

# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

FOR IMMEDIATE RELEASE - May 22, 2014

Contact: Katherine Stern, Senior Counsel, (202)580-6928 [o] or (202) 277-2276 [c], [kstern@constitutionproject.org](mailto:kstern@constitutionproject.org); Sarah McLean, Communications Coordinator, (202) 580-6925 [o] or (304) 561-5473 [c], [smclean@constitutionproject.org](mailto:smclean@constitutionproject.org)

## **TCP Urges Surveillance Reformers to Stay in the Game**

*Sloan: House proposal to end bulk collection still needs improvement in the Senate*

WASHINGTON, D.C. -- Today, the House passed a new version of the USA FREEDOM Act, bipartisan legislation originally introduced in both houses by Senator Patrick Leahy (D-Vt.) and Representative James Sensenbrenner (R-Wisc.) that seeks to end the NSA's bulk collection of U.S. phone data and reduce the NSA's overbroad surveillance of private data through other programs.

"This is Congress's first decisive step towards ending the government's mass domestic spying program," said Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog group. While the new bill has been stripped of many provisions that The Constitution Project supports, Sloan still hopes to see improvements on transparency and judicial oversight and more clear limits on the scope of surveillance when the Senate Judiciary Committee revisits the legislation next month.

"We applaud the House leaders who worked hard to bring this bill to the floor," Sloan said. "We strongly urge the Senate to stay in the game and work for additional improvements."

The Constitution Project supports a strengthened USA FREEDOM Act that would:

- Set clearer limits on the NSA's authority to collect domestic business records under Section 215 of the PATRIOT Act;
- Close the loopholes in Section 702 of the 2008 FISA Amendments Act that permit reverse targeting, "about" (or subject matter) targeting, and warrantless searches of domestic phone call and email content;
- Increase NSA reporting to Congress and the public, and allow telecom and Internet companies to report numbers of surveillance orders received and persons affected;
- Empower a security-cleared special advocate to represent the public interest before the secret FISA Court.

In a [letter](#) delivered to Congressional leaders on November 21, 2013, The Constitution Project joined a broad coalition of civil society organizations, trade associations and tech companies that welcomed the introduction of the USA FREEDOM Act and opposed competing legislation to codify

sweeping bulk collection activity. TCP [endorsed](#) the legislation when it was first introduced.

Earlier this month, TCP joined [OpentheGovernment.org](#) and the Project On Government Oversight in calling for public reporting requirements and better public representation before the FISC. Senate Judiciary Committee Chairman [Leahy](#) says he will work to restore important protections stripped from the bill.

# # #

#### [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.*