

*A conference on the implications of government spying*

# Leading Journalists and Policymakers Examine NSA Surveillance and Reform

Since June, news reports based on documents leaked by former National Security Agency (NSA) contractor Edward Snowden have uncovered the depth and breadth of NSA surveillance activities. The NSA scandal's many dimensions—from mass domestic surveillance of telephone call information to the alleged access of the Internet's backbone—reveal a scale of government overcollection that might have sounded like science fiction a decade ago.

In October the Cato Institute convened the most in-depth conference any organization has held on NSA spying on U.S. citizens. Entitled “NSA Surveillance: What We Know; What to Do about It,” the day-long event featured experts analyzing the reporting challenges, legal issues, technology concerns, and business dimensions of these programs.

Panelists included journalists, lawyers, businessmen, and top academics across several fields—however, the discussion reached its peak during the day's keynote addresses, during which several prominent members of Congress spoke out against government overreach.

Sen. Ron Wyden (D-OR) addressed what constitutes real intelligence reform—those surveillance improvements that “aren't just skin deep.” He noted in particular ending the bulk collection of Americans' records, closing the back-door search loophole that allows those communications to be reviewed without a warrant, making the FISA courts operate more like “a court that's worthy of our wonderful country,” and expanding the ability of our citizens “to have their grievances heard in federal court.”

In his afternoon address, Rep. Justin Amash (R-MI) spoke on the flawed legal reasoning behind the NSA's actions. Section 215 of the Patriot Act, he noted, allows the gov-



This October, the Cato Institute held an all-day conference on NSA surveillance, which included (top) CHARLIE SAVAGE of the *New York Times* and SIOBHAN GORMAN of the *Wall Street Journal* on the implications of these activities from a press perspective; (bottom left) REP. JUSTIN AMASH (R-MI) on what Congress is doing to address the issue; and (bottom right) SEN. RON WYDEN (D-OR) on his work crafting the first comprehensive, bipartisan reform bill since the June disclosures.

ernment to obtain any “tangible thing” that is considered “relevant to an authorized investigation.” “But instead of collecting tangible things on people who are actually under suspicion, they were collecting the phone records and, as we learned, the email records of every person in the country—which of course is an astonishing expansion of the word ‘relevance.’”

Finally, Rep. F. James Sensenbrenner (R-WI) capped off the day as one of the fiercest critics of how the NSA has used its authority in ways that Congress did not intend. One of the key authors of the Patriot Act, he discussed his plans to champion legislation to ensure that the agency has the tools it needs to

pursue threats without endangering civil liberties. “I believed then and now that we can defend our country and our liberty at the same time,” Sensenbrenner said.

The Cato Institute has long been at the forefront of issues that emerge from the busy intersection of technology and privacy. “In my view, a good way to measure the credibility of scholars and thinkers in Washington is by watching to see whether they can stay true to their views, regardless of the impact those views have on partisan politics,” Wyden said. “That's why Cato scholars like Jim Harper and Julian Sanchez are the go-to leaders—the people we look to—on these issues of security and liberty.” ■