

**Statement of Senator Patrick Leahy (D-Vt.),  
Ranking Member, Senate Judiciary Committee,  
On Cloture on the USA FREEDOM Act of 2015  
June 2, 2015**

On Sunday night, with only a few hours before the sunset of Section 215 and the other two expiring FISA authorities, Republican leadership in the Senate finally agreed to begin debate on the USA FREEDOM Act.

For nearly two years, I have been working on a bipartisan basis with members in both the Senate and the House to address these matters. As Chairman of the Senate Judiciary Committee last Congress, I convened six public hearings to examine the NSA's bulk collection program and consider reforms to Section 215 and other surveillance authorities. In October 2013, I introduced the original USA FREEDOM Act with Congressman Jim Sensenbrenner, Senator Lee, and others. We introduced an updated version of the USA FREEDOM Act in 2014 and pushed for the Senate to pass that bill last November, months before Sunday's expiration date. The American people were demanding meaningful reforms, but the intelligence community also needed operational certainty.

We all knew that Section 215, the roving wiretap authority, and the lone wolf provision would expire on June 1. That is why I started working months ago with members of Congress from both parties and both chambers to forge a compromise that protects both Americans' privacy and our national security. We were able to reach agreement on a bill that certainly does not go as far as I would like, but that definitively ends the NSA's bulk collection of phone records, improves transparency and accountability, and includes other important reforms. Our bill – the USA FREEDOM Act of 2015 – is a carefully crafted bill that has now earned the support of the intelligence community, privacy and civil liberties groups, librarians, the tech industry, and a bipartisan super-majority of the Republican-led House of Representatives. Our bill represents significant progress toward real surveillance reform.

Unfortunately, the Republican leadership in the Senate has tried to block this progress at every turn. They blocked the Senate from debating the USA FREEDOM Act last November. They again blocked the Senate from debating the bill two weeks ago, despite knowing full well that failure to swiftly consider the House-passed bill would lead to expiration of these critical surveillance authorities. This brinkmanship is not a responsible way to govern.

The expiration of the PATRIOT Act provisions on Sunday night was entirely avoidable, and the unfortunate consequence of a manufactured crisis. The Senate must now act responsibly and swiftly. It is time to pass the USA FREEDOM Act, which would restore the expired provisions and add much needed improvements and reforms.

I hope that we will invoke cloture, and then quickly dispense with any germane amendments so that we can move to passage of the bill. The House passed the USA FREEDOM Act almost three weeks ago by an overwhelming 338 to 88 vote. Senator Lee and I sought an open amendment process in the Senate, but we were blocked. Now, we simply do not have any time

to spare. The Senate must pass this bill without any amendments so that the President can sign it into law immediately and restore these expired provisions today.

A vote for any amendment is a vote to prolong the expiration of the surveillance authorities that ended on Sunday. If the Senate changes the underlying bill in any way, it must go back to the House for its consideration, and there are no guarantees that it will pass the new bill. In fact, Chairman Goodlatte of the House Judiciary Committee, Ranking Member Conyers, Congressman Sensenbrenner, and Congressman Nadler warned that “[t]he House is not likely to accept the changes proposed by Senator McConnell. Section 215 has already expired. These amendments will likely make that sunset permanent.”

Let us have no more unnecessary delay or political brinksmanship. It is time to do our jobs for the American people – to protect their privacy and maintain our national security. Now is not the time to seek unnecessary changes to this bill. If Senators believe that the Senate should consider some of these changes, we can *consider them after* we pass the USA FREEDOM Act.

I urge Senators to vote for cloture because we need to move forward. We cannot afford to waste any more time. The USA FREEDOM Act includes important reforms, and we need to give the intelligence community the tools they need to keep us safe. That means we must pass the USA FREEDOM Act without change and without any more unnecessary delay.

#####