

116TH CONGRESS  
1ST SESSION

# S. 2939

To provide an 8-year extension of certain authorities for foreign intelligence and international terrorism investigations, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 2019

Mr. BURR (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide an 8-year extension of certain authorities for foreign intelligence and international terrorism investigations, 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 “Protecting Against  
5 International Terrorism Act of 2019”.

1 **SEC. 2. EIGHT-YEAR EXTENSION OF AUTHORITY TO ACCESS**  
2 **CERTAIN BUSINESS RECORDS FOR FOREIGN**  
3 **INTELLIGENCE AND INTERNATIONAL TER-**  
4 **RORISM INVESTIGATIONS AND FOR ROVING**  
5 **SURVEILLANCE.**

6 Section 102(b)(1) of the USA PATRIOT Improve-  
7 ment and Reauthorization Act of 2005 (Public Law 109–  
8 177; 50 U.S.C. 1805 note) is amended by striking “De-  
9 cember 15, 2019” and inserting “December 15, 2027”.

10 **SEC. 3. EIGHT-YEAR EXTENSION OF AUTHORITY FOR INDI-**  
11 **VIDUAL TERRORISTS TO BE TREATED AS**  
12 **AGENTS OF FOREIGN POWERS UNDER THE**  
13 **FOREIGN INTELLIGENCE SURVEILLANCE ACT**  
14 **OF 1978.**

15 Section 6001(b)(1) of the Intelligence Reform and  
16 Terrorism Prevention Act of 2004 (Public Law 108–458;  
17 50 U.S.C. 1801 note) is amended by striking “December  
18 15, 2019” and inserting “December 15, 2027”.

19 **SEC. 4. TERMINATION OF AUTHORITY TO ACCESS ON AN**  
20 **ONGOING BASIS CALL DETAIL RECORDS FOR**  
21 **FOREIGN INTELLIGENCE AND INTERNATION-**  
22 **AL TERRORISM INVESTIGATIONS.**

23 (a) **TERMINATION.**—Section 501(a) of the Foreign  
24 Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(a))  
25 is amended by adding at the end the following:

1       “(4) The authority under paragraph (1) to make an  
2 application for an order requiring the production on an  
3 ongoing basis of call detail records shall terminate on the  
4 date of the enactment of this paragraph.”.

5       (b) TECHNICAL CORRECTION.—Paragraph (3) of  
6 such section is amended by indenting such paragraph 2  
7 ems to the left.

8 **SEC. 5. IMPROVEMENTS REGARDING TERMS OF MEMBERS**  
9                   **OF PRIVACY AND CIVIL LIBERTIES OVER-**  
10                   **SIGHT BOARD.**

11       Paragraph (4) of section 1061(h) of the Intelligence  
12 Reform and Terrorism Prevention Act of 2004 (42 U.S.C.  
13 2000ee(h)) is amended to read as follows:

14               “(4) TERM.—

15                   “(A) IN GENERAL.—Each member of the  
16 Board shall serve a term of 6 years commencing  
17 on the date of the appointment of the mem-  
18 ber to the Board.

19                   “(B) FILLING VACANCIES.—A vacancy in  
20 the Board shall be filled in the same manner in  
21 which the original appointment was made.

22                   “(C) CONTINUITY OF SERVICE.—Upon the  
23 expiration of the term of office of a member,  
24 the member may continue to serve as a member  
25 of the Board after such expiration until the

1 member's successor has been appointed and  
2 qualified.”.

3 **SEC. 6. REPEAL OF EXCEPTION FOR FEDERAL BUREAU OF**  
4 **INVESTIGATION REQUIREMENT FOR REPORT**  
5 **ON NUMBER OF QUERIES RELATING TO CER-**  
6 **TAIN ELECTRONIC COMMUNICATIONS.**

7 Section 603(d)(2)(A) of the Foreign Intelligence Sur-  
8 veillance Act of 1978 (50 U.S.C. 1873(d)(2)(A)) is amend-  
9 ed by striking “, (2)(C),”.

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