

## FISA Section 702 REFORM BILL (name TBD)

Section 702 of the Foreign Intelligence Surveillance Act, which expires on December 31, 2017, allows the government to compel American companies to assist in the warrantless surveillance of foreigners. This results in the collection of an unknown number of Americans' private calls, emails, and other communications.

- **End the back door searches:** Under current law, the government can conduct unlimited, warrantless searches through the vast data collected under Section 702 for private communications to, from and about Americans. The bill requires a warrant for those searches.
- **End reverse targeting:** With no limits to the warrantless backdoor searches of Americans or the amount of information on Americans that gets reported around the government, there are no checks in place to prevent “reverse targeting” of Americans communicating with foreign targets. The bill requires a warrant when a significant purpose of targeting foreigners is to collect the communications of Americans.
- **Codify the ban on “abouts” collection:** The bill permanently bans the government from collecting communications that are not to or from a foreign target, but merely about a foreign target and can be entirely between Americans.
- **Prohibit the collection of domestic communications:** Section 702 is intended to collect foreign communications. The bill clarifies that it should not authorize the collection of communications known to be entirely domestic.
- **Prevent the misuse of information on Americans:** The bill prohibits the use of information on Americans collected under Section 702, except for foreign intelligence and crimes directly related to national security, such as terrorism and espionage..
- **Strengthen the Privacy and Civil Liberties Oversight Board (PCLOB):** The bill strengthens the PCLOB's oversight by authorizing it to review all foreign intelligence surveillance programs and not just those related to terrorism.
- **Strengthen FISA Court oversight.** The bill strengthens the FISA court amici.
- **Strengthen external oversight:** The bill establishes a basis for “standing,” allowing outside plaintiffs to challenge the constitutionality of this authority.
- **Improve transparency.** The bill allows for release of key FISC opinions and data necessary for the public's understanding of Section 702.
- **Establish a four-year sunset:** The bill requires congressional reauthorization in 4 years.