

Congress of the United States
Washington, DC 20515

September 23, 2020

The Honorable Joseph V. Cuffari,
Inspector General
Department of Homeland Security
245 Murray Lane, S.W.
Washington, D.C. 20528

Mr. Thomas A. Monheim, Acting Inspector
General of the Intelligence Community
Office of the Director of National
Intelligence
Washington, D.C. 20511

The Honorable Michael E. Horowitz,
Inspector General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Inspector General Cuffari, Inspector General Horowitz, and Acting Inspector
General Monheim,

We are extremely troubled by recent press reports alleging that elements of the
Department of Homeland Security (DHS) and the Department of Justice (DOJ)
wiretapped cell phone communications of protesters in Portland, Oregon. If these
allegations are true, they are an affront to our civil liberties and potentially federal law.
We ask that the three offices you lead jointly investigate these allegations immediately
and expeditiously.

On September 21, 2020, an investigation published in *The Nation* titled “Federal
Agencies Tapped Protesters’ Phones in Portland” reported several alarming allegations.
The article reports that “DHS never came clean to the public about the full extent of its
intelligence operations in Portland, which consisted of clandestine activities including
interceptions of protesters’ phone calls conducted by a task force...” The article goes on
to state that the interagency task force, which included DHS and DOJ, “used a
sophisticated cell phone cloning attack—the details of which remain classified—to
intercept protesters’ phone communications.” The intelligence activities are described as
being part of the Low Level Voice Intercept operation, which was “far more invasive
than aerial surveillance.” The article says a DHS official used resources of the Drug
Enforcement Agency, an agency within DOJ, to access protesters’ phones.

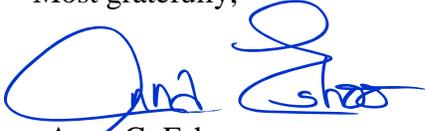
These are highly troubling allegations that, if true, could prove to be violations of law.
The article reports that two unnamed intelligence officers “agreed that it had violated
protocol,” and one of those officers was quoted as saying, “They were abusing people’s
rights.”

Americans have a constitutionally protected right to peacefully protest actions of their
government, and any efforts to thwart protests by the government is potentially

unconstitutional. We ask you to jointly investigate if the alleged surveillance violates the Constitution, federal law, Executive Orders, or departmental policies limiting electronic surveillance, or any other collection of information about U.S. persons.

We look forward to your timely response.

Most gratefully,



Anna G. Eshoo
Member of Congress



Bobby L. Rush
Member of Congress