

AMENDMENT NO.

Calendar No.

Purpose: To require that certain records be submitted to Congress.

IN THE SENATE OF THE UNITED STATES—110th Cong., 2d Sess.

**S. 2248**

To amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

Referred to the Committee on

ordered to be printed

and

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. ROCKEFELLER  
(for himself and Mr. BOND)

Viz:

- 1 On page 56, strike line 14 and all that follows
- 2 through page 57, line 14, and insert the following:
- 3 (b) REPORTS BY ATTORNEY GENERAL ON CERTAIN
- 4 OTHER ORDERS.—Such section 601 is further amended
- 5 by adding at the end the following:
- 6 “(c) SUBMISSIONS TO CONGRESS.—The Attorney
- 7 General shall submit to the committees of Congress re-
- 8 ferred to in subsection (a)—

1           “(1) a copy of any decision, order, or opinion  
2 issued by the Foreign Intelligence Surveillance Court  
3 or the Foreign Intelligence Surveillance Court of Re-  
4 view that includes significant construction or inter-  
5 pretation of any provision of this Act, and any  
6 pleadings, applications, or memoranda of law associ-  
7 ated with such decision, order, or opinion, not later  
8 than 45 days after such decision, order, or opinion  
9 is issued; and

10           “(2) a copy of any such decision, order, or opin-  
11 ion, and the pleadings, applications, or memoranda  
12 of law associated with such decision, order, or opin-  
13 ion, that was issued during the 5-year period ending  
14 on the date of the enactment of the FISA Amend-  
15 ments Act of 2008 and not previously submitted in  
16 a report under subsection (a).

17           “(d) PROTECTION OF NATIONAL SECURITY.—The  
18 Attorney General, in consultation with the Director of Na-  
19 tional Intelligence, may authorize redactions of materials  
20 described in subsection (c) that are provided to the com-  
21 mittees of Congress referred to in subsection (a), if such  
22 redactions are necessary to protect the national security  
23 of the United States and are limited to particularly sen-  
24 sitive sources and methods information or the identities  
25 of targets.”.

1           (e) DEFINITIONS.—Such section 601, as amended by  
2 subsections (a) and (b), is further amended by adding at  
3 the end the following:

4           “(e) DEFINITIONS.—In this section:

5                   “(1) FOREIGN INTELLIGENCE SURVEILLANCE  
6 COURT; COURT.—The term “‘Foreign Intelligence  
7 Surveillance Court’” means the court established by  
8 section 103(a).

9                   “(2) FOREIGN INTELLIGENCE SURVEILLANCE  
10 COURT OF REVIEW; COURT OF REVIEW.—The term  
11 ‘Foreign Intelligence Surveillance Court of Review’  
12 means the court established by section 103(b).”.