

**Assembly Joint Resolution**

**No. 27**

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**Introduced by Assembly Member Donnelly**  
**(Coauthors: Assembly Members Allen, Harkey, Jones, Mansoor,**  
**Olsen, and Wilk)**  
(Coauthor: Senator Anderson)

July 2, 2013

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Assembly Joint Resolution No. 27—Relative to privacy.

LEGISLATIVE COUNSEL'S DIGEST

AJR 27, as introduced, Donnelly. Limiting Internet and Blanket Electronic Review of Telecommunications and Email Act.

This measure would urge Congress to pass and the President to sign into law the Limiting Internet and Blanket Electronic Review of Telecommunications and Email Act (LIBERT-E Act), and ensure that the American people are protected from massive invasions of their privacy.

Fiscal committee: no.

1 WHEREAS, Representative Justin Amash, Chairman of the  
2 House Liberty Caucus, and Representative John Conyers, Jr., the  
3 Ranking Member on the House Judiciary Committee, announced  
4 the introduction of bipartisan legislation to address National  
5 Security Agency (NSA) surveillance; and  
6 WHEREAS, House Resolution 2399, the Limiting Internet and  
7 Blanket Electronic Review of Telecommunications and Email Act  
8 (LIBERT-E Act), restricts the federal government's ability under  
9 the Patriot Act to collect information on Americans who are not  
10 connected to an ongoing investigation. The bill also requires that

1 secret Foreign Intelligence Surveillance Act (FISA) court opinions  
2 be made available to Congress and summaries of the opinions be  
3 made available to the public; and

4 WHEREAS, A coalition of 32 Members of Congress joined  
5 Representatives Conyers and Amash in introducing the bill late  
6 Monday, June 17, 2013; and

7 WHEREAS, In a statement, Representatives Conyers and Amash  
8 stated: “The recent NSA leaks indicate that the federal government  
9 collects phone records and intercepts electronic communications  
10 on a scale previously unknown to most Americans. The LIBERT-E  
11 Act imposes reasonable limits on the federal government’s  
12 surveillance”; and

13 WHEREAS, Representatives Conyers and Amash also stated:  
14 “[The LIBERT-E Act] also makes sure that innocent Americans’  
15 information isn’t needlessly swept up into a government database”;  
16 and

17 WHEREAS, Thirty-two Representatives from both sides of the  
18 aisle cosponsored the LIBERT-E Act; and

19 WHEREAS, Representative Judy Chu of California stated:  
20 “Oversight conducted in secret defeats its purpose. Congress should  
21 be able to have an open dialogue with the American people on  
22 how our surveillance programs impact individual privacy. That’s  
23 why I support the release of unclassified reports by the  
24 Administration on how FISA powers are used. We must protect  
25 our national security operations, but we need to strike a balance  
26 between clandestine efforts and transparency in our society”; and

27 WHEREAS, Representative Barbara Lee of California stated:  
28 “The right to privacy in this country is non-negotiable. While I  
29 believe that national security is essential, we must protect our most  
30 basic civil liberties and move forward in a way that does not  
31 sacrifice our American values and freedoms. I’m proud to be an  
32 original co-sponsor of this bill, which ensures that we keep a better  
33 balance between our privacy and our national security by limiting  
34 the scope of records that can be handed over and by re-establishing  
35 and strengthening Congress’ vital role of accountability and  
36 oversight of this issue”; and

37 WHEREAS, Representative Zoe Lofgren of California stated:  
38 “Increasingly it seems surveillance laws are used in ways that do  
39 not always respect Americans’ Constitutional rights for privacy  
40 or provide adequate transparency to ensure the government is

1 acting appropriately. The revelations that these laws that should  
2 be targeting threats to our country have also been quietly used to  
3 collect millions of Americans’ personal information justifies the  
4 public’s apprehension about government abuse of surveillance  
5 powers. The LIBERT-E Act raises the standards needed to obtain  
6 personal information in national security investigations, prevents  
7 dragnets, and requires greater transparency on how agencies are  
8 using the surveillance powers Congress grants them”; and

9 WHEREAS, Representative Tom McClintock, also of California,  
10 stated: “A free society does not depend on a police state that tracks  
11 the behavior of every citizen for its security. A free society depends  
12 instead on principles of law that protect liberty while meting out  
13 stern punishment to those who abuse it”; and

14 WHEREAS, The LIBERT-E Act enjoys bipartisan efforts from  
15 hundreds of groups like the Electronic Frontier Foundation, the  
16 American Civil Liberties Union, and the Republican Liberty  
17 Caucus urging constituents to demand support from their  
18 representatives; now, therefore, be it

19 *Resolved by the Assembly and the Senate of the State of*  
20 *California, jointly*, That the Legislature urges Congress to pass  
21 and the President to sign into law the Limiting Internet and Blanket  
22 Electronic Review of Telecommunications and Email Act, and  
23 ensure that the American people are protected from massive  
24 invasions of their privacy; and be it further

25 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
26 of this resolution to the President and Vice President of the United  
27 States, to the Speaker of the House of Representatives, to the  
28 Minority Leader of the House of Representatives, to the Majority  
29 Leader of the Senate, to the Minority Leader of the Senate, and to  
30 each Senator and Representative from California in the Congress  
31 of the United States, and to the author for appropriate distribution.

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