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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KRISTINE J. LUCIUS, *Chief Counsel and Staff Director*
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August 19, 2014

The Honorable Eric Holder Jr.
The Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20001

The Honorable James R. Clapper
Director of National Intelligence
Washington, DC 20511

Dear Attorney General Holder and Director Clapper:

On July 29, 2014, I introduced the USA FREEDOM Act of 2014 (S. 2685) with a bipartisan group of cosponsors. This new bill builds on legislation passed by the House of Representatives in May.

After passage of the House version, concerns were raised that the text of the House bill, though clearly intended to end bulk collection, may not have done so effectively. Since then, my office has discussed potential modifications to the bill at length with representatives from the Intelligence Community, including the Office of the Director of National Intelligence, the Department of Justice, the National Security Agency, and the Federal Bureau of Investigation. I also have consulted with a wide range of other stakeholders, including other Senators, privacy and civil liberties groups, and the U.S. technology industry. I am grateful for the constructive participation of executive branch agencies in those discussions, and value the input that was provided.

The bill I introduced in July includes modifications to the House bill to ensure that its prohibition on bulk collection is effective, and to enhance transparency and oversight. Each of these modifications was discussed extensively with your agencies and other elements of the Intelligence Community to ensure that important operational capabilities would be maintained, and reflects their input. I write to ask that you confirm that the text of the USA FREEDOM Act of 2014 (S. 2685), as introduced, adequately reflects the input and operational needs of the Intelligence Community and law enforcement agencies.

Attorney General Holder and Director Clapper

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Thank you for your dedication to safeguarding our national security and for working with me to craft meaningful privacy protections for innocent Americans. I believe it is critical that this bill be enacted into law this year, and look forward to working with you toward that end.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Leahy". The signature is written in a cursive, flowing style.

PATRICK LEAHY
Chairman