



DUE PROCESS

INSTITUTE

Reforming the Foreign Intelligence Surveillance Act

Over 18 years ago, our elected leaders in Washington hastily adopted the PATRIOT Act as a good-faith response to the horrific events occurring on 9/11. This legislation continues to serve as one of the biggest threats to Americans' Constitutional rights and has been used to justify some of the worst privacy abuses in our nation's history.

In 2018 alone, the National Security Agency (NSA) collected information on over 434 million calls made from 19 million different phone numbers in its unreasonably broad investigation of only 11 individuals suspected of terrorist activities.

At the **Due Process Institute**, we believe that privacy and security are not antithetical. Congress should restore reasonable safeguards that protect American citizens without undermining national security.

Among other positive changes, Congress should ensure any legislation includes the following changes to FISA:

- Strengthen the protections for sensitive location information established by the Supreme Court's recent decision in *Carpenter v. United States*.
- Establish a basic warrant requirement for government collection of cell phone GPS data, internet history, and search engine history.
- Prohibit federal agencies from creating "parallel" investigations merely as a mechanism to protect evidence collected in a manner that, in fact, violated federal law or the Constitution.
- Explicitly end the statutory authority for unreasonably broad collection of phone records by the NSA's Section 215 Call Detail Records program.
- Empower the Department of Justice to investigate any potential infringements upon an individual's First Amendment rights through federal surveillance programs.
- Adopt provisions that improve transparency, Congressional oversight, and establish uniform standards across federal agencies.

We are proud to join an incredibly broad bipartisan coalition of organizations that support these important reforms as a positive step towards a future where every American's right to privacy is protected and assured by our government.

For more information, please do not hesitate to contact **Jeremiah Mosteller** at Jeremiah@iDueProcess.com or (202) 558-6715.