

AMENDMENT NO.

Calendar No.

Purpose: To amend the FISA Amendments Act of 2007 to require specific statutory language to repeal or modify the provisions in the bill relating to electronic surveillance and interception of domestic communications.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st 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 _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by

Viz:

- 1 Strike section 102 and insert the following:
- 2 **SEC. 102. STATEMENT OF EXCLUSIVE MEANS BY WHICH**
- 3 **ELECTRONIC SURVEILLANCE AND INTERCEP-**
- 4 **TION OF DOMESTIC COMMUNICATIONS MAY**
- 5 **BE CONDUCTED.**
- 6 (a) STATEMENT OF EXCLUSIVE MEANS.—Title I of
- 7 the Foreign Intelligence Surveillance Act of 1978 (50

1 U.S.C. 1801 et seq.) is amended by adding at the end
2 the following:

3 "STATEMENT OF EXCLUSIVE MEANS BY WHICH ELEC-
4 TRONIC SURVEILLANCE AND INTERCEPTION OF DO-
5 MESTIC COMMUNICATIONS MAY BE CONDUCTED

6 "SEC. 112. Chapters 119 and 121 of title 18, United
7 States Code, and this Act shall be the exclusive means by
8 which electronic surveillance (as defined in section 101(f),
9 regardless of the limitation of section 701) and the inter-
10 ception of domestic wire, oral, or electronic communica-
11 tions may be conducted. No provision of law shall be con-
12 strued to implicitly repeal or modify this title or any provi-
13 sion thereof, nor shall any provision of law be deemed to
14 repeal or modify this title in any manner unless such pro-
15 vision of law, if enacted after the date of the enactment
16 of the FISA Amendments Act of 2007, expressly amends
17 or otherwise specifically cites this title."

18 (b) TABLE OF CONTENTS.—The table of contents in
19 the first section of the Foreign Intelligence Surveillance
20 Act of 1978 (50 U.S.C. 1801 et seq.) is amended by add-
21 ing after the item relating to section 111, the following:

"Sec. 112. Statement of exclusive means by which electronic surveillance and
interception of domestic communications may be conducted."