

End the NSA's Illegal spying

WHAT'S GOING ON?



EFF One-Pager
Revised 7.1.19

Learn more:
eff.org/nsa-spying

Support our work:
eff.org/donate

The National Security Agency is conducting widespread, untargeted surveillance on millions of ordinary Americans. Through a combination of whistleblowing, leaks, and successful transparency litigation, since 2013, our knowledge of NSA's spying programs has grown exponentially. We now know the NSA's spying programs and operations include:

- ***PRISM (aka Downstream)***: The NSA obtains emails, videos, and other content from major Internet companies like Google, Microsoft, and Yahoo. Although this type of surveillance must “target” those outside the United States, the NSA and other government agencies sweep up vast amounts of Americans’ communications in the process—all without a warrant.
- ***Upstream***: The NSA taps into the fiber-optic backbone of the nation’s largest Internet Service Providers and copies, scans, and searching vast amounts of domestic and international Internet traffic—all without a warrant.
- ***Tailored Access Operations***: The NSA has implanted malware on thousands—potentially even millions—of computers located around the world. Recently, some of these tools have been publicly leaked, leading to widespread ransomware attacks based on this malware.
- ***Backdoors to encryption standards***: The NSA has attempted to engineer and implanted backdoors into encryption standards and other products and services, and continues to advocate for unfettered access to encrypted data.

What we want

We're fighting in Congress and the courts to require:

- An end to untargeted, mass surveillance and programs that undermine Internet security.
- A comprehensive, independent, public investigation into the NSA's powers and practices.
- The release of all secret legal decisions of the Foreign Intelligence Surveillance Court, memos by the DOJ, Inspector General Reports, and any other reports about the legality, necessity, and effectiveness of all NSA programs.
- The public courts to determine the legality and constitutionality of all NSA programs.
- Surveillance by the United States to comport with international human rights law.

Legislative Reform

In 2015, we helped pass the **USA Freedom Act**, which marked the first time in more than thirty years that Congress passed a bill increasing restrictions on and oversight of the NSA's surveillance powers. The legislation wasn't everything that EFF wanted, but it marks a first step toward reforming NSA surveillance. In 2019, Congress will vote on whether to reauthorize Section 215 of the Patriot Act, which the NSA used to collect millions of Americans' telephone records. Unless Congress eliminates the call detail record program, we will urge Congress not to renew Section 215.

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.
- *EFF v. Dep't of Justice*: EFF has sued the Department of Justice four different times over access to significant rulings of the secretive Foreign Intelligence Surveillance Court — the federal court that authorizes and oversees many of the government's surveillance programs. These lawsuits have led to the disclosure of thousands of pages of once-secret court opinions and have provided important insights into the government's surveillance operations, the legal interpretations the government has relied on, and the workings of the secret court.

**The Electronic Frontier Foundation is the leading nonprofit
defending digital privacy, free speech, and innovation.**

<https://eff.org>