AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3361
OFFERED BY MR. CARNEY OF DELAWARE

Strike section 606 and insert the following new section:

SEC. 606. INCLUSION OF ADDITIONAL COMMITTEES IN CERTAIN REPORTS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) Physical Searches.—

(1) Definitions.—Section 301 (50 U.S.C. 1821) is amended—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

“(2) ‘Appropriate congressional committees’ means—

“(A) the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and
“(B) the Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.”.

(2) REPORTS.—Section 306 (50 U.S.C. 1826) is amended by striking “the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the Committee on the Judiciary of the Senate,” and inserting “the appropriate congressional committees”.

(b) PEN REGISTER AND TRAP AND TRACE DEVICES.—

(1) DEFINITIONS.—Section 401 (50 U.S.C. 1841) is amended by adding at the end the following new paragraph:

“(4) The term ‘appropriate congressional committees’ has the meaning given the term in section 301.”.

(2) REPORTS.—Section 406 (50 U.S.C. 1846) is amended—

(A) in subsection (a), by striking “the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, and the
Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate,” and inserting “the appropriate congressional committees”; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “the committees referred to in subsection (a) and to the Committees on the Judiciary of the House of Representatives and the Senate” and inserting “the appropriate congressional committees”;

(ii) in paragraph (2), by striking “; and” and inserting a semicolon;

(iii) in paragraph (3), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following new paragraphs:

“(4) each department or agency on behalf of which the Government has made application for orders approving the use of pen registers or trap and trace devices under this title; and

“(5) for each department or agency described in paragraph (4), a breakdown of the numbers required by paragraphs (1), (2), and (3).”.
(c) Access to Certain Business Records.—Section 502 (50 U.S.C. 1862) is amended—

(1) in subsection (a), by striking “the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate” and inserting “the appropriate congressional committees”;

(2) in subsection (b), by striking “the House and Senate Committees on the Judiciary and the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence” and inserting “the appropriate congressional committees”; and

(3) by adding at the end the following new subsection:

“(d) In this section, the term ‘appropriate congressional committees’ has the meaning given the term in section 301.”.

(d) General Oversight.—Section 601 (50 U.S.C. 1871) is amended—

(1) in subsection (a), by striking “the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Committees on the
Judiciary of the House of Representatives and the Senate” and inserting “the appropriate congressional committees”;

(2) in subsection (c), by striking “the committees of Congress referred to in subsection (a)” and inserting “the appropriate congressional committees”;

(3) in subsection (d), by striking “the committees of Congress referred to in subsection (a)” and inserting “the appropriate congressional committees”; and

(4) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ has the meaning given the term in section 301.”.

(e) ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—

(1) DEFINITIONS.—Section 701(b) (50 U.S.C. 1881(b)) is amended—
(A) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(B) by inserting before paragraph (2) the following new paragraph:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ has the meaning given the term in section 301.”.

(2) REPORTS.—Section 707(a) (50 U.S.C. 1881f(a)) is amended by striking “the congressional intelligence committees and the Committees on the Judiciary of the Senate and the House of Represent- atives” and inserting “the appropriate congressional committees”.

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