

October 9, 2013

The Honorable Mike Thompson
US House of Representatives
231 Cannon House Office Building
Washington, DC 20515

Dear Representative Thompson,

On behalf of the undersigned organizations committed to openness and accountability, we are writing to thank you for your interest in improving oversight of the National Security Agency's (NSA) surveillance programs, and to urge you to strengthen H.R. 3103, the Intelligence Oversight and Accountability Act of 2013, by making sure the public understands how the government is interpreting the law.

H.R. 3103 improves Congressional oversight by requiring the Attorney General (AG) to share with the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence, and the House and Senate Judiciary Committees all Foreign Intelligence Surveillance Court (FISC) decisions, orders or opinions that include a denial of an Intelligence Community (IC) IC request, a modification of an IC request, or results in a change to any legal interpretation of the Foreign Intelligence Surveillance Act (FISA). This change will eliminate the AG's discretion regarding whether a FISC opinion includes a "significant construction or interpretation of the law" and therefore must be shared with the Congress.

We urge you to amend H.R.3103 to require that the AG make publicly available copies of all Foreign Intelligence Surveillance Court FISC decisions and opinions in a timely fashion, with redactions for appropriately classified material as needed. If redacted versions of the opinions cannot be made available, the AG should be required to prepare and make available summaries of the opinions. Revelations regarding the NSA's surveillance programs point to operations that are much broader and invasive than thought to be allowed under the law and add to the growing concern that applying secret interpretations of the law have undermined American's privacy and civil liberties. In order to improve understanding and help make sure these programs sufficiently protect fundamental liberties, the public also must know how the FISC is interpreting the law.

Thanks you in advance for your consideration of our request. To discuss this issue in greater detail, please contact Patrice McDermott, Executive Director of OpenTheGovernment.org at 202-332-6736 or pmcdermott@openthegovernment.org.

Sincerely,

American Association of Law Libraries

American Library Association

Californians Aware

Center for Democracy and Technology

Center for Media and Democracy

Citizens for Responsibility and Ethics in
Washington – CREW

The Constitution Project

Council on American-Islamic Relations – CAIR

Defending Dissent Foundation

Essential Information

Government Accountability Project – GAP

James Madison Project

National Coalition Against Censorship

National Security Counselors

OpenTheGovernment.org

Progressive Librarians Guild

Project On Government Oversight – POGO

Society of American Archivists

Society of Professional Journalists

cc: Chairman Mike Rodgers

Ranking Member Dutch Ruppersberger

Representative Frank LoBiondo

Representative Luis Gutierrez

Representative J. Randy Forbes

Representative Mac Thornberry

Representative Jeff Miller

Representative Mike Conaway

Representative Peter King

Representative Devin Nunes

Representative Lynn Westmoreland

Representative Michele Bachmann

Representative Thomas J Rooney

Representative Joe Heck

Representative Mike Pompeo

Representative Jan Schakowsky

Representative Jim Langevin

Representative Adam Schiff

Representative Ed Pastor

Representative Jim Himes

Representative Terri Sewell