

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

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Review Group Recommendations May Not Cure Bulk Collection of Phone Records, TCP Says

WASHINGTON, D.C. -- Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog, offered the following comments about today's release of a report from the Review Group on Intelligence and Communications Technologies, the five-person panel appointed by President Obama to examine the surveillance programs of the National Security Agency (NSA):

"On first examination, the review group's recommendations may not cure the problem of over-collection of Americans' phone records. We welcome their conclusion that there is no justification for allowing the government to engage in the bulk collection of telephone and internet metadata, a practice that federal district Judge Richard Leon recently ruled constitutes a search within the Fourth Amendment's protections. But it is less clear that private providers holding the same data would be anything more than bulk collection by proxy, a process that could expose massive amounts of private information to the prying eyes of government agencies beyond just the NSA. While many of the recommendations of the review group are worthy of further public discussion and presidential action, we urge Congress not to slow down consideration of the USA FREEDOM Act, legislation aimed at definitively ending bulk collection."

The review group examined a number of surveillance programs conducted by the National Security Agency in the aftermath of the public outcry resulting from the disclosure of documents released by former NSA contractor Edward Snowden earlier this year. The report offers 46 recommendations, many of them providing significant changes in the way in which the agency currently operates, but President Obama is free to accept, reject or modify any of the panel's ideas.

Sloan said her group would have further comments once it has had time to fully consider the 300-page report. She noted the independent Privacy and Civil Liberties Oversight Board will issue a report on many of the same issues early next year.

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[About The Constitution Project](#)

Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.

