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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

AUG 14 2019

The Honorable Richard Burr
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

The Honorable Lindsey O. Graham
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Mark Warner
Vice Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairmen Burr and Graham, Vice Chairman Warner, and Ranking Member Feinstein:

I write to express the support of the Intelligence Community (IC) and Administration for the permanent reauthorization of the provisions of the USA FREEDOM Act of 2015 that are currently set to expire in December. These provisions provide the IC with key national security authorities, and we look forward to working with the Congress on their permanent reauthorization.

The USA FREEDOM Act preserved significant national security authorities, enhanced protection for privacy and civil liberties, and increased transparency. The USA FREEDOM Act reauthorized three important, long-standing national security authorities. First, the acquisition of so-called traditional business records under Title V of the Foreign Intelligence Surveillance Act (FISA), which applies to tangible things relevant to authorized national security investigations. Second, the "roving wiretap" authority, which allows the government to effectively collect intelligence on a target who seeks to thwart surveillance by, for example, cycling through cell phones. Third, the "lone wolf" authority, which allows the government to target certain non-U.S. persons engaged in international terrorism or activities in preparation therefor. These common sense authorities are analogous to what is available in criminal investigations, have no history of abuse after more than 18 years, and should be reauthorized without sunset.

In addition, the Act banned bulk collection under a number of authorities and established a mechanism for the government to obtain pursuant to Title V of FISA certain telephone metadata records from U.S. telecommunications providers to help identify contacts of suspected terrorists. That mechanism applies to certain business records referred to as "call detail records," but not to the content of telephone calls. The National Security Agency has suspended the call detail records program that uses this authority and deleted the call detail records acquired under this authority. This decision was made after balancing the program's relative intelligence value, associated costs, and compliance and data integrity concerns caused by the unique complexities of using these company-generated business records for intelligence purposes. However, as

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technology changes, our adversaries' tradecraft and communications habits will continue to evolve and adapt. In light of this dynamic environment, the Administration supports reauthorization of this provision as well.

We look forward to working with you, and the rest of the Congress, to reauthorize these important national security provisions on a permanent basis.

Sincerely,

A handwritten signature in black ink, reading "Daniel R. Coats". The signature is written in a cursive, flowing style with a large initial "D".

Daniel R. Coats

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