

HR 2849

Privacy Advocate General Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

Introduced: Jul 30, 2013

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

Latest Action: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Sep 13, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2849>

Sponsor

Name: Rep. Lynch, Stephen F. [D-MA-8]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Himes, James A. [D-CT-4]	D · CT		Aug 2, 2013

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Referred To	Jul 30, 2013
Judiciary Committee	House	Referred to	Sep 13, 2013

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

No related bills are listed.

Privacy Advocate General Act of 2013 - Amends the Foreign Intelligence Surveillance Act of 1978 (FISA) to establish as an independent office in the executive branch the Office of the Privacy Advocate General, to be headed by the Privacy Advocate General who shall be appointed jointly by the Chief Justice of the United States and the senior Associate Justice for a seven-year term.

Requires the Privacy Advocate General to: (1) serve as the opposing counsel with respect to any application by the federal government for an order or directive and any review of a certification or targeting procedures under FISA; and (2) oppose any federal government request for an order or directive under FISA and any certification or targeting procedures and argue the merits of the opposition before the FISA court, including any arguments relating to constitutionality.

Authorizes the Privacy Advocate General to: (1) request that the FISA court make publicly available an order, decision, or opinion of the court; and (2) file appeals and petition the Supreme Court for a writ of certiorari.

Authorizes a FISA judge, after denying an application by the federal government to permit electronic surveillance, physical searches, and the installation and use of a pen register and trace device, to issue a temporary order allowing such surveillance, searches, and installation pending an appeal by the government, if the judge finds: (1) there is a reasonable argument that such surveillance, search, or installation is permissible; and (2) there are exceptional circumstances and compelling evidence showing that immediate electronic surveillance, physical searches, and installation of pen register and trace devices are necessary to accomplish the government's purpose. Requires the destruction of any information gathered or derived from such electronic surveillance, searches, and installation of pen register and trace devices if the government's application is denied on appeal.

Actions Timeline

- **Sep 13, 2013:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Jul 30, 2013:** Introduced in House
- **Jul 30, 2013:** 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.