

Congress of the United States
Washington, DC 20515

May 20, 2020

The Honorable James P. McGovern
Chairman
Committee on Rules
H-312, The Capitol
Washington, DC 20515

The Honorable Tom Cole
Ranking Member
Committee on Rules
H-312, The Capitol
Washington, DC 20515

Dear Chairman McGovern and Ranking Member Cole,

We are writing to request that when the Rules Committee issues its rule for the Senate amendment to H.R. 6172, the USA Freedom Reauthorization Act of 2020, that the rule allow for consideration of the Lofgren-Davidson amendment. This amendment mirrors the language of the amendment recently offered by Senators Wyden and Daines in the Senate.

The Lofgren-Davidson amendment would prohibit the collection of Americans' internet search history and web browsing data without a warrant. Its Senate companion (Wyden-Daines) had strong, bipartisan support with 59 Senators (35 Democrats and 24 Republicans) voting to pass the amendment.

While the amendment had the support of a large bipartisan majority of the Senate, it failed to pass the 60 vote threshold required by Senate rules. However, even this substantial vote is not a full indication of the level of support of this amendment. There are at least two Senators that indicated they would have voted in favor of Wyden-Daines, had they been able to be physically present to do so.^[1]

More than just having strong bipartisan support, the Lofgren-Davidson amendment is the right policy decision for protecting the privacy of Americans. Our internet activity opens a window into the most sensitive areas of our private life. Without this prohibition, intelligence officials would potentially have access to information such as our personal health, religious practices, and political views.

Adoption of this amendment would secure a meaningful and bipartisan reform to existing powerful surveillance programs, so we ask that the committee give the House the same opportunity to vote on this reform as the Senate had.

Sincerely,


Zoe Lofgren
Member of Congress


Warren Davidson
Member of Congress

^[1] Senator Sanders was a cosponsor of Wyden-Daines (<https://www.congress.gov/amendment/116th-congress/senate-amendment/1583/cosponsors>), and Senator Murray entered a statement into the Congressional Record saying she would have voted for Wyden-Daines had she been present to do so (<https://www.congress.gov/116/crec/2020/05/18/CREC-2020-05-18.pdf>).