

113TH CONGRESS
1ST SESSION

H. R. 2684

To require the Director of the Federal Bureau of Investigation to report and obtain court approval for broad telephony metadata collection searches, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2013

Mr. LYNCH (for himself, Mr. CARTWRIGHT, and Mr. DANNY K. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Select Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Director of the Federal Bureau of Investigation to report and obtain court approval for broad telephony metadata collection searches, 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 “Telephone Surveillance
5 Accountability Act of 2013”.

1 **SEC. 2. LIMITS ON SEARCHING TELEPHONY METADATA IN**
2 **THE FOREIGN INTELLIGENCE SURVEIL-**
3 **LANCE ACT OF 1978.**

4 Section 501 of the Foreign Intelligence Surveillance
5 Act of 1978 (50 U.S.C. 1801 et seq.) is amended by add-
6 ing at the end the following new subsection:

7 “(i) LIMITS ON SEARCHING TELEPHONY
8 METADATA.—

9 “(1) COURT APPROVAL FOR SEARCHING TE-
10 LEPHONY METADATA.—No person may search te-
11 lephony metadata acquired pursuant to a production
12 order under subsection (a)(1) unless—

13 “(A) the Director of the Federal Bureau of
14 Investigation makes an application to a judge of
15 the court established by section 103(a) that in-
16 cludes a statement of facts showing that there
17 is a reasonable, articulable suspicion that the
18 basis of the search is material and specifically
19 relevant to an authorized investigation; and

20 “(B) the judge finds that there is a rea-
21 sonable, articulable suspicion that the basis of
22 the search is material and specifically relevant
23 to an authorized investigation and enters an
24 order authorizing such search.

25 “(2) DEFINITIONS.—In this subsection:

1 “(A) The term ‘production order’ means
2 an order to produce any tangible thing under
3 this section.

4 “(B) The term ‘telephony metadata’ means
5 communications routing information, including
6 session identifying information, an original or
7 terminating telephone number, an International
8 Mobile Subscriber Identity, an International
9 Mobile Station Equipment Identity, a trunk
10 identifier, a telephone calling card number, and
11 the time or duration of a call.”.

12 **SEC. 3. CONGRESSIONAL OVERSIGHT FOR PRODUCTION**
13 **ORDERS OF TELEPHONY METADATA IN THE**
14 **FOREIGN INTELLIGENCE SURVEILLANCE ACT**
15 **OF 1978.**

16 Section 502 of the Foreign Intelligence Surveillance
17 Act of 1978 (50 U.S.C. 1801 et seq.) is amended by add-
18 ing at the end the following new subsection:

19 “(d) The Director of the Federal Bureau of Inves-
20 tigation shall monthly submit to the Permanent Select
21 Committee on Intelligence of the House of Representatives
22 and the Select Committee on Intelligence of the Senate
23 a report describing each search made during the preceding

1 month of telephony metadata pursuant to an order under
2 section 501(i)(1)(B).”.

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