



# End the NSA's Illegal Spying

## What's Going On?

Recent documents have joined the mounting pile of evidence that the National Security Agency is conducting widespread, untargeted, domestic surveillance on millions of innocent Americans. We know:



- The NSA is obtaining the telephone records of *every* customer of companies like Verizon —every call made, the time of the call, the duration of the call, and other "identifying information" for the phone and call, based on an outrageous interpretation of the PATRIOT Act.
- The NSA obtains emails, videos, and other content from major Internet companies like Google, Microsoft, and Yahoo based on a guess by NSA analysts that the "target" is a foreigner talking to people inside the United States, based on an outrageous interpretation of the FISA Amendments Act.
- The NSA is tapping into Internet and other communications of Americans on the fiber optic cables that underlie the Internet.
- The NSA has committed extensive widespread abuse of the spying programs by both tracking innocent Americans' phone calls and surveilling private emails.
- The secret surveillance court that is supposed to oversee the spying, the Foreign Intelligence Surveillance Court, has admitted it is unable to fully do so.

## What We Want

- A full, independent, public Congressional investigation into the NSA's powers and practices
- Release of all the secret legal decisions made by Foreign Intelligence Surveillance Court and memos by the DOJ about this and any other surveillance of ordinary people by the NSA
- Release any reports, such as Inspector General reports, about the necessity of programs and the auditing and oversight of all NSA programs
- Public courts to determine the legality and constitutionality of all NSA programs

## Legislative Reform: Fixing the PATRIOT Act and the FISA Amendments Act

In light of the leaks, it's time to roll back the PATRIOT Act and FISA and reinstitute protections for Americans' communications. This includes:

- Stop dragnet surveillance - no bulk collection of Americans communications or records, no open access to Internet datastreams and serious consequences for any violation
- Any collection of Americans communications or records should require a probable cause warrant
- Purge all Americans' information from NSA databases

*(Continued on reverse)*

## Litigation to Stop the Spying

EFF has been suing the government to stop the NSA spying since 2008:

- ***Jewel v. NSA***: Filed in 2008, EFF sued on behalf of AT&T customers to stop the illegal unconstitutional and ongoing dragnet surveillance of their communications and records.
- ***First Unitarian Church v. NSA***: Filed in 2013, the plaintiffs are organizations that communicate to bring people together to work to change policy or law or culture, highlighting one of the most important ways that the government collection of telephone records is unconstitutional: it violates the First Amendment right of association
- ***EFF v. Department of Justice***: EFF's Freedom of Information cases seek the government's secret interpretations of the law. Already we've uncovered a secret FISA court opinion holding aspects of the NSA spying unconstitutional.

## Here's what you can do

### Is the NSA recruiting on your campus?

The National Security Agency often drafts students to join the intelligence community by holding campus visits and recruiting events. This is a perfect opportunity to ask necessary, tough questions about illegal surveillance and the constitutionality of their actions.

- **See if the NSA is hosting a recruiting event on your campus in the near future:**  
[http://www.nsa.gov/applications/careers/recruit\\_events/](http://www.nsa.gov/applications/careers/recruit_events/)
- **Attend the event and respectfully ask questions:**
  - Do you think mass surveillance is constitutional?
  - If I join the NSA, will I be spying on Americans?
  - What about the massive phone records database of every American phone call? This has been widely reported on and admitted to by the government.
  - If I join the NSA, will I have the ability to use the computer program that can search databases for Americans' emails or other communications?
  - Do you feel like the NSA should be spying on millions of ordinary people around the world alongside spying on terrorists?
  - How does it not violate the Fourth Amendment to search Americans' emails without a warrant?
  - How are we supposed to have an honest debate about the ethics and constitutionality of NSA surveillance if we're not allowed to know what goes on?
  - Both Congress and the Foreign Intelligence Surveillance Court have claimed not to be able to provide proper oversight over your actions. What sort of oversight is there, then?

### Tell Congress to stop bulk surveillance

The National Security Agency's surveillance apparatus represents a stunning abuse of our basic rights. Demand Congress to reveal the full extent of the NSA's spying programs.

You can make your voice heard at <https://eff.org/fight-nsa>

Learn more at <https://www.eff.org/nsa>

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