

UNCLASSIFIED



U.S. House of Representatives
Permanent Select Committee on
INTELLIGENCE

FISA Section 702 Debate
Important Facts about FISA Section 702

- **FISA Section 702 is a critical authority that allows the government to obtain the communications of foreigners outside the United States, including foreign terrorist threats.**
- For example, the government could use FISA Section 702 to obtain the e-mails or phone calls of an ISIS member outside the United States who is plotting an attack. The government cannot use FISA Section 702 to target the e-mails or phone calls of any American, even if that American is a terrorist.
- **FISA Section 702 is not bulk collection and cannot be used to target Americans. It also cannot be used to target any person located inside the United States.**
- The government may **only** use FISA Section 702 with the approval of the Foreign Intelligence Surveillance Court.
- **Federal courts, including the 9th Circuit Court of Appeals, and the independent Privacy and Civil Liberties Oversight Board have found FISA Section 702 to be constitutional and legal.**
- **FISA Section 702 is one of the most important legal authorities to stop terrorist attacks.** For example, FISA Section 702 allowed the government to track, find, and eliminate a top ISIS leader, Haji Iman.