

“What are the Limits on Congressional Surveillance?” Lawfare

Publications

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In this article, Jenner & Block Special Counsel Aaron R. Cooper examines the legal boundaries of the congressional authority to request user data from communications service providers. He analyzes the interaction of three kinds of limits on congressional power: “external limits, meaning sources of law that constrain otherwise valid exercises of congressional surveillance; internal limits, meaning the inherent boundaries of Congress’s surveillance authority; and process limits, meaning the procedural and political constraints on how Congress may choose to exercise its surveillance authority.”

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