

	FISA Amendments Reauthorization Act of 2017 (S. 2010)	USA Liberty Act of 2017 (H.R. 3989)	USA Rights Act of 2017 (S. 1997)	FISA Amendments Reauthorization Act of 2017 (H.R. 4478)
Proposed Extension of FISA Section 702 Authority	Dec. 31, 2025	Sept. 30, 2023	Sept. 30, 2021	Dec. 31, 2021
Standards for “querying” (i.e., searching) the Section 702 data base and the use of U.S. person identifiers as search terms	Requires adoption of “querying procedures” by the Attorney General and the DNI governing the searching of the Section 702 data base. “US person” queries still permitted without prior court authorization; however, the FBI must submit any queries returning information concerning a known U.S. person to the Foreign Intelligence Surveillance Court (FISC) to review for compliance with the Fourth Amendment.	Queries without a FISC order still permitted for foreign intelligence purposes. Queries initiated seeking “evidence of a crime” can be undertaken only after first obtaining an order from the FISC based upon a finding that there is probable cause to believe that the contents may provide evidence of a crime.	A FISC order would be required for any type of query (criminal or foreign intelligence) undertaken to find the communications of any U.S. person or person located in the U.S.	No requirement that individual queries be cleared by the FISC, but the FBI is provided with the <i>option</i> of seeking a FISC order approving the use of the query, and responsive information is then available for use in any law enforcement proceeding. Absent obtaining the optional court order, responsive information is limited to use solely in court proceedings determined by the Attorney General to involve national security or certain specified serious felonies.

<p>“About” Collection</p>	<p>Permits the resumption of “about” collection, with FISC permission, with 30 days prior notice to Congress and expedited consideration of any bill to prevent the resumption of “about” collection.</p>	<p>Statutorily prohibits “about” collection until the sunset of this cycle of 702 reauthorization (<i>i.e.</i>, 9/30/2023).</p>	<p>Provides a statutory ban on “about” collection.</p>	<p>Permits the resumption of “about” collection, with FISC permission, with 30 days prior notice to Congress and expedited consideration of any bill to prevent the resumption of “about” collection.</p>
<p>Limits on law enforcement use of information retrieved from the Section 702 database.</p>	<p>Limits the use of 702 information as courtroom evidence in criminal prosecutions to national security cases and a list of serious crimes e.g. murder; but imposes no limit on use of 702 information for investigations or civil/administrative cases.</p>	<p>Imposes no law enforcement usage limits on investigations or courtroom evidence.</p>	<p>Limits any law enforcement use of Section 702 information concerning a U.S. person or a person in the U.S. in any judicial or administrative proceeding (investigations, courtroom evidence, administrative proceedings) solely to a list of national security-related matters.</p>	<p>No limit on law enforcement use of Section 702 data where FBI has obtained “optional” FISC order prior to query producing information concerning a U.S. person. Otherwise, information derived from Section 702 data may be used solely in court proceedings determined by the Attorney General to involve national security or certain specified serious felonies.</p>

<p>Malicious Cyber Activities</p>	<p>Not addressed</p>	<p>Not addressed</p>	<p>Not addressed</p>	<p>Defines "international malicious cyber activity" and amends FISA definitions of "foreign power" and "agent of a foreign power" to include those foreign entities (and persons assisting such entities) engaged in international malicious cyber activities. Such activity, and those involved who meet the definition of an "agent of a foreign power," would represent separate categories now subject to FISA.</p>
<p>Selection and appointment of judges to the FISC and the Foreign Intelligence Surveillance Court of Review (FISCR)</p>	<p>No change</p>	<p>No change</p>	<p>Completely revamps the process by which FISC and FISC-R judges would be selected.</p>	<p>No change</p>

<p>"Unmasking" U.S. person identities in intelligence reporting</p>	<p>Not addressed</p>	<p>Defines "unmask" and would task the Attorney General with developing specific procedures governing the "unmasking" of U.S. person identities in intelligence reporting.</p>	<p>Not addressed</p>	<p>Proposes an amendment to the National Security Act establishing procedures governing "covered requests" that seek the disclosure of U.S. person identities in intelligence reporting.</p>
<p>Review of U.S. classification system and protection of classified information</p>	<p>Provides increased penalties for the unauthorized retention or removal of classified documents or material.</p>	<p>Directs that the Comptroller General conduct a study of the classification system of the U.S. and the problem of unauthorized disclosures.</p>	<p>Not addressed</p>	<p>Directs that the Comptroller General conduct a study of the classification system of the U.S. and the methods by which the Intelligence Community protects classified information.</p>