



June 12, 2018

Key Vote YES on Limited Government Amendments to the National Defense Authorization Act, H.R. 5515

On behalf of FreedomWorks' activist community, I urge you to contact your Senators and urge them to vote YES on limited government amendments to the National Defense Authorization Act (NDAA), H.R. 5515. These two amendments would restore much needed congressional oversight on investment policymaking and guarantee due process of law for American citizens in accordance with the Fifth Amendment to the Constitution.

S. Amdt. 2700, offered by Sen. Pat Toomey (R-Pa.), would ensure that any major regulation handed down by the Committee on Foreign Investment in the United States (CFIUS) requires congressional approval before taking effect. CFIUS is one of the latest efforts to expand the administrative state and would give federal regulators the ability to broadly define which transactions must face intense government scrutiny. This will chill investment into U.S. businesses and our economy.

Sen. Toomey's amendment would apply the principles of the REINS Act to CFIUS to make sure Congress has a final say on these regulations. This will mean that only regulations that try to address truly predatory behavior will pass, while those that are unnecessary and anti-market will be stopped from taking effect. This was the intent of Congress when it authorized CFIUS and it should not abandon its ability to set policy in this way. Sen. Toomey's amendment gives Congress this oversight.

The amendment also increases transparency. It would require CFIUS to submit a written report detailing the facts, studies, and reports upon which it based its decision for any new regulation. This will allow businesses and consumers the opportunity to see and judge for themselves whether new regulations are in the country's best interests.

S. Amdt. 2366, offered by Sen. Mike Lee (R-Utah), would guarantee due process of law for American citizens. The Fifth Amendment provides that no American shall be "deprived of life, liberty, or property" without it. However, a section of the 2012 NDAA implicitly allows the

government to detain American citizens indefinitely, without trial. This is a blatant violation of the Constitution.

The Lee Amendment ensures that if the government wishes to making any such detention, that it have clear authorization to do so. The entire text of the Lee Amendment is consistent with the Constitution and with the prior Supreme Court cases that govern this issue. This amendment is narrow in scope, and will not hinder our counterterrorism efforts. This is merely to strengthen American citizens' constitutional protections.

FreedomWorks will count the votes for these amendments on our 2018 Congressional Scorecard and reserves the right to score votes for amendments not listed above. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes Members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Brandon', written in a cursive style.

Adam Brandon
President
FreedomWorks