

June 5, 2014

The Honorable Claire McCaskill
United States Senate
506 Hart Senate Office Building
Washington D.C. 20510

Dear Senator McCaskill:

This letter is to express appreciation to you for your leadership on accountability reforms of Intelligence Community (IC) abuses of authority and breakdowns in effectiveness by introducing the bipartisan NSA Internal Watchdog Act, with original co-sponsors Senators Dan Coats (R-IN), Barbara Mikulski (D-MD) and Jon Tester (D-MT). We are also pleased by the House of Representatives bipartisan companion bill, H.R. 4533, which was introduced by Representatives Jim Cooper (D-TN), Lamar Smith (R-TX), and Jim Himes (D-CT). The NSA Internal Watchdog Act will provide much-needed reforms for more oversight and accountability at the troubled National Security Agency (NSA).

The Make it Safe Coalition is a national network of more than 50 organizations that seek stronger rights for whistleblowers, those employees who challenge waste, fraud, and abuse that betray the public trust. Whistleblowers supported by our coalition consistently have raised concerns about the cost and effectiveness of NSA programs, as well as the expansive domestic surveillance activities which have threatened our constitutional rights. Lack of independent oversight greatly contributed to these and other abuses at the NSA. Your proposed reforms would help to put into place a watchdog with more independence and authority, and would facilitate greater protections for NSA whistleblowers.

In particular, we are impressed that the Act proposes to –

- Upgrade the NSA IG to a presidentially-appointed OIG, confirmed by the Senate.
- Mandate an annual review of the whistleblower program.
- Require disclosure to Congress if the Department of Defense obstructs an OIG investigation.
- Institutionalize domestic surveillance audits to assess their effectiveness, impact on civil liberties; compliance with legal restrictions; and communications with the FISA court.

Unfortunately, it has not been safe for those in the Intelligence Community to raise concerns internally. Consistently, whistleblowers have been ignored, harassed, investigated, fired and/or prosecuted for pursuing the goals of this legislation. No structure is better than its credibility with those who must trust and use it.

This legislation is the foundation for structural checks and balances at the NSA. You not only have our appreciation, but our unqualified support for these proposed reforms. We also urge

you to revive your pursuit of effective statutory protections for IC whistleblowers.

Sincerely,

Government Accountability Project

Liberty Coalition

Project On Government Oversight

Public Citizen

Taxpayers Protection Alliance