

S 1551

Intelligence Oversight and Surveillance Reform Act

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Sep 25, 2013

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Sep 25, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/1551>

Sponsor

Name: Sen. Wyden, Ron [D-OR]

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

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Sep 25, 2013
Sen. Paul, Rand [R-KY]	R · KY		Sep 25, 2013
Sen. Udall, Mark [D-CO]	D · CO		Sep 25, 2013
Sen. Udall, Tom [D-NM]	D · NM		Sep 25, 2013
Sen. Heinrich, Martin [D-NM]	D · NM		Sep 27, 2013
Sen. Baldwin, Tammy [D-WI]	D · WI		Sep 30, 2013
Sen. Merkley, Jeff [D-OR]	D · OR		Sep 30, 2013
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 30, 2013
Sen. Schatz, Brian [D-HI]	D · HI		Oct 2, 2013
Sen. Markey, Edward J. [D-MA]	D · MA		Oct 8, 2013
Sen. Harkin, Tom [D-IA]	D · IA		Oct 15, 2013
Sen. Hirono, Mazie K. [D-HI]	D · HI		Oct 29, 2013
Sen. Leahy, Patrick J. [D-VT]	D · VT		Nov 5, 2013

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Sep 25, 2013

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
113 HR 3361	Related bill	Jun 5, 2014: Select Committee on Intelligence. Hearings held.
113 HR 3159	Related bill	Jan 9, 2014: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 HR 3228	Related bill	Oct 15, 2013: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 HR 3035	Related bill	Sep 13, 2013: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
113 S 1467	Related bill	Aug 1, 2013: Read twice and referred to the Committee on the Judiciary.

Intelligence Oversight and Surveillance Reform Act - Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to provide additional requirements for obtaining orders for business records in counterterrorism investigations, including that the records sought pertain to a foreign power, an agent of a foreign power, or an individual in contact with, or known to a suspected agent of, a foreign power. Requires additional information if the applicant is seeking a nondisclosure requirement in connection with such request. Allows the Director of the Federal Bureau of Investigation (FBI) to apply for renewals of nondisclosure requirements.

Authorizes the Attorney General (AG), on an emergency basis and under specified conditions, to require the production of call data records by the provider of a wire or electronic communication service.

Imposes additional requirements on the authorized use of pen registers and trap and trace devices (devices for recording incoming and outgoing telephone numbers), including that: (1) the information sought must pertain to a foreign power, agent thereof, or individual in contact with or known to such an agent; and (2) the application must contain a statement of proposed minimization procedures (procedures designed to minimize the acquisition and retention of such information and to prohibit its unauthorized dissemination).

Prohibits any U.S. officer or employee from conducting a search of a collection of communications in order to find the communications of a particular U.S. person. Provides exceptions.

Includes among the procedures the Attorney General is required to adopt for targeting persons outside the United States to acquire foreign intelligence information procedures that are reasonably designed to limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to such target, if such communications are acquired to protect against international terrorism. Requires acquisition authorization when a significant purpose is to acquire the communications of a particular, known person reasonably believed to be in the United States (thereby, in effect, disallowing random or reverse acquisition targeting). Prohibits the use against any U.S. person of unlawfully obtained information, except with the consent of such person or if the information indicates a threat of death or serious bodily harm to any person. Provides for challenges to surveillance by U.S. persons.

Establishes within the judiciary a Constitutional Advocate to review each application to and decision of the Foreign Intelligence Surveillance Court (FISA Court). Authorizes the Advocate to participate in FISA Court proceedings or a petition review pool proceeding and to appeal any decisions of such bodies. Requires the AG to publicly disclose certain decisions of the FISA Court and the Foreign Intelligence Surveillance Court of Review. Allows for certain Advocate petitions to such Courts.

Revises requirements for national security letters (drafted by the FBI and requesting communications records of a person or entity) to require the Director to certify reasonable grounds to believe that such records pertain to a foreign power, agent thereof, or individual in contact with or known to such agent. Provides similar requirements with respect to national security letters requesting financial or consumer report records. Requires additional information in the public reporting on the use of national security letters.

Allows electronic service providers to publicly report on information provided under FISA orders and national security letters. Exempts such providers from liability with respect to such reports. Revises generally requirements concerning government reporting on the use of FISA orders.

Amends the Intelligence Reform and Terrorism Prevention Act of 2004 to remove the AG as a required intermediary for subpoenas in connection with authorized activities of the Privacy and Civil Liberties Oversight Board.

Actions Timeline

- **Sep 25, 2013:** Introduced in Senate
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