

HR 3846

FISA Amendments Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

Introduced: Oct 20, 2009

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jan 4, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3846>

Sponsor

Name: Rep. Conyers, John, Jr. [D-MI-14]

Party: Democratic • **State:** MI • **Chamber:** House

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cohen, Steve [D-TN-9]	D · TN		Oct 20, 2009
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Oct 20, 2009
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Oct 20, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Oct 20, 2009
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Oct 20, 2009
Rep. Honda, Michael M. [D-CA-15]	D · CA		Oct 28, 2009

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Referred To	Oct 20, 2009
Judiciary Committee	House	Referred to	Jan 4, 2010

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

No related bills are listed.

FISA Amendments Act of 2009 - Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to repeal title VIII (Protection of Persons Assisting the Government) of FISA.

Requires a certification made by the Attorney General and the Director of National Intelligence under provisions of title VII of FISA (Additional Procedures Regarding Certain Persons Outside the United States) concerning authorizing the targeting of persons outside the United States other than U.S. persons to acquire foreign intelligence information to include a certification that the acquisition is limited to communications in which a party is an individual target reasonably believed to be outside the United States, and for which a significant purpose of the acquisition is to obtain foreign intelligence information.

Prohibits the targeting of a person outside the United States when a significant purpose of the acquisition is to acquire the communications of a particular, known person reasonably believed to be within the United States, except in accordance with FISA title I (Electronic Surveillance).

Prohibits receiving into evidence any information obtained in an acquisition against any U.S. person for which a deficiency in the procedures for acquiring such information is identified by the Foreign Intelligence Surveillance Court. Provides an exception if the government corrects any deficiencies so identified, at that time permitting use or disclosure under such minimization procedures as the Court shall establish for such purposes.

Prohibits a communication from being acquired under FISA title VII if the government knows before or at the time of acquisition that the communication is to, or from, a person reasonably believed to be in the United States. Provides exceptions when there is reason to believe that: (1) the communication concerns international terrorist activities directed against the United States or activities in preparation therefor; (2) the target reasonably believed to be outside the United States is an agent of a foreign group engaged in international terrorism or activities in preparation therefor; or (3) the acquisition is necessary to prevent death or serious bodily harm. Requires the government to segregate a communication acquired under title VII to, or from, a person reasonably believed to be in the United States and there shall be no access to the communication, except in accordance with title I or provisions of this paragraph. Allows the access to, and use of, such acquisition for up to seven days if there are conditions similar to the above exceptions. Requires annual audits from the Inspectors General of the Department of Defense (DOD) and Department of Justice (DOJ) concerning implementation of, and compliance with, this paragraph.

Actions Timeline

- **Jan 4, 2010:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Oct 20, 2009:** Introduced in House
- **Oct 20, 2009:** Referred to House Judiciary
- **Oct 20, 2009:** 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.
- **Oct 20, 2009:** Referred to House Intelligence (Permanent)