

112TH CONGRESS
1ST SESSION

S. 1076

To modify the roving wiretap authority of the Foreign Intelligence
Surveillance Act of 1978.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2011

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

A BILL

To modify the roving wiretap authority of the Foreign
Intelligence Surveillance Act of 1978.

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. ROVING WIRETAPS AND FISA SUNSETS.**

4 (a) LIMITATION ON ROVING WIRETAPS.—Section
5 105(c) of the Foreign Intelligence Surveillance Act of
6 1978 (50 U.S.C. 1805(c)) is amended—

7 (1) in paragraph (1), by striking subparagraphs
8 (A) and (B) and inserting the following:

9 “(A)(i) the identity of the target of the elec-
10 tronic surveillance, if known; or

1 “(ii) if the identity of the target is not known,
2 a description of the specific target and the nature
3 and location of the facilities and places at which the
4 electronic surveillance will be directed;

5 “(B)(i) the nature and location of each of the
6 facilities or places at which the electronic surveil-
7 lance will be directed, if known; or

8 “(ii) if any of the facilities or places are not
9 known, the identity of the target;”); and

10 (2) in paragraph (2)—

11 (A) by redesignating subparagraphs (B)
12 through (D) as subparagraphs (C) through (E),
13 respectively; and

14 (B) by inserting after subparagraph (A)
15 the following:

16 “(B) in cases where the facility or place at
17 which the electronic surveillance will be directed
18 is not known at the time the order is issued,
19 that the electronic surveillance be conducted
20 only for such time as it is reasonable to pre-
21 sume that the target of the surveillance is or
22 was reasonably proximate to the particular fa-
23 cility or place;”.

24 (b) SUNSETS ON ROVING WIRETAP AUTHORITY.—

25 Section 102(b)(1) of the USA PATRIOT Improvement

1 and Reauthorization Act of 2005 (Public Law 109–177;
2 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C.
3 1862 note) is amended to read as follows:

4 “(1) IN GENERAL.—

5 “(A) SECTION 206.—Effective December
6 31, 2013, the Foreign Intelligence Surveillance
7 Act of 1978 is amended so that section
8 105(c)(2) (50 U.S.C. 1805(c)(2)) read as such
9 section read on October 25, 2001.

10 “(B) SECTION 215.—Effective May 27,
11 2011, the Foreign Intelligence Surveillance Act
12 of 1978 is amended so that sections 501 and
13 502 (50 U.S.C. 1861 and 1862) read as such
14 sections read on October 25, 2001.”.

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