

**Floor Statement**  
**H.R. 3361, the USA FREEDOM Act**  
**F. James Sensenbrenner, Jr.**  
**May 22, 2014**

Mr. Speaker, I want to thank the House for bringing the USA FREEDOM Act to the floor.

I was Chairman of the Judiciary Committee on September 11, 2001. In the wake of that tragedy, the Committee passed the PATRIOT Act with unanimous, bipartisan support. The bill easily passed in both the House and Senate, and President George W. Bush signed it into law.

I believe the PATRIOT Act made America safer by enhancing the government's ability to find and stop terrorist attacks. We were also careful to maintain the civil liberties that distinguish us from our enemies.

We're here today because the government misapplied the law and upset the balance between privacy and security that we had fought to preserve.

In a feat of legal gymnastics, the Administration convinced the FISA court that, because some records in the universe of every phone call Americans made were relevant to counterterrorism, the entire universe of calls must be relevant. The decision opened the floodgates to a practice of bulk collection that Congress never intended.

Senator Leahy and I introduced the USA FREEDOM Act to end bulk collection, increase transparency, and re-establish a proper balance between privacy and security.

After months of input and negotiations—in a historic echo of its vote on the PATRIOT Act—the Judiciary Committee unanimously passed the FREEDOM Act.

The challenge we faced was to draft legislation that was tight enough to avoid abuse without infringing on the core functions of law enforcement and intelligence collection. Perfect is rarely possible in politics, and this bill is no exception.

In order to preserve core operations of the intelligence and law enforcement agencies, the Administration insisted on broadening certain authorities and lessening certain restrictions. Some of the changes raise justifiable concerns. I don't blame people for losing trust in their government, because the government violated their trust.

Let me be clear, I wish this bill did more. To my colleagues who lament changes, I agree with you. To privacy groups who are upset about lost provisions, I share your disappointment. The negotiations for this bill were intense, and we had to make compromises, but this bill still deserves support.

Don't let the perfect be the enemy of the good. Today, we have the opportunity to make a powerful statement: Congress does not support bulk collection.

The days of the NSA indiscriminately vacuuming up more data than it can store, will end with the USA FREEDOM Act. After the FREEDOM Act passes, we will have a law that expresses Congress's unambiguous intent to end bulk collection of Americans' data across all surveillance authorities.

The bill requires that, in addition to existing restrictions, the government must use a Specific Selection Term as the basis for collecting foreign intelligence information. And maybe more importantly, after this bill becomes law, we will have critical transparency provisions to ensure that, if the government again violates our trust, Congress and the public will know about it.

The FREEDOM Act gives private companies greater discretion to disclose their cooperation with the government. These disclosures give company's increased autonomy and will alert the public to the extent of data collection.

The bill also requires public notification of any FISC decision that contains a significant construction of law—expressly including interpretations of the Specific Selection Term. This is the end of secret laws. If the Administration abuses the intent of this bill, everyone will know.

This is why the FREEDOM Act will succeed. It bans bulk collection and ensures disclosure of attempts to dilute it.

Today's vote is a first step—not a final step—in our efforts to reform surveillance. It gives us the tools to ensure that Congress and the public can provide an adequate check on the government.

In a post-FREEDOM Act world, we have turned the tables on the NSA and can say to them, “We are watching you.”

I want to thank Chairman Goodlatte, Ranking Member Conyers, and Congressmen Scott and Nadler for all their hard work. I also want to thank the staff for so many long hours. I cannot overstate the amount of collective sweat and tears that my chief of staff Bart Forsyth, Caroline Lynch, Sam Ramer, Aaron Hiller, Heather Sawyer, and Joe Graupensperger put into this bill.

But most of all, I want to thank my wife. Cheryl has always been the world's loudest advocate for the preservation of civil rights. She encouraged, supported—some might say demanded—that I lead this effort. There is no question that we would not be here for this historic vote on the USA FREEDOM Act if it weren't for her.

I urge my colleagues to support the USA FREEDOM Act and I yield back the balance of my time.

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