



H.R. 3361, the USA FREEDOM Act

The USA FREEDOM Act ends bulk collection of Americans' records while still protecting national security

- **Bipartisan:** The USA FREEDOM Act passed both the House Judiciary and Intelligence Committees overwhelmingly
- **Protects privacy more than the President's plan:** Prohibits the bulk collection of ALL records under the PATRIOT ACT, FISA pen register trap and trace, and the national security letter statutes.
- **Prevents Government Overreach:** Americans' phone records will stay in the hands of providers, not the Government.

Puts real, effective limits on what information the Government can gather

- **Government can investigate international terrorism threats on an ongoing basis, but must get permission from the court to get records on a case-by-case basis**
- **Records that do not contain foreign intelligence information must be destroyed.**
- **Emergency authority.** The Act authorizes the use of Section 215 for business records in a national emergency, but if the emergency is later found not to have existed, the Government must destroy the information it collected, except in instances of threat of death or serious bodily injury.
- **Minimizes data from Americans.** Implements judicial review of minimization procedures that ensure that innocent Americans' records are not gathered.

Creates more transparency and gives more information to the American people

- **Allows tech companies to publicly report intelligence orders.**
- **Establishes an amicus curie in the FISA Court, to provide guidance to the Court regarding civil liberties and privacy.**
- **Requires new comprehensive reviews and extensive public disclosure.** The Act requires the Government report the number of requests made for call detail records. The Act requires the Government to provide to Congress, within 45 days, a copy of each FISA Court decision that includes a significant construction or interpretation of FISA
- **Provides liability protections and compensation to those who are subject to a FISA Court order to provide information, facilities, or technical assistance.**