

December 5, 2023

Re: Vote “Yes” on H.R. 6570, the Protect Liberty and End Warrantless Surveillance Act

Dear Representative:

The American Civil Liberties Union strongly urges you to support H.R. 6570, the Protect Liberty and End Warrantless Surveillance Act. This legislation would require the government to obtain a warrant before searching Section 702 databases for an American’s private communications. It also includes the Fourth Amendment is Not For Sale Act, which passed the House Judiciary Committee unanimously earlier this year. **We urge you to vote yes on this legislation.**

While the original intended purpose of Section 702 is for the government to obtain “foreign intelligence,” in practice, intelligence agencies frequently use it as domestic surveillance tool. In the last year alone, the FBI conducted over 200,000 warrantless “backdoor” searches of Americans’ communications. These backdoor searches allow law enforcement to access constitutionally protected communications that would otherwise be off-limits without a warrant.

More recently, following a FOIA lawsuit by the ACLU, the government released an opinion issued by the Foreign Intelligence Surveillance Court showing that the FBI improperly used Section 702 to spy on Black Lives Matter activists protesting George Floyd’s murder at the hands of police, on January 6th suspects, and over 19,000 donors to a congressional campaign. A recent report from the Privacy and Civil Liberties Oversight Board further found little justification for the close to 5 million U.S. person queries conducted by the FBI from 2019 to 2022.

The Protect Liberty and End Warrantless Surveillance Act would ensure that US person searches conducted under Section 702 would require the government to obtain a warrant, with exceptions built in for emergencies, consent, and certain queries relating to cybersecurity. The legislation also includes important reforms to the FISA Court and the inclusion of the Fourth Amendment Is Not For Sale Act would prevent government agencies from circumventing core constitutional protections by purchasing access to data that they would otherwise need a warrant to obtain.



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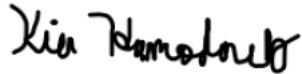
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Additionally, we urge you to support any amendments offered by the bill sponsors that would strengthen the legislation. The Protect Liberty and End Warrantless Surveillance Act is a serious reform bill and is critical to protecting Americans' Fourth Amendment Rights. **The ACLU urges you to vote yes when it comes before the House Judiciary Committee.** If you have questions, please contact Senior Federal Policy Counsel Kia Hamadanchy at khamadanchy@aclu.org or (734)-649-2929.

Sincerely,



Kia Hamadanchy
Senior Policy Counsel, Democracy & Technology



Chris Anders
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