



BOARD OF DIRECTORS AMNESTY INTERNATIONAL USA

Senate Majority Leader Harry Reid
522 Hart Senate Office Building
Washington, DC 20510

July 28, 2013

Dear Majority Leader Reid,

We have been deeply alarmed to learn of the extent of U.S. government surveillance of private communications, including those of U.S. citizens and millions more outside the U.S., regardless of whether they are suspected of terrorism or other criminal acts.

Furthermore, we are concerned that the White House and the Foreign Intelligence Surveillance Court have effectively bypassed your responsibility as elected representatives to place an effective check on what has become a 24 hour "stop-and-frisk" program on the communications of millions of people worldwide.

Our concerns about government surveillance are deep and longstanding: in July 2008, we joined a group of other organizations, lawyers and journalists represented by the American Civil Liberties Union in bringing a lawsuit to challenge the constitutionality of the Foreign Intelligence Surveillance Amendments Act of 2008. The suit was dismissed by the Supreme Court earlier this year.

We call to your attention the Fourth Amendment of the U.S. Constitution, which guarantees: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

We also note that Article 17 of the International Covenant on Civil and Political Rights, ratified by the United States in 1992, guarantees: "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation."

The impacts of the mass secret surveillance program on the rights to privacy and to freedom of expression and association cannot reasonably be argued to be necessary and proportionate to specific threats to national security, as human rights standards require. In addition, judicial "oversight" of data surveillance policies is carried out by a secret court, whose decisions cannot be challenged because no one knows what they are, when they were made, or to whom they apply.



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Under international human rights standards, the widespread and systematic human rights violations that mass secret surveillance entails should not have been secret in the first place, as information concerning serious violations of international human rights or humanitarian law must always be disclosed.

Therefore, we, the Board of Directors of Amnesty International USA, write to urge you to consider the following:

- A. Amending the Foreign Intelligence Surveillance Act to strike a new balance between security and human rights to ensure respect for the right to privacy.
- B. Expanding the scope of Congressional oversight, including by holding annual public hearings, to ensure that more than a tiny minority of members have knowledge about surveillance activities of the government.
- C. Demanding annual transparency reporting by the government, including the number of requests made by specific national security authorities for specific types of data, and the number of individuals affected by each.
- D. Creating mechanisms to allow for investigation of abuses, prosecution and redress for affected individuals and communities.

Thank you for your consideration.

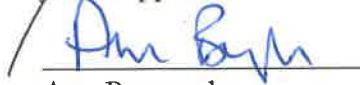
Sincerely,



Govind Acharya



Jan Knippers Black



Ann Burroughs



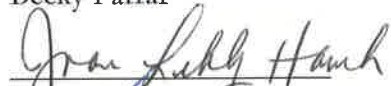
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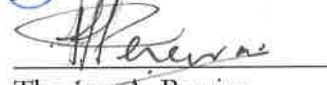
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