

February 16, 2024

The Honorable Mike Turner
Capitol Visitor Center, HVC-304
US Capitol Building
Washington, DC 20515-6415

Mr. Turner,

We write to demand your resignation as Chairman of the House Permanent Select Committee on Intelligence because of your February 14, 2024, actions related to “a serious national security threat.”¹ In broadcasting and drawing attention to this information, you, with Ranking Member Himes, described it as “an urgent matter” regarding a “destabilizing foreign military capability that should be known by all Congressional Policy Makers.”

In fact, it appears you exploited your privileged access to intelligence to scare your colleagues in an effort to undermine reform of warrantless surveillance laws — and in so doing have undermined your credibility, your committee, and national security. This further appears to have been the beginning of a bad faith effort to force House leadership to jam reauthorization of controversial Foreign Intelligence Surveillance Act (FISA) powers into upcoming must-pass legislation.

Your effort to manipulate your colleagues and House process around critical votes on reforming FISA was initially both alarming and confusing, reportedly leading to a panic on Capitol Hill. We’ve since learned that this “medium-to-long run” threat, as Ranking Member Jim Himes called it, while important, is not an immediate cause for alarm.² Ranking Member Himes went so far as to say the threat was “not going to ruin your Thursday.” The Senate Select Committee on Intelligence, meanwhile, released a statement warning against “potentially disclosing sources and methods,”³ which your actions reportedly risked.

Reporting by *The New York Times* notes that there may be negative consequences that extend beyond the near-panic and confusion that your actions caused: “[T]he statement infuriated White House officials, who feared the loss of important sources of information on Russia.”⁴ The loss of sources of information on Russia, particularly if those sources relate to human intelligence, could

¹ <https://twitter.com/houseintel/status/1757805804885823775>

² <https://thehill.com/homenews/house/4468159-speaker-johnson-on-national-security-threat-there-is-no-need-for-public-alarm/>

³

<https://www.warner.senate.gov/public/index.cfm/2024/2/joint-statement-of-senate-intel-chairman-mark-r-warner-and-vice-chair-marco-rubio-on-intelligence-matter>

⁴ <https://www.nytimes.com/2024/02/14/us/politics/intelligence-russia-nuclear.html>

have serious effects considering the ongoing war in Ukraine and potential threats to NATO member states.

The *Times* reporting further makes clear that your efforts to stoke fear about this information seriously undermined its secrecy and, it seems, national security. This includes the inaccurate description of classified information, your broadcasting of that, your public calls on the Biden administration about it, your decision to take “the unorthodox move of voting on Monday to make the information available to all members of Congress,” and the rushed nature of each of these steps — so rushed, in fact, it puts on public display your real intentions.

It is impossible to avoid the fact that your disclosure coincided with consideration of the reauthorization of Title VII of the Foreign Intelligence Surveillance Act, or “Section 702,” votes on which were expected Thursday — the day after the House Intelligence Committee made the information available to all members.

As you are aware, we support legislation that reauthorizes and reforms FISA’s controversial Section 702, namely the Protect Liberty and End Warrantless Surveillance Act, H.R. 6570, as well as amendments to the base text of the Reforming Intelligence and Securing America Act, H.R. 7320. The proposals we support would end warrantless surveillance of Americans, prohibit federal agencies from circumventing the Supreme Court’s decision in *Carpenter v. United States* (2018) by purchasing Americans’ data from third-party brokers, and strengthen the *amici curiae* of the Foreign Intelligence Surveillance Court. You have, also falsely, said that these amount to an evisceration of the surveillance authorities they — in fact — reauthorize.

We are aware that you are in the midst of an effort to force House leadership to include FISA in a must-pass bill, which would deprive your colleagues of the chance to vote for critical and overwhelmingly popular privacy protections. We will work with our allies in Congress to prevent that from happening. We demand votes on these reforms to warrantless surveillance — a long-overdue debate you have wrongfully wielded your chairmanship to deny your colleagues and the American people.

In the meantime, Mr. Turner, you must resign from your role as Chairman of the House Permanent Select Committee on Intelligence. The damage you have done to the United States’ methods of intelligence collection may have caused serious harm. Moreover, the near-panic you caused by exploiting this potential future threat for immediate political gain is beneath a Member of Congress, and in particular the committee you currently lead, which was formed to rein in — not be a mouthpiece for — warrantless domestic spying. This week is the culmination of months of bad-faith tactics that collectively demonstrate you should not continue as Chairman.

We are transmitting a copy of this letter to House Speaker Mike Johnson. In the event that you refuse to resign your chairmanship, we are urging Speaker Johnson to remove you under Rule I, Clause 11 of the *Rules of the House of Representatives for the One Hundred Eighteenth Congress*.

Sincerely,

Adam Brandon, President
FreedomWorks

Jason Pye, Director, Rule of Law Initiatives
Due Process Institute

cc: The Honorable Mike Johnson

Sean Vitka, Policy Director
Demand Progress

Alex Marthews, National Chair
Restore the Fourth