking Member  
U.S. House of Representatives Committee on Homeland Security

The Honorable James Comer  
Chair  
U.S. House of Representatives Committee on Oversight and Government Reform

The Honorable Stephen Lynch  
Ranking Member  
U.S. House of Representatives Committee on Oversight and Government Reform



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## EXECUTIVE SUMMARY

In accordance with its enabling statute, 42 U.S.C. § 2000ee, this Semi-Annual Report has been developed by the Privacy and Civil Liberties Oversight Board (PCLOB) for distribution to the President of the United States and to appropriate committees of Congress, as listed on the preceding Report Distribution. This report describes PCLOB's major activities from July 2024 through December 2024, providing information on findings, conclusions, and recommendations of PCLOB resulting from its authorized advice and oversight functions.

PCLOB is an independent agency within the executive branch, established in its current form by the Implementing Recommendations of the 9/11 Commission Act of 2007.<sup>1</sup> A bipartisan, five-Member Board, each appointed by the President and confirmed by the Senate, ensures that the Federal Government's efforts to prevent terrorism are balanced with the need to protect privacy and civil liberties.<sup>2</sup> PCLOB conducts oversight and provides advice regarding executive branch regulations, policies, procedures, and activities related to efforts to protect the nation from terrorism.

During the reporting period of this Semi-Annual Report, PCLOB worked on several oversight projects, including but not limited to:

- Facial Recognition in Aviation Security;
- Government Efforts to Address Foreign Racially Motivated Violent Extremist Organizations;
- The National Counterterrorism Center;
- Domestic Terrorism;
- Executive Order 14086; and
- The Terrorist Watchlist.

PCLOB took numerous steps in this reporting period to improve the agency's organizational health and performance. PCLOB worked diligently to develop and

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<sup>1</sup> Pub. L. No. 110-53 § 801 (2007), codified at 42 U.S.C. § 2000ee.

<sup>2</sup> The Board had four members and one vacancy during the period covered in this report. The four members were Sharon Bradford Franklin (Chair), Edward W. Felten, Travis LeBlanc, and Beth A. Williams.



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implement a performance framework with metrics that aligned to the agency's strategic goals and objectives, allowing for performance results to be reported for the first time in November 2024.

PCLOB maintained administrative, managerial, and organizational capabilities, allowing the agency to operate while recognizing accomplishments in regard to its human resources and financial management, information technology, and security of agency data, among other things.



## MISSION ACTIVITIES

### Oversight Function

#### National Counterterrorism Center

In December 2024, the Board concluded its review and released a report on the National Counterterrorism Center's (NCTC's) access to and handling of datasets containing non-terrorism information.<sup>3</sup> 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<sup>4</sup>, as well as under the NCTC Implementation Procedures. The report includes six recommendations relating to queries, data retention, and oversight.

#### Facial Recognition in Aviation Security

PCLOB continued its ongoing review of the use of facial recognition in aviation security. For years, the Transportation Security Agency (TSA) has used Credential Authentication Technology (CAT) machines to employ facial recognition at domestic airports. In 2023, TSA awarded a significant contract to acquire these devices to deploy the technology nationwide. PCLOB's review will provide transparency regarding how this CAT technology works and provide the public with a better understanding of this screening process as it is deployed at additional airports. As of the end of December 2024, PCLOB was working to finalize analysis and recommendations regarding the operation of this program.

#### Government Efforts to Address Foreign Racially Motivated Violent Extremist Organizations

Section 824 of the Consolidated Appropriations Act of 2022 directed PCLOB to assess adverse impacts on the privacy and civil liberties of Americans concerning the use or recommended use of any federal laws, regulations, and policies used to address significant threats to the United States and Americans associated with foreign racially

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<sup>3</sup> Privacy and Civil Liberties Oversight Board, *Report on the National Counterterrorism Center* (Dec. 10, 2024), <https://documents.pclob.gov/prod/Documents/OversightReport/4ce093a4-d28d-4996-a35b-c11d18e19018/PCLOB%20FY2024%20NCTC%20REPORT%20-%20Completed%20508%20-%20Dec%2017%202024.pdf>

<sup>4</sup> E.O. 12333, United States Intelligence Activities (<https://www.archives.gov/federal-register/codification/executive-order/12333.html>)





motivated violent extremist organizations. PCLOB staff engaged with intelligence agencies to gather information needed to produce the report, which includes recommendations on options to develop protections to mitigate such adverse impacts. PCLOB was continuing to coordinate with relevant agencies as it finalized its report and recommendations at the end of the July-December 2024 reporting period.

### **Domestic Terrorism**

PCLOB continued its oversight project examining government policies and activities designed to counter domestic terrorism. PCLOB is focusing this project on the impact on First Amendment rights and the impact on privacy and civil liberties of particular groups, such as those with shared racial, religious, political, or ideological affiliations. PCLOB staff have met with staff from relevant agencies and continue to gather information in support of this oversight review.

### **Terrorist Watchlist**

PCLOB continued reviewing the operation of the Terrorist Screening Database, commonly known as the Terrorist Watchlist (Watchlist), which contains information on known and suspected terrorists. PCLOB staff has maintained regular engagement with the Terrorist Screening Center (TSC), which manages the Watchlist, during this reporting period. Board Members and staff worked to finalize analysis and recommendations regarding the Watchlist program operation.

### **Other Active Oversight Projects**

PCLOB staff continued its work on several other projects during the second half of 2024, including a review of the FBI's acquisition and use of data from open-source or commercially available sources as part of its efforts to protect the nation against terrorism. PCLOB also initiated work related to the oversight roles envisioned for PCLOB in Executive Order 14086 on enhancing safeguards for United States signals intelligence activities, which includes reviewing the implementation of the updated policies and procedures adopted by the intelligence agencies pursuant to the executive order, and to the extent feasible, conducting an annual review of the redress process established by the order. Finally, PCLOB continued to track developments regarding advanced and emerging technologies through an artificial intelligence (AI) and machine learning working group and is considering various areas for possible oversight and advice.

### **Advice Function**



PCLOB's advice is valued by other executive branch agencies. Since 2016, PCLOB has provided advice on every significant issuance, revision, or re-issuance by an Intelligence Community (IC) element of its Attorney General-approved guidelines governing the handling of U.S.-person information collected under Executive Order 12333.

## **Other Mission Activities**

### **Coordination of Executive Branch Privacy and Civil Liberties Activities**

Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007 requires agencies' Privacy and Civil Liberties (PC/L) officers to issue Semi-Annual Reports about their activities to their respective agency heads, Congress, and PCLOB. PCLOB regularly receives and reviews Section 803 reports from federal departments and agencies.

PCLOB's authorizing statute instructs the agency to advise covered agencies on their efforts to protect privacy and civil liberties and to coordinate those activities on relevant interagency matters. As such, PCLOB has regular interactions with agency PC/L officers, promoting information sharing of privacy best practices.

### **Outreach to the Public, Congress, and Other Federal Agencies**

The Board is committed to ensuring that its work is available, relevant, and informative for the public, Congress, and other federal agencies. The Board strives to be a valuable resource to Congress through its work and written reports, briefings, and testimony on matters within the Board's jurisdiction. The Board's statute also requires it to "hold public hearings and otherwise inform the public of its activities, as appropriate and in a manner consistent with the protection of classified information and applicable law."<sup>5</sup>

In July 2024, the Board held a virtual public forum on the role of AI in counterterrorism and related national security programs.<sup>6</sup> Agency staff provided, among other things, multiple briefings on Capitol Hill to keep the agency's oversight committees fully informed on the PCLOB's work. Board Members continue to remain

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<sup>5</sup> 42 U.S.C. § 2000ee(f)(2)

<sup>6</sup> <sup>6</sup> See The Privacy and Civil Liberties Oversight Board Artificial Intelligence Forum, July 11, 2024. Transcript is available here: <https://documents.pclob.gov/prod/Documents/EventsAndPress/9b4e43f8-dbd1-4674-b6b6-6c88f4091905/AI%20FORUM%20TRANSCRIPT%20-%20Completed%20508%20-%20Jul%2024,%202024.pdf> and a video recording of the Forum is available here: [https://www.youtube.com/live/zTGb\\_M1jMtg](https://www.youtube.com/live/zTGb_M1jMtg).



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available to provide technical assistance on legislative matters and testify about matters within the agency's jurisdiction.

To foster a better understanding of its mission and work, Board Members continued to speak at events hosted by other government agencies, as well as by a variety of groups and organizations. Board Members and staff also continued their past practice of interacting with representatives of non-governmental organizations, international counterparts, and other entities with interest in issues within the Board's jurisdiction.



## OPERATIONAL ACTIVITIES

During the reporting period, PCLOB further strengthened its institutional capacity by working to bolster its workforce, cybersecurity posture, and financial controls.

### Workforce

The work performed by PCLOB's staff requires an agile and diverse mix of talent equipped with critical skills that align with the evolving strategic workforce needs of the agency. As funds have allowed each year, the agency has sought to fill vacancies and grow its staff by recruiting skilled professionals with backgrounds in intelligence, counterterrorism, privacy and civil liberties, law, oversight and investigations, federal accounting, human resources, and information technology. During the reporting period, PCLOB hired several new staff members to contribute to mission projects and agency operations.

PCLOB implemented the agency's Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan to advance and embed DEIA throughout PCLOB's workforce. Throughout the reporting period, the PCLOB DEIA Team met regularly to discuss work performed and what actions were still necessary to achieve goals defined in both the DEIA Strategic Plan and the annual progress reports.

PCLOB has also been working to respond to guidance from the Office of Management and Budget (OMB) on measuring, monitoring, and improving organizational health and organizational performance. To foster a culture of continuous learning and improvement, with data and evidence gathered from periodic performance reviews being used to continually improve planning, performance, evaluation, and budgeting processes, PCLOB rolled out its first measurable, goal-based performance plan in FY 2024. PCLOB's newly appointed Performance Improvement Officer worked closely with leadership to develop new performance targets which correlate with mission, service, stewardship, and other crosscutting strategic objectives in the agency's 2022-2026 Strategic Plan, as well as procedures for collecting and tracking data and reporting progress. Performance results were published for the first time ever in PCLOB's FY 2024 Agency Financial Report (AFR) in November 2024.



## **Information Technology Systems and Cybersecurity**

PCLOB's information technology (IT) staff remains focused on solidifying the agency's cybersecurity posture while maintaining infrastructure and strategies to support a hybrid work environment.

Information security continues to be a top priority for the agency. During the reporting period, the independent review of PCLOB's information security controls found the controls to be effective. PCLOB's annual Federal Information Security Management Act audit concluded that its internal controls were effective in protecting information resources. Two independent penetration tests detected no critical or high vulnerabilities across PCLOB's network infrastructure.

PCLOB did not experience any major cybersecurity incidents during the reporting period.

PCLOB continues to leverage shared-service providers and contractor support to augment its boundary protection. IT staff implemented, maintained, and documented technical controls to comply with federal standards and DHS's Cross-Agency Priority Goals for cybersecurity. These goals include managing asset security, protecting networks and data, and limiting personnel access. In the coming months, PCLOB will continue to focus its efforts on implementation of Zero Trust strategies.



## Financial Management

PCLOB has maintained its positive momentum in improving its financial management. This year's audit of PCLOB's FY 2024 financial statements, performed by external auditors, returned favorable results for the sixth consecutive year with an unmodified opinion over the financial statements. These audited financial statements, along with the audit report, are included in PCLOB's 2024 AFR, issued in November 2024.

As a testament to PCLOB's commitment to continued success by further refining reporting processes, PCLOB received its second Certificate of Excellence in Accountability Reporting award in May 2024 from the AGA, who presents the esteemed award each year to federal agencies that produce high-quality Performance and Accountability Reports (PAR) and AFRs. The AGA praised the PCLOB 2023 AFR as being "informative, well organized, and professionally written." Further, PCLOB received a special award for "Demonstrated Commitment to Improving Accountability Reporting", praising the agency's commitment to excellence in accountability reporting as "noteworthy and a tribute to its leadership and staff." PCLOB was the smallest federal agency in both 2022 and 2023 to receive an award for its PAR or AFR.

The Office of the Chief Financial Officer has continued to strengthen PCLOB's fiscal management by:

- Maximizing efficiencies through shared service providers for financial, payroll and human resources, and procurement services;
- Scrutinizing numerous new procurement efforts for cost savings; and
- Enhancing the agency's budget monitoring process.

## Protecting Classified and Sensitive Information

PCLOB maintains its focus on protecting sensitive and classified materials. The agency continues to engage in government-wide efforts to modernize the security clearance process. This includes continued implementation of Trusted Workforce (TW) 2.0 and NSPM-28, which directs agencies to implement an Operations Security (OPSEC) program and allows PCLOB's insider threat program to maintain the standards required by EO 13587, *Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information*. PCLOB also continues its efforts to ensure Controlled Unclassified Information (CUI) received from other agencies is protected.



## CONCLUSION

PCLOB continued to fulfill its statutory mission during the second half of 2024, addressing key issues to ensure that efforts to protect the nation against terrorism also safeguard privacy and civil liberties. The agency looks forward to further engagement with Congress, the public, and other stakeholders while identifying future oversight projects and transparency initiatives.

PCLOB appreciates the collaborative efforts of Congress, the executive branch, nongovernmental organizations, private-sector entities, and members of the public who have engaged with this agency in support of its mission.