



## **Joint Statement from the ODNI and the U.S. DOJ on the Declassification of Renewal of Collection Under Section 501 of the FISA**

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**DIRECTOR OF NATIONAL INTELLIGENCE  
WASHINGTON, DC 20511**

**December 8, 2014**

### **Joint Statement from the Office of the Director of National Intelligence and the Office of the Attorney General on the Declassification of Renewal of Collection Under Section 501 of the Foreign Intelligence Surveillance Act**

Earlier this year in a speech at the Department of Justice, President Obama announced a transition that would end the Section 215 bulk telephony metadata program as it previously existed, and that the government would establish a mechanism that preserves the capabilities we need without the government holding this bulk data. As a first step in that transition, the President directed the Attorney General to work with the Foreign Intelligence Surveillance Court to ensure that, absent a true emergency, telephony metadata can only be queried after a judicial finding that there is a reasonable, articulable suspicion that the selection term is associated with an approved international terrorist organization. The President also directed that the query results must be limited to metadata within two hops of the selection term instead of three. These two changes have been in effect since February 2014.

In addition, the President also directed the Intelligence Community and the Attorney General to develop options for a new approach to match the capabilities and fill gaps that the Section 215 program was designed to address without the government holding this metadata. After carefully considering the available options, the President announced in March that the best path forward is that the government should not hold this data in bulk, and that the data should remain at the telephone companies with a legal mechanism in place that would allow the government to obtain data pursuant to individual orders from the FISC approving the use of specific numbers for such queries. The President also noted that legislation would be required to implement this option, and he has called on Congress to enact this important change.

The Administration welcomes the opportunity to work with the new Congress to implement the changes the President has called for. Given that legislation has not yet been enacted, and given the importance of maintaining the capabilities of the telephony metadata program, the government has sought a 90-day reauthorization of the existing program, as modified by the changes the President directed in January.

Consistent with prior declassification decisions and in light of the significant and continuing public interest in the telephony metadata collection program, DNI James R. Clapper declassified the fact that the government filed an application with the FISC to reauthorize the existing program for 90 days, and that the FISC issued an order approving the government's application. The order issued on December 4, 2014, expires on February 27, 2015. The



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Administration is undertaking a declassification review of this most recent court order, and when complete, the ODNI will post the document [to its website](#) and [icontherecord.tumblr.com](https://icontherecord.tumblr.com).