

113TH CONGRESS
1ST SESSION

S. 1168

To amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2013

Mr. SANDERS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restore Our Privacy
5 Act”.

6 **SEC. 2. LIMITING OVERBROAD SURVEILLANCE REQUESTS.**

7 Section 501 of the Foreign Intelligence Surveillance
8 Act of 1978 (50 U.S.C. 1861) is amended—

1 (1) in subsection (a)(1), by striking “to protect
2 against international terrorism or clandestine intel-
3 ligence activities,” and inserting “for an investiga-
4 tion concerning international terrorism which inves-
5 tigation is being conducted by the Federal Bureau of
6 Investigation,”;

7 (2) in subsection (b)(2)(A)—

8 (A) in the matter preceding clause (i)—

9 (i) by striking “a statement of facts
10 showing that there are reasonable
11 grounds” and inserting “specific and
12 articulable facts giving reason”;

13 (ii) by inserting “each of” before “the
14 tangible things”;

15 (iii) by striking “are” and inserting
16 “is”; and

17 (iv) by striking “to protect against
18 international terrorism or clandestine intel-
19 ligence activities,” and inserting “an inves-
20 tigation concerning international terrorism
21 which investigation is being conducted by
22 the Federal Bureau of Investigation,”;

23 (B) in clause (i), by adding “or” at the
24 end;

1 (C) in clause (ii), by striking “or” and in-
2 serting “and”; and

3 (D) by striking clause (iii); and

4 (3) in subsection (c)(1), after “the release of
5 tangible things.” by inserting “For each tangible
6 thing to be released, the judge shall enter a finding
7 that the Director of the Federal Bureau of Inves-
8 tigation or the Director’s designee has presented
9 specific and articulable facts giving reason to believe
10 that the thing is relevant to an authorized investiga-
11 tion (other than a threat assessment) conducted in
12 accordance with subsection (a)(2) of this section to
13 obtain foreign intelligence information not con-
14 cerning a United States person or an investigation
15 concerning international terrorism which investiga-
16 tion is being conducted by the Federal Bureau of In-
17 vestigation.”.

18 **SEC. 3. EXPANSION OF REPORTING REQUIREMENTS UNDER**

19 **FISA.**

20 Section 502 of the Foreign Intelligence Surveillance
21 Act of 1978 (50 U.S.C. 1862) is amended by striking sub-
22 sections (a), (b), and (c) and inserting the following:

23 “(a) On a semiannual basis, the Attorney General
24 shall fully inform Congress concerning all requests for the

1 production of tangible things under section 501, including
2 with respect to the preceding 6-month period—

3 “(1) the total number of applications made for
4 orders approving requests for the production of tan-
5 gible things under section 501; and

6 “(2) the total number of such orders either
7 granted, modified, or denied.

8 “(b) In informing Congress under subsection (a), the
9 Attorney General shall include the following:

10 “(1) A description with respect to each applica-
11 tion for an order requiring the production of any
12 tangible things for the specific purpose for such pro-
13 duction.

14 “(2) An analysis of the effectiveness of each ap-
15 plication that was granted or modified in protecting
16 citizens of the United States against terrorism.

17 “(c) In a manner consistent with the protection of
18 the national security of the United States, the Attorney
19 General shall make available to the public the information
20 provided to Congress under subsection (a).”.

○