

Congress of the United States
Washington, DC 20515

March 27, 2015

The Honorable David Medine
Chairman
The Privacy and Civil Liberties Oversight Board
2100 K Street, NW
Suite 500
Washington, DC 20427

Dear Chairman Medine:

Recently, the Privacy and Civil Liberties Oversight Board (PCLOB) announced it would study Executive Order 12333 (E.O. 12333), which governs the conduct of U.S. intelligence activities. It has recently come to the attention of our Committees that the PCLOB has begun this review.

When the PCLOB was established by the Implementing Recommendations of the 9/11 Commission Act of 2007, its purpose was carefully defined: "to analyze and review actions the executive branch takes to protect the Nation from terrorism," and to "ensure that liberty concerns are appropriately considered" in these efforts to "protect the Nation against terrorism." 42 U.S.C. § 2000ee (c).

As we are sure you are aware, intelligence activities conducted under E.O. 12333 address a broad range of national security issues beyond counterterrorism, including significant and important foreign intelligence matters that fall well outside of the PCLOB's limited statutory charter. Many intelligence activities conducted under E.O. 12333 predate the creation of the PCLOB and were not within the scope that the 9/11 Commission or Congress envisioned when PCLOB was established. The PCLOB's purpose is clear and specifically defined by Congress.

We trust you will keep in mind the PCLOB's finite statutory authority as you move forward and work with the Intelligence Community to limit appropriately your review only to those matters which Congress has specifically authorized you to review.

The Committees would like to be briefed as soon as possible as the scope, nature, and status of the PLCOB's work related to E.O. 12333. Please contact (b) (6) on the Senate Select Committee on Intelligence staff at (202) 224-(b) (6) and (b) (6) on the House Permanent Select Committee on Intelligence at (202) 225-(b) (6) to schedule such briefings for each committee, respectively.

Sincerely,



Richard Burr
Chairman
United States Senate
Select Committee on Intelligence

Devin Nunes
Chairman
United States House of Representatives
Permanent Select Committee on
Intelligence

cc:

The Honorable Rachel L. Brand
The Honorable Elisebeth Collins Cook
The Honorable James X. Dempsey
The Honorable Patricia M. Wald