

S 2441

FISA Amendments Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Dec 10, 2007

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 530.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 530. (Dec 11, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2441>

Sponsor

Name: Sen. Reid, Harry [D-NV]

Party: Democratic • **State:** NV • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
110 S 2248	Related bill	Feb 12, 2008: See also H.R.3773.
110 S 2440	Related bill	Dec 11, 2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 529.

Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2007 or FISA Amendments Act of 2007 - Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to authorize the Attorney General (AG) and Director of National Intelligence to jointly authorize, for periods up to one year, the targeting (electronic surveillance) of persons located outside the United States to acquire foreign intelligence information. Requires specified targeting and surveillance minimization procedures to be followed, with Foreign Intelligence Surveillance Court (Court) review of such procedures.

States that: (1) FISA shall be the exclusive means for targeting U.S. persons inside or outside the United States, except where specific statutory authorization exists to obtain foreign intelligence information without an order under FISA; and (2) chapters 119 (Wire and Electronic Communications Interception and Interception of Oral Communications) and 121 (Stored Wire and Electronic Communications and Transactional Records Access) of the federal criminal code and FISA shall be the exclusive means by which electronic surveillance and interception of domestic communications may be conducted.

Requires the AG to submit semiannually to the congressional intelligence committees copies of any orders of the Court or the Foreign Intelligence Surveillance Court of Review that include significant construction or interpretation of FISA.

Revises generally provisions concerning the application for, and issue of, Court orders. Allows the AG to authorize the emergency employment of electronic surveillance under certain circumstances, including: (1) determining that an emergency exists; (2) informing a Court judge of such determination; and (3) applying for a Court order authorizing such surveillance. Provides similar authority and outlines similar procedures for the emergency employment of a physical search.

Requires the AG, after authorizing the installation and use of a pen register or trap and trace device on an emergency basis, to apply to the Court for an authorization order within 168 (current law requires 48) hours after the emergency installation and use.

Authorizes the Court to sit *en banc* when: (1) necessary to secure or maintain uniformity of Court decisions; or (2) the proceeding involves a question of exceptional importance.

Requires the Inspectors General of the Department of Justice and relevant elements of the intelligence community to complete a comprehensive audit of the Terrorist Surveillance Program and any closely related intelligence activities, to include acquiring all documents relevant to such programs, including memoranda concerning legal authority of a program, program authorizations, certifications to telecommunications carriers, and court orders. Requires a joint report to the congressional Intelligence committees containing the results of the audit.

Provides limitations (and preempts state law) on civil actions against electronic communication service providers and persons providing assistance in connection with an intelligence activity.

Actions Timeline

- **Dec 11, 2007:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 530.
- **Dec 10, 2007:** Introduced in Senate
- **Dec 10, 2007:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.