

October 7, 2004

VIA FAX

The Honorable Bill Frist
Capitol Building S230
Washington, DC 20510

The Honorable Mitch McConnell
Capitol Building S208
Washington, DC 20510

The Honorable Tom Daschle
Capitol Building S221
Washington, DC 20510

The Honorable Harry Reid
Capitol Building S321
Washington, DC 20510

Dear Senators:

We write to raise serious concerns about a provision of S. Res. 445, the McConnell-Reid Senate Intelligence and Homeland Security Oversight Reform Proposal, that would create a new Homeland Security and Governmental Affairs Committee.

While we commend the Senate for taking strong actions to revamp congressional oversight of the Executive Branch's intelligence and homeland security functions, we strongly oppose any action to remove from the Judiciary Committee its jurisdiction over criminal law, law enforcement, domestic intelligence activities, domestic surveillance authorities, the Federal Bureau of Investigation, the Department of Justice, and investigative guidelines issued by the Attorney General. As organizations with longstanding expertise and experience in these areas, we believe it is essential at this critical time in our Nation's history that the Judiciary Committee retain its jurisdiction over these issues and ensure continuity of congressional oversight. Its members and staff have developed years of experience in these complex legal issues, which have serious implications not only for safety and security but also for civil liberties and civil rights. In particular, the Judiciary Committee's deep substantive expertise and historical role in civil liberties issues is increasingly important as government powers expand to fight terrorism.

We urge you to clarify that jurisdiction over these law enforcement and domestic intelligence issues, including oversight of the FBI and Justice Department, remain with the Senate Judiciary Committee.

Sincerely,

American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Conservative Union
American Immigration Lawyers Association
American Library Association
Bill of Rights Defense Committee
Center for American Progress
Center for Democracy and Technology

Center for National Security Studies
Citizens for Health
Cyber Privacy Project
Free Congress Foundation
Friends Committee on National Legislation (Quaker)
Human Rights Watch
National Association of Criminal Defense Lawyers
National Coalition of Mental Health Professionals and Consumers, Inc.□
People for the American Way
Private Citizen, Inc.
The Rutherford Institute