

by him to the bill S. 990, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 3. SPECIFIC EVIDENCE FOR COURT ORDERS TO PRODUCE RECORDS AND OTHER ITEMS IN INTELLIGENCE INVESTIGATIONS.**

(a) **FACTUAL BASIS FOR REQUESTED ORDER.**—Section 501(b)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)(2)) is amended to read as follows:

“(2) shall include—

“(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

“(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

“(ii) (I) pertain to a foreign power or an agent of a foreign power;

“(II) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

“(III) pertain to an individual in contact with, or known to, a suspected agent of a foreign power; and

“(B) an enumeration of the minimization procedures adopted by the Attorney General under subsection (g) that are applicable to the retention and dissemination by the Federal Bureau of Investigation of any tangible things to be made available to the Federal Bureau of Investigation based on the order requested in such application.”.

(b) **EXCEPTION.**—Notwithstanding the amendment made by subsection (a), an order issued by a court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) for access to business records under title V of such Act (50 U.S.C. 1861 et seq.) in effect on, and issued prior to, September 30, 2011, shall remain in effect under the provisions of such title V in effect on September 29, 2011, until the date of expiration of such order. Any renewal or extension of such order shall be subject to the provisions of such title V in effect on September 30, 2011.

(c) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on September 30, 2011.

**NOTICES OF INTENT TO SUSPEND THE RULES**

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 363 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 364 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules

of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 365 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 366 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 367 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 368 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 369 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 370 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 371 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 372 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 373 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 374 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 375 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 376 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 377 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 378 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 379 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 380 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 381 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move

to suspend rule XXII, including germaneness and timeliness requirements, for the purpose of proposing and considering amendment No. 382 on the House message to S. 990.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S.J. Res. 15, as follows:

S.J. RES. 15

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) a state of war between the United States and the Government of Libya is hereby formally declared; and

(2) the President is hereby authorized and directed—

(A) to employ the entire naval and military forces of the United States and the resources of the United States Government to carry on war against the Government of Libya; and

(B) to issue to private armed vessels of the United States commissions or letters of marque and general reprisal, in such form as the President shall think proper, and under the seal of the United States, against the vessels, goods, and effects of the Government of Libya.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S.J. Res. 16, as follows:

S.J. RES. 16

Whereas Article I, Section 8 of the Constitution of the United States reserves for Congress the right to declare war;

Whereas the War Powers Resolution (50 U.S.C. 1541 et seq.) states that it is intended to “fulfill the intent of the framers of the Constitution of the United States” in requiring the President to seek the consent of Congress before the introduction of the United States Armed Forces into hostile action;

Whereas the President must seek authorization from Congress prior to engaging the United States Armed Forces in an armed conflict absent an imminent threat to national security;

Whereas President Barack Obama, without seeking a formal authorization from Congress, ordered the execution of a sustained military engagement through the enforcement of a no-fly zone in Libya on March 19, 2011;

Whereas Congress did not consider or pass a formal authorization for the President to initiate military operations in Libya;

Whereas the War Powers Resolution establishes that the President must notify Congress of the introduction of the United States Armed Forces within 48 hours after commencing such action;

Whereas President Obama acknowledged his obligation to submit a notification of his actions in Libya under the War Powers Resolution through a letter delivered on March 21, 2011, to Speaker of the House John Boehner and President Pro Tempore of the Senate Daniel Inouye;

Whereas section 8(a) the War Powers Resolution (50 U.S.C. 1547(a)) establishes that the President may not construe authorization from any other act or treaty unless such act or treaty is “implemented by legislation specifically authorizing the introduction of the United States Armed Forces into hostilities”;

Whereas President Obama contends that hostile engagement by the military forces of the United States against the Government of Libya was part of a multilateral response authorized by United Nations Security Council Resolution 1973 (2011) and in consultation with the Arab League;

Whereas section 2(c) of the War Powers Resolution (50 U.S.C. 1541(c)) provides that no attempt by the President to introduce the United States Armed Forces into hostile action may be made under the War Powers Resolution unless there is “(1) a declaration of war, (2) a specific authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces”;

Whereas the Government of Libya, immediately prior to the introduction of the United States Armed Forces into the conflict on March 19, 2011, had not attacked the United States nor declared any intent to do so;

Whereas President Obama had stated the purpose of enforcing a no-fly zone over Libya was to “take all necessary measures to protect civilians and civilian populated areas under threat of attack in Libya” and not in response to any direct or immediate threat to the United States;

Whereas section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)) further establishes that, in absence of authorization from Congress, the President may not engage the United States Armed Forces in an armed conflict for a period longer than “sixty calendar days”;

Whereas members of the United States Armed Forces have remained engaged in operations in Libya since March 19, 2011;

Whereas, on May 20, 2011, the limit of sixty calendar days placed on the President’s ability to continue engagement of the military forces of the United States against the Government of Libya will have been exhausted under the terms of the War Powers Resolution;

Whereas Section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)) requires that “within sixty calendar days . . . the President shall terminate any use of United States Armed Forces . . . unless the Congress (1) has declared war or has enacted a specific authorization for such use of the United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States”;

Whereas President Obama reiterated on May 20, 2011, that the military forces of the United States remain engaged in hostilities, including “suppression and destruction of air defenses” and “precision strikes by unmanned aerial vehicles”;

Whereas Congress has not considered or passed a formal authorization for the President to continue military operations in Libya; and

Whereas President Obama has not indicated any intent to cease operations in Libya after the sixty-day limit established by the War Powers Resolution: Now, therefore, be it:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—*

(1) declares that, as it pertains to the continuing armed engagement of the United States Armed Forces against the Government of Libya, the President has exceeded the statutory time limits placed on him by the War Powers Resolution and is therefore in violation of the law; and

(2) calls on the President to—

(A) seek a formal authorization from Congress to continue the mission in Libya; or

(B) cease armed engagement against the Government of Libya until such time as further action is authorized by Congress.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1070, as follows:

S. 1070

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Fourth Amendment Restoration Act”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Fourth Amendment of the United States Constitution states “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”.

(2) Prior to the American Revolution, American colonists objected to the issuance of writs of assistance, which were general warrants that did not specify either the place or goods to be searched.

(3) Writs of assistance played an important role in the events that led to the American Revolution.

(4) The Fourth Amendment of the United States Constitution was intended to protect against the issuance of general warrants, and to guarantee that only judges, not soldiers or police officers, are able to issue warrants.

(5) Various provisions of the USA PATRIOT Act (Public Law 107-56; 115 Stat. 272) expressly violate the original intent of the Fourth Amendment of the United States Constitution.

#### SEC. 3. LIMITATIONS ON ROVING WIRETAPS.

Section 105(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(c)) is amended—

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

“(A)(i) the identity of the target of the electronic surveillance, if known; or

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

“(B)(i) the nature and location of each of the facilities or places at which the electronic surveillance will be directed, if known; or

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

and (2) in paragraph (2)—

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

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

“(B) in cases where the facility or place at which the electronic surveillance will be directed is not known at the time the order is issued, that the electronic surveillance be conducted only for such time as it is reasonable to presume that the target of the surveillance is or was reasonably proximate to the particular facility or place.”.

#### SEC. 4. SUNSETS ON ROVING WIRETAP AUTHORITY AND ACCESS TO BUSINESS RECORDS.

Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005

(Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended to read as follows:

“(1) IN GENERAL.—

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

“(B) SECTION 215.—Effective February 28, 2011, the Foreign Intelligence Surveillance Act of 1978 is amended so that sections 501 and 502 (50 U.S.C. 1861 and 1862) read as such sections read on October 25, 2001.”.

#### SEC. 5. MINIMIZATION PROCEDURES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish minimization and destruction procedures governing the acquisition, retention, and dissemination by the Federal Bureau of Investigation of any records received by the Federal Bureau of Investigation—

(1) in response to a National Security Letter issued under section 2709 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)); or

(2) pursuant to title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

(b) MINIMIZATION AND DESTRUCTION PROCEDURES DEFINED.—In this section, the term “minimization and destruction procedures” means—

(1) specific procedures that are reasonably designed in light of the purpose and technique of a National Security Letter or a request for tangible things for an investigation to obtain foreign intelligence information, as appropriate, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information, including procedures to ensure that information obtained that is outside the scope of such National Security Letter or request, is returned or destroyed;

(2) procedures that require that nonpublicly available information, which is not foreign intelligence information (as defined in section 101(e)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(e)(1))) shall not be disseminated in a manner that identifies any United States person, without the consent of the United States person, unless the identity of the United States person is necessary to understand foreign intelligence information or assess its importance; and

(3) notwithstanding paragraphs (1) and (2), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.

#### SEC. 6. JUDICIAL REVIEW OF NATIONAL SECURITY LETTERS.

Section 3511 of title 18, United States Code, is amended by adding at the end the following:

“(f) NATIONAL SECURITY LETTERS.—An officer or employee of the United States may not issue a National Security Letter under section 270 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)) unless—

“(1) the National Security Letter is submitted to a judge of the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803); and

“(2) such judge issues an order finding that a warrant could be issued under rule 41 of the Federal Rules of Criminal Procedure to search for and seize the information sought to be obtained in the National Security Letter.”.

#### SEC. 7. JUDICIAL REVIEW OF SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end “, subject to judicial review under paragraph (5)”; and

(2) by adding at the end the following:

“(5) JUDICIAL REVIEW.—The Secretary may not, under this section or the rules issued under this section, or under any other provision of law, require any financial institution, director, officer, employee, or agent of any financial institution, or any other entity that is otherwise subject to regulation or oversight by the Secretary or pursuant to the securities laws (as that term is defined under section 3 of the Securities Exchange Act of 1934) to report any transaction under this section or its equivalent under such provision of law, unless the appropriate district court of the United States issues an order finding that a warrant could be issued under rule 41 of the Federal Rules of Criminal Procedure for the information sought to be obtained by the Secretary.”.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1071, as follows:

S. 1071

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g)(1) of title 31, United States Code, is amended by inserting before the period at the end the following: “, but only upon request of an appropriate law enforcement agency to such institution or person for such report”.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1072, as follows:

S. 1072

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, except as provided in paragraph (5)”; and

(2) by adding at the end the following:

“(5) EXEMPTION.—

“(A) IN GENERAL.—A failure to submit a report with respect to a suspicious transaction shall not be a violation of this subsection with respect to a financial institution or any person described in paragraph (1), in any case in which such financial institution or person—

“(i) has in effect an established decision-making process with respect to suspicious transactions;

“(ii) has made a good faith effort to follow existing policies, procedures, and processes with respect to suspicious transactions; and

“(iii) has determined not to file a report with respect to a particular transaction.

“(B) EXCEPTION.—The exemption provided under subparagraph (A) does not apply in any case in which the failure to submit a suspicious transaction report is accompanied by evidence of bad faith on the part of the financial institution or other person described in paragraph (1).”.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1073, as follows:

S. 1073

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. MINIMIZATION PROCEDURES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish minimization and destruction procedures governing the acquisition, retention, and dissemination by the Federal Bureau of Investigation of any records received by the Federal Bureau of Investigation—

(1) in response to a National Security Letter issued under section 2709 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)); or

(2) pursuant to title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.).

(b) MINIMIZATION AND DESTRUCTION PROCEDURES DEFINED.—In this section, the term “minimization and destruction procedures” means—

(1) specific procedures that are reasonably designed in light of the purpose and technique of a National Security Letter or a request for tangible things for an investigation to obtain foreign intelligence information, as appropriate, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information, including procedures to ensure that information obtained that is outside the scope of such National Security Letter or request, is returned or destroyed;

(2) procedures that require that nonpublicly available information, which is not foreign intelligence information (as defined in section 101(e)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(e)(1))) shall not be disseminated in a manner that identifies any United States person, without the consent of the United States person, unless the identity of the United States person is necessary to understand foreign intelligence information or assess its importance; and

(3) notwithstanding paragraphs (1) and (2), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in

writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1074, as follows:

S. 1074

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.**

Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended to read as follows:

“(1) IN GENERAL.—

“(A) SECTION 206.—Effective June 1, 2015, the Foreign Intelligence Surveillance Act of 1978 is amended so that section 105(c)(2) (50 U.S.C. 1805(c)(2)) reads as such section read on October 25, 2001.

“(B) SECTION 215.—Effective May 27, 2011, the Foreign Intelligence Surveillance Act of 1978 is amended so that sections 501, 502, and 503 (50 U.S.C. 1861 and 1862) read as such sections read on October 25, 2001.”.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1075, as follows:

S. 1075

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. JUDICIAL REVIEW OF NATIONAL SECURITY LETTERS.**

Section 3511 of title 18, United States Code, is amended by adding at the end the following:

“(f) NATIONAL SECURITY LETTERS.—An officer or employee of the United States may not issue a National Security Letter under section 270 of title 18, United States Code, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802(a) of the National Security Act of 1947 (50 U.S.C. 436(a)) unless—

“(1) the National Security Letter is submitted to a judge of the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803); and

“(2) such judge issues an order finding that a warrant could be issued under rule 41 of the Federal Rules of Criminal Procedure to search for and seize the information sought to be obtained in the National Security Letter.”.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1076, as follows:

S. 1076

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ROVING WIRETAPS AND FISA SUNSETS.**

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

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

“(A)(i) the identity of the target of the electronic surveillance, if known; or

“(ii) if the identity of the target is not known, a description of the specific target

and the nature and location of the facilities and places at which the electronic surveillance will be directed;

“(B)(i) the nature and location of each of the facilities or places at which the electronic surveillance will be directed, if known; or

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

and (2) in paragraph (2)—

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

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

“(B) in cases where the facility or place at which the electronic surveillance will be directed is not known at the time the order is issued, that the electronic surveillance be conducted only for such time as it is reasonable to presume that the target of the surveillance is or was reasonably proximate to the particular facility or place;”.

(b) SUNSETS ON ROVING WIRETAP AUTHORITY.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended to read as follows:

“(1) IN GENERAL.—

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

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

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 1077, as follows:

S. 1077

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. JUDICIAL REVIEW OF SUSPICIOUS ACTIVITY REPORTS.**

Section 5318(g) of title 31, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end “, subject to judicial review under paragraph (5)”; and

(2) by adding at the end the following:

“(5) JUDICIAL REVIEW.—The Secretary may not, under this section or the rules issued under this section, or under any other provision of law, require any financial institution, director, officer, employee, or agent of any financial institution, or any other entity that is otherwise subject to regulation or oversight by the Secretary or pursuant to the securities laws (as that term is defined under section 3 of the Securities Exchange Act of 1934) to report any transaction under this section or its equivalent under such provision of law, unless the appropriate district court of the United States issues an order finding that a warrant could be issued under rule 41 of the Federal Rules of Criminal Procedure for the information sought to be obtained by the Secretary.”.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during

the session of the Senate on May 25, 2011, at 10 a.m. in room 406 of the Dirksen Senate Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 25, 2011, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The U.S.-Panama Trade Promotion Agreement.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 25, 2011, at 10 a.m. to conduct a hearing entitled “How to Save Taxpayer Dollars: Case Studies of Duplication in the Federal Government.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 25, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Holding Criminals Accountable: Extending Criminal Jurisdiction to Government Contractors and Employees Abroad.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 25, 2011, in room 418 of the Russell Senate Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. WYDEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on May 25, 2011, at 2:30 p.m. to conduct a hearing entitled, “Assessing Efforts to Eliminate Improper Payments.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISCAL RESPONSIBILITY AND ECONOMIC GROWTH

Mr. WYDEN. Mr. President, I ask unanimous consent that the Subcommittee on Fiscal Responsibility