



December 20, 2017

Key Vote NO on the FISA Amendments Reauthorization Act, H.R. 4478

On behalf of our activist community, I urge you to contact your representative and ask him or her to vote NO on FISA Amendments Reauthorization Act, H.R. 4478. The bill would expand warrantless surveillance under Section 702 of the Foreign Intelligence Surveillance Act (FISA), undermining Americans' Fourth Amendment protections. This vote will be double weighted on FreedomWorks' Congressional Scorecard.

The Bill of Rights is a cornerstone of our constitutional republic, and crucial to defending the civil liberties of all American citizens. FISA has caused damage to the Fourth Amendment for years, and now is a critical time to support genuine reform.

The FISA Amendments Reauthorization Act is the exact opposite of reform, and is markedly worse than current law. It expands mass, warrantless surveillance. The bill allows the government to use warrantlessly acquired, American communications against them in court even when it has nothing to do with national security. This trick ensures that the "incidental" collection of American citizens' data will increase, and the use of it against Americans will skyrocket. This is not a drafting error, but a deliberate attempt to expand the surveillance state and jam the Constitution further down the proverbial shredder in the name of some false sense of security.

Section 3 of this bill provides a path for the National Security Agency (NSA) to restart the practice of "abouts" collection. This means if you mention a potential surveillance target in a communication, the NSA can collect it, regardless of whether or not you were communicating with anyone associated with the target.

When the NSA was forced to end "abouts" collection, a judge on the Foreign Intelligence Surveillance Court (FISC) wrote that the practice raised "a very serious Fourth Amendment issue." The judge also criticized the NSA for "an institutional lack of candor."


The bill also gives the attorney general almost unilateral authority. He can justify the use of

collected data in criminal proceedings if he declares it meets certain criteria. The bill explicitly prohibits judicial review of this determination. Imagine if Eric Holder or Loretta Lynch had this power.

Proponents of this FISA Amendments Reauthorization Act also seem to fear having an honest and open debate on the topic. House Republican leadership is attempting to ram this bad bill through while few are paying attention to its draconian content.

For these reasons, I urge you to call your representative and ask him or her to vote NO on the FISA Amendments Reauthorization Act, H.R. 4478. FreedomWorks will double count the vote on our 2017 Congressional Scorecard. 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 'Adam Brandon', with a stylized flourish at the end.

Adam Brandon
President, FreedomWorks