

## Exclusive: Stop the NSA while we still can

By Rand Paul, Matt Kibbe and Ken Cuccinelli

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**Editor's note:** Rand Paul is a Republican senator representing Kentucky. Matt Kibbe is president and CEO of FreedomWorks. Ken Cuccinelli is former attorney general of Virginia and a former Republican candidate for governor. Paul will be on [Erin Burnett Out Front](#) Wednesday night at 7 p.m. ET .

**(CNN)** -- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

This is the beginning of the Fourth Amendment to the U.S. Constitution, and defines one of the most important rights we have against a potentially tyrannical government.

Throughout history, governments have used the confiscation of private property, as well as bullying and surveillance techniques, to keep populations under control and maintain a continuous threat against those who would dare criticize them.

The explicit enshrinement of the right to be left alone is one of the crucial features that has defined America as such a unique and moral nation.

### [Rand Paul to sue Obama administration over NSA](#)

In recent years, however, this right, like so many others, has come under attack by the overzealous powers that be in Washington, eager to sacrifice liberty in the name of security, and using fear as a weapon to make us forget the importance of being free.

In 2013, the revelation that the National Security Agency was collecting and storing the metadata from the phone calls and e-mails of millions of American citizens -- without any suspicion of criminal activity -- served as a striking wake-up call for the country.

Americans do not like to think of their government as some Orwellian leviathan, engaging in surveillance tactics that we only expect to see in oppressive autocracies. That such surveillance could be going on in what is ostensibly the freest nation in the world is a chilling thought indeed.

Since 2006, the NSA has been spying on us, treating American citizens as no more than common criminals, casting suspicion on honest people with not even a whisper of criminal activity about them. These are not the actions befitting a country that was once held up as a paragon of freedom and a model for the rest of the world.

### [Online, live protests target NSA surveillance](#)

We are told that these intrusive and unconstitutional measures are necessary to protect us from the forces of international terrorism. We are told that a surrender of our privacy rights is a small price to pay for the knowledge that we can sleep safe and secure in our beds.



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*NSA surveillance revelations*

We reject this premise. We are committed to a safe America, but we do not accept the notion that a surveillance state is necessary to safeguard the



*Boss: Snowden worst spy in U.S. history*

lives and liberty of American citizens.

These assurances of the necessity to give up a little privacy for the sake of safety are made all the less convincing by the fact that, after more than seven years, the NSA has been unable to provide any evidence that the collection of telephone metadata from Americans has led to the prevention of even a single terrorist attack.

There can be no justification for the preservation of a domestic surveillance program that has utterly failed in its stated goals.

In addition to the NSA's privacy violations, the existence of government spying serves as a significant obstacle toward citizens exercising their First Amendment rights to free speech.

We have already seen government agencies like the IRS specifically target law-abiding citizens for their political views. The willingness of ordinary people to criticize the government will be greatly compromised by being under the constant, watchful eye of the government, and anyone deemed guilty of suspicious activity may consider an audit the least of their worries.

For all these reasons, we have elected to file a class action suit on behalf of all Americans whose rights have been violated by the NSA's unconstitutional spying programs.

We are requesting a ruling confirming that the blanket collection of Americans' telephone metadata without reasonable cause violates the Fourth Amendment of the U.S. Constitution, and requiring that these programs be halted immediately and that all previously collected data be purged from government databases.

It's time to hold government officials accountable for their habitual trampling on the Constitution and on our rights as individuals. Our case will be an important step down the road of restoring our Constitution and reining in our own overreaching federal government.

The opinions expressed in this commentary are solely those of Sen. Rand Paul, Matt Kibbe and Ken Cuccinelli.