

## S 3001

Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 24, 2006

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 610.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 610. (Sep 13, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/3001>

### Sponsor

**Name:** Sen. Specter, Arlen [R-PA]

**Party:** Republican • **State:** PA • **Chamber:** Senate

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Feinstein, Dianne [D-CA]	D · CA		May 24, 2006

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Sep 13, 2006

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
109 S 4051	Related bill	<b>Dec 5, 2006:</b> Sponsor introductory remarks on measure. (CR S11160)
109 HR 6056	Related bill	<b>Sep 12, 2006:</b> Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
109 S 3877	Related bill	<b>Sep 8, 2006:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 600.

Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006 - **Title I: Construction of Foreign Intelligence Surveillance Authority** - (Sec. 101) States that specified chapters of the federal criminal code (relating to interception of communications, stored wire and electronic communications, and pen registers and trap and trace devices) and the Foreign Intelligence Surveillance Act of 1978 (FISA) shall provide the exclusive means by which domestic electronic surveillance activities may be conducted.

(Sec. 102) Prohibits any modification or repeal of any provisions of title I (Electronic Surveillance) of FISA without an express legislative directive.

(Sec. 103) Directs the President to brief each member of the congressional intelligence committees, no later than seven days after the enactment of this Act, on: (1) the Terrorist Surveillance Program of the National Security Agency (NSA); and (2) any domestic surveillance programs which are conducted by any federal authority without fully complying with procedures set forth in FISA or applicable provisions of the federal criminal code.

**Title II: Applications and Procedures for Electronic Surveillance for Foreign Intelligence Purposes** - (Sec. 201) Amends FISA to extend from 72 to 168 hours the period during which the Attorney General may authorize emergency electronic surveillance pending judicial authorization of such surveillance.

(Sec. 202) Authorizes the Attorney General to delegate the authority to approve an application for electronic surveillance to the Deputy Attorney General and the Assistant Attorney General for National Security.

(Sec. 203) Authorizes the Attorney General to appoint supervisory or executive personnel in the Federal Bureau of Investigation (FBI) and NSA to authorize emergency electronic surveillance in the United States. Sets forth requirements for exercising such authority.

Requires the Attorney General to submit a report to the Foreign Intelligence Surveillance Court and the congressional intelligence committees identifying the number of FBI and NSA employees appointed to authorize emergency electronic surveillance and the guidelines describing the responsibilities of such employees.

(Sec. 204) Authorizes the appointment of additional judges to the Foreign Intelligence Surveillance Court. Requires FISA judges to approve, deny, or seek modifications of an application for emergency electronic surveillance with 24 hours after receipt of such application.

(Sec. 205) Directs the Attorney General to develop and implement a classified document management system to process electronic surveillance applications.

(Sec. 206) Authorizes the hiring of additional personnel in the Office of Intelligence Policy and Review of the Department of Justice, the FBI, the NSA, and the Foreign Intelligence Surveillance Court to process applications for electronic surveillance authority.

(Sec. 207) Requires the Directors of the FBI and the NSA to develop regulations for conducting and seeking approval of emergency electronic surveillance, for preparing and submitting applications for such surveillance, and for training personnel.

(Sec. 208) Expands the authority of the President to authorize electronic surveillance in wartime without a court order to include situations involving an authorization for the use of military force and national emergencies resulting from direct

attacks on the United States.

**Title III: Foreign-Foreign Communications** - Permits electronic surveillance without a court order of communications between individuals outside the United States for the purpose of collecting foreign intelligence information even if such communications pass through, or the surveillance device is located within, the United States.

**Title IV: Other Matters** - (Sec. 402) Authorizes appropriations.

(Sec. 403) Makes the provisions of this Act (except for provisions relating to oversight of the NSA Terrorist Surveillance Program) effective 30 days after enactment.

### **Actions Timeline**

---

- **Sep 13, 2006:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 13, 2006:** Committee on the Judiciary. Reported by Senator Specter with an amendment in the nature of a substitute. Without written report.
- **Sep 13, 2006:** Committee on the Judiciary. Reported by Senator Specter with an amendment in the nature of a substitute. Without written report.
- **Sep 13, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 610.
- **Sep 7, 2006:** Committee on the Judiciary. Committee consideration and Mark Up Session held.
- **May 24, 2006:** Introduced in Senate
- **May 24, 2006:** Read twice and referred to the Committee on the Judiciary.