



Foreign Intelligence Surveillance Court Approves Government's Application to Renew Telephony Metadata Program

January 3, 2014

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On several prior occasions, the Director of National Intelligence has declassified information about the telephony metadata collection program under the "business records" provision of the Foreign Intelligence Surveillance Act, 50 U.S.C. Section 1861 (also referred to as "Section 215"), in order to provide the public a more thorough and balanced understanding of the program. Consistent with his prior declassification decisions and in light of the significant and continuing public interest in the telephony metadata collection program, DNI Clapper has decided to declassify and disclose publicly that the government filed an application with the Foreign Intelligence Surveillance Court seeking renewal of the authority to collect telephony metadata in bulk, and that the court renewed that authority on January 3, 2014.

It is the administration's view, consistent with the recent holdings of the United States District Courts for the Southern District of New York and Southern District of California, as well as the findings of 15 judges of the Foreign Intelligence Surveillance Court on 36 separate occasions over the past seven years, that the telephony metadata collection program is lawful. The Department of Justice has filed an appeal of the lone contrary decision issued by the United States District Court for the District of Columbia.

Nevertheless, the Intelligence Community continues to be open to modifications to this program that would provide additional privacy and civil liberty protections while still maintaining its operational benefits. To that end, the Administration is carefully evaluating the recommendation of the President's Review Group on Intelligence and Communications Technologies regarding transitioning the program to one in which the data is held by telecommunications companies or a third party. In addition, the Privacy and Civil Liberties Oversight Board will complete a report on this program in the near future. The Administration will review all of these recommendations and consult with Congress and the Intelligence Community to determine if there are ways to achieve our counterterrorism mission in a manner that gives the American people greater confidence.

The Administration is undertaking a declassification review of this most recent court order.

Shawn Turner
Director of Public Affairs



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Office of the Director of National Intelligence