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NSA SURVEILLANCE: AMASH, CONYERS INTRODUCE MAJOR BILL *BIPARTISAN COALITION OF 34 MEMBERS OF CONGRESS PROPOSE LIBERT-E ACT*

Washington, D.C. – Rep. Justin Amash (R-MI), Chairman of the House Liberty Caucus, and Rep. John Conyers, Jr. (D-MI), the Ranking Member on the House Judiciary Committee, announced the introduction of bipartisan legislation to address National Security Agency (NSA) surveillance.

H.R. 2399, the Limiting Internet and Blanket Electronic Review of Telecommunications and Email Act (LIBERT-E Act), restricts the federal government’s ability under the Patriot Act to collect information on Americans who are not connected to an ongoing investigation. The bill also requires that secret Foreign Intelligence Surveillance Act (FISA) court opinions be made available to Congress and summaries of the opinions be made available to the public.

A coalition of 32 Members of Congress joined Conyers and Amash in introducing the bill late Monday. After introduction, Conyers and Amash issued the following statement:

“The recent NSA leaks indicate that the federal government collects phone records and intercepts electronic communications on a scale previously unknown to most Americans.

“The LIBERT-E Act imposes reasonable limits on the federal government’s surveillance. The bill puts some teeth into the FISA court’s determination of whether records the government wants are actually relevant to an investigation. It also makes sure that innocent Americans’ information isn’t needlessly swept up into a government database. LIBERT-E prohibits the type of government dragnet that the leaked Verizon order revealed.

“We accept that free countries must engage in secret operations from time to time to protect their citizens. Free countries must not, however, operate under secret laws. Secret court opinions obscure the law. They prevent public debate on critical policy issues and they stop Congress from fulfilling its duty to enact sound laws and fix broken ones.

“LIBERT-E lets every congressman have access to FISA court opinions so that Congress can have a more informed debate about security and privacy. And the bill requires that unclassified summaries of the opinions be available to the public so that Americans can judge for themselves the merit of their government’s actions.

“We are proud to lead a broad, bipartisan coalition that’s working to protect privacy. It shouldn’t matter whether you’re a Democrat or a Republican. Defending the Constitution and protecting Americans’ rights should be an effort we all can support.”

The following Members of Congress cosponsored the legislation:

Rep. Paul Broun (R-GA)
Rep. Judy Chu (D-CA)
Rep. Suzan DelBene (D-WA)
Rep. John Duncan (R-TN)
Rep. William Enyart (D-IL)
Rep. Tulsi Gabbard (D-HI)
Rep. Chris Gibson (R-NY)
Rep. Paul Gosar (R-AZ)
Rep. Morgan Griffith (R-VA)
Rep. Raúl Grijalva (D-AZ)
Rep. Rush Holt (D-NJ)
Rep. Sheila Jackson Lee (D-TX)
Rep. Hank Johnson (D-GA)
Rep. Walter Jones (R-NC)
Rep. Barbara Lee (D-CA)
Rep. Zoe Lofgren (D-CA)
Rep. Thomas Massie (R-KY)
Rep. Tom McClintock (R-CA)
Rep. James McDermott (D-WA)
Rep. James McGovern (D-MA)
Rep. Mike Michaud (D-ME)
Rep. Mick Mulvaney (R-SC)
Rep. Jerrold Nadler (D-NY)
Rep. Beto O'Rourke (D-TX)
Rep. Steve Pearce (R-NM)
Rep. Jared Polis (D-CO)
Rep. Trey Radel (R-FL)
Rep. Matt Salmon (R-AZ)
Rep. Mark Sanford (R-SC)
Rep. Kyrsten Sinema (D-AZ)
Rep. Peter Welch (D-VT)
Rep. Ted Yoho (R-FL)

Comments from cosponsors of the LIBERT-E Act are attached to this release.

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Comments from cosponsors of LIBERT-E

Rep. Paul **Broun** (R-GA): “As our lives become more and more intertwined with the Internet, it is absolutely critical that we ensure our liberty is guarded in that realm as well. The federal government should never be collecting wide swaths of information on the American people. The LIBERT-E Act will end the practice of siphoning up massive amounts of domestic data ‘just in case’, and place these investigations back into the intended Constitutional bounds. This legislation is an important step toward restoring our Fourth Amendment protections, and I urge my colleagues to join me in supporting it.”

Rep. Judy **Chu** (D-CA): “Oversight conducted in secret defeats its purpose. Congress should be able to have an open dialogue with the American people on how our surveillance programs impact individual privacy. That’s why I support the release of unclassified reports by the Administration on how FISA powers are used. We must protect our national security operations, but we need to strike a balance between clandestine efforts and transparency in our society.”

Rep. Suzan **DelBene** (D-WA): “It’s critical that we review and keep our policy up to date as technologies advance and that we strike the right balance between protecting our civil liberties with national security needs. This legislation is an important step towards ensuring we have meaningful oversight, transparency and accountability of these programs.”

Rep. Tulsi **Gabbard** (D-HI): “Our LIBERT-E Act is a first step toward ensuring that our government is not inappropriately gathering irrelevant data on innocent Americans, and that the U.S. Congress is exercising its necessary oversight responsibilities. The American people deserve to have answers about the scope and reach of these sweeping surveillance programs. I understand the value of using counter-terrorism tactics and strategies in dealing with 21st century threats, but this kind of government overreach and violation of personal privacy places into question how much of our freedoms and liberty we are willing to sacrifice in the name of security.”

Rep. Paul **Gosar** (R-AZ) “I am not willing to trade our 4th Amendment protections for the pretense of security. I cannot and will not continue policies that leave the constitutional rights of Americans under a loose and broad interpretation that exceeds anything Congress intended in the Patriot Act or FISA. I am proud to co-sponsor this bill as it allows the federal government to provide for our common defense without trampling on our constitutional rights.”

Rep. Morgan **Griffith** (R-VA): “General warrants are not allowed under the Fourth Amendment to the United States Constitution. As currently written, the Patriot Act has in essence codified a procedure that allows a secret court to issue a general warrant. The passage of this bill will correct that error and protect our liberty while still allowing the government to pursue criminals and terrorists.”

Rep. Walter **Jones** (R-NC): “For too long, the federal government has violated the privacy of ordinary Americans under the guise of national security interests. This legislation demands accountability from a government that has broken the trust of its citizens and shown a blatant disregard for their rights.”

Rep. Barbara **Lee** (D-CA): “The right to privacy in this country is non-negotiable. While I believe that national security is essential, we must protect our most basic civil liberties and move forward in a way that does not sacrifice our American values and freedoms. I’m proud to be an original co-sponsor of this bill, which ensures that we keep a better balance between our privacy and our national security by limiting the scope of records that can be handed over and by re-establishing and strengthening Congress’ vital role of accountability and oversight of this issue.”

Rep. Zoe **Lofgren** (D-CA): “Increasingly it seems surveillance laws are used in ways that do not always respect Americans’ Constitutional rights for privacy or provide adequate transparency to ensure the government is acting appropriately. The revelations that these laws that should be targeting threats to our country have also been quietly used to collect millions of Americans’ personal information justifies the public’s apprehension about government abuse of surveillance powers. The LIBERT-E Act raises the standards needed to obtain personal information in national security investigations, prevents dragnets, and requires greater transparency on how agencies are using the surveillance powers Congress grants them.”

Rep. Thomas **Massie** (R-KY): “Recent abuses of the Patriot Act have demonstrated the dire need for legislative reform. This bill is an important step in reasserting the constitutional rights of all Americans.”

Rep. Tom **McClintock** (R-CA): “A free society does not depend on a police state that tracks the behavior of every citizen for its security. A free society depends instead on principles of law that protect liberty while meeting out stern punishment to those who abuse it.”

Rep. James **McGovern** (D-MA): “I am profoundly concerned about the allegations that government agencies have been secretly collecting the communication records of American citizens – without specific reasons – for the past several years. This is one of the prime reasons I have consistently opposed the Patriot Act: basic inalienable civil rights, such as freedom of speech and protection of personal privacy are sacred, and shouldn’t exist under a cloud of government surveillance. I’m pleased to join this bipartisan effort.”

Rep. Mick **Mulvaney** (R-SC): “I’ve learned my lesson on ‘gray areas’ and what the government does with them. When we are dealing with our phone calls and emails, there must be strict, specific language in place that explicitly prevents the government from overreaching. This bill does just that. It ensures the government cannot track your calls or emails unless it has specific reasons for doing so that are relevant and material to an ongoing foreign intelligence or terrorism investigation.”

Rep. Jerold **Nadler** (D-NY): “In a free society, there must be meaningful limits on the government’s surveillance authority. The indiscriminate collection of telephone records – including the daily calling information of everyday Americans with no ties to terrorism – obtained by virtue of a secret court order reveals a flawed system that Congress needs to fix. Having long fought against the grant of overbroad and secret surveillance power to the government, I am happy to join this bipartisan effort to tighten surveillance standards and require greater transparency to Congress and the American public. I look forward to working with

colleagues on both sides of the aisle to restore a meaningful balance between our national security needs and the freedoms that we cherish.”

Rep. Beto **O’Rourke** (D-TX): “No threat of terrorism warrants spying on ordinary citizens without probable cause or even a reasonable suspicion of wrongdoing. The LIBERT-E Act would protect the civil liberties of Americans by ensuring surveillance and data collected by the NSA is related to an authorized investigation. It would also bring much needed transparency to the FISA Court.”

Rep. Jared **Polis** (D-CO): “The recent revelations of the NSA’s data-mining program is just another example of the federal government’s continued abuse of the overly broad powers provided under the Patriot Act. I am proud to stand with Representatives Justin Amash and John Conyers to modify the Patriot Act to protect our privacy. Our bill will not only bring much needed transparency to instances of surveillance on innocent Americans, but will also provide limitations to the federal government’s use of the Patriot Act.”

Rep. Trey **Radel** (R-FL): “The LIBERT-E Act restores the privacy Americans always thought they had. It puts an end to government fishing expeditions, like what happened at the NSA and DOJ. With this bill, the government will have to provide specific, relevant facts in order to monitor data and will only be able to look into those under investigation.”

Rep. Matt **Salmon** (R-AZ): “I am proud to join in this bipartisan effort to safeguard the liberties of American citizens. We can and should work together to prevent the erosion of our constitutional rights while maintaining our ability to fight the ever-changing battle against terrorism. This legislation helps accomplish this objective.”

Rep. Mark **Sanford** (R-SC): “The LIBERT-E Act will require the National Security Agency to offer a clear link between the information requested by the agency and the investigation at hand. By limiting the scope by which the government can gather information, we are protecting Americans’ Fourth Amendment rights and helping to prevent another breach of trust between citizens and their government.”

Rep. Kyrsten **Sinema** (D-AZ): “We must find the right balance between ensuring security in our nation and protecting the liberty of our citizens. This bill provides the federal government tools to detect and prevent international criminal activity while protecting Americans’ civil liberties by preventing the government from collecting private data from innocent Americans.”

Rep. Peter **Welch** (D-VT): “For those of us who oppose the Patriot Act, the recent revelations of NSA surveillance activity confirm our worst fears. Our legislation would rein in a law that has been ripe for abuse since its enactment. We must strike a better balance between protecting the American people and protecting our civil liberties, and this bill is an important first step.”

Rep. Ted **Yoho** (R-FL): “Individual liberty and government accountability are not Republican or Democratic values, they’re American values. A bill like this deserves the bipartisan support it is gaining, and I’m proud to be an original co-sponsor.”

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