

#USA Freedom Act

HOUSE JUDICIARY COMMITTEE | Chairman Bob Goodlatte

Protects Civil Liberties

- **Ends bulk collection:** Prohibits bulk collection of ALL records under Section 215 of the PATRIOT Act, the FISA pen register authority, and national security letter statutes.
- **Prevents government overreach:** The bulk collection prohibition is strengthened by prohibiting large-scale, indiscriminate collection, such as all records from an entire state, city, or zip code.
- **Allows challenges of national security letter gag orders:** NSL nondisclosure orders must be based upon a danger to national security or interference with an investigation. Codifies procedures for individual companies to challenge nondisclosure orders. Requires periodic review of nondisclosure orders to determine necessity.

Improves Transparency and Better Information-Sharing with the American People

- **Expertise at the FISA court:** The bill creates a panel of amicus curie at the FISA court to provide guidance on matters of privacy and civil liberties, communications technology, and other technical or legal matters.
- **Declassified FISA opinions:** All significant constructions or interpretations of law by the FISA court must be made public. These include all significant interpretations of the definition of “specific selection term,” the concept at the heart of the ban on bulk collection.
- **Robust government reporting:** The Attorney General and the Director of National Intelligence will provide the public with detailed information about how they use these national security authorities.
- **Robust company reporting:** Tech companies will have a range of options for describing how they respond to national security orders, all consistent with national security needs.

Strengthens National Security

- **Gives the government the tools it needs:** Creates a new call detail records program that is closely overseen by the FISA court.
- **Contains an additional tool to combat ISIL:** The bill closes a loophole in current law that requires the government to stop tracking foreign terrorists when they enter the U.S. This provision gives the government 72 hours to track foreign terrorists when they initially enter the United States (it does not apply to U.S. persons) – enough time for the government to obtain the proper authority under U.S. law.
- **Increases the statutory maximum prison sentence to 20 years for providing material support or resources to a designated foreign terrorist organization.**
- **Protects United States’ maritime activities from nuclear threats, weapons of mass destruction, and other threats by implementing the obligations of various treaties to which the United States is a party.**
- **Enhances investigations of international proliferation of weapons of mass destruction.**
- **Provides strictly limited emergency authorities:** Creates new procedures for the emergency use of Section 215 but requires the government to destroy the information it collects if a FISA court application is denied.