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MAJOR NSA	FRIST-MCCONNELL –	DEWINE	FEINSTEIN-SPECTER	WILSON
BILLS	SPECTER-CHENEY S. 3931	S. 2455	S. 3001	H.R. 5825
Allows warrantless	Yes. Changes FISA's	Yes. Allows	No. But does fix the	Yes. Almost the
surveillance of	definitions so that calls and e-	exception to warrant	technological concern raised	same as S. 3931.
Americans' int'l	mails of American residents	requirement and	by the administration that	Changes definition of
calls and e-mails	and businesses would no longer	changes probable	foreign to foreign	electronic
without any	need warrants to be acquired by	cause to allow int'l	communications routed	surveillance so that
evidence of	the NSA unless the sender and	calls and e-mails of	through the US would	FISA orders only
conspiracy with al	all recipients are in the US.	Americans to be	require a warrant by	needed if a) the
Qaeda.	FISA's minimization rules	seized without any	clarifying that no warrant is	communication is
	would not apply to	judicial check if the	needed. Allows	purely domestic, and
	conversations gathered because	Bush Administration	international calls and e-	b) a U.S. person is
	they would not count as	tells the Intelligence	mails to be intercepted if an	intentionally targeted.
	"electronic surveillance."	Committee every 45	American is conspiring with	Any 'accidentally'
		days that its	al Qaeda, with a warrant or	acquired U.S.
		warrantless	in an emergency.	communications can
		surveillance program		be kept indefinitely
		is focused on people		and disseminated.
		talking to people		
		associated with or		
		supporting terrorism.		
Allows the AG to	Yes. Expands the foreign	Yes. Allows the	No. Requires the AG to seek	Yes. Same as S.3931
order companies to	embassy exception to warrants	TSP to continue	court approval, after the fact	in allowing the TSP
give the NSA access	by allowing the AG to order	without judicial	or in an emergency, to	to continue without
to communications	secret cooperation of "any	check, allowing the	conduct electronic	individual warrants
and equipment,	person" in the US to give	AG to continue to	surveillance of Americans if	through rewriting
without judicial	access to communications,	make whatever	they are conspiring with or	these provisions as
check or any proof	equipment or stored	certifications have	aiding al Qaeda agents, as	well as sections.
to any court that	communications. Warrantless	been given to get	with current law. However,	
the Americans	surveillance of businesses	access to Americans'	streamlines procedures for	
whose	incorporated abroad or foreign	communications	seeking court orders, but	

	in a sum anota d'albuma d'a u fancian	communications	analisma annut audama hust	
whose	incorporated abroad or foreign		seeking court orders, but	
communications	nationals having nothing to do	without warrants to	reinforces that the Fourth	
are acquired are	with al Qaeda under the revised	continue.	Amendment's protections	
conspiring with al	definitions would be allowed		for Americans unless they	
Qaeda.	even when there is a substantial		are doing something wrong	
	likelihood of sweeping in		and then a warrant can	
	Americans calls. Businesses		easily be obtained or sought	
	that cooperate get paid and		after the fact	
	civil and criminal immunity.			
Allows warrantless	Yes. Deletes the provision in	No.	No.	Yes. Authorizes
physical searches of	FISA that says that its			warrantless physical
Americans' homes,	procedures apply during war,			and electronic
without any	requiring warrants to search an			searches for extended
evidence to a court	American residence or business			periods after "an
that an American is	or seize communications,			armed attack against
conspiring with al	except for the first 15 days			the territory of the
Qaeda.	after a declaration of war. This			United States.
	allows the president to claim			
	that FISA does not apply			
	during wartime.			
Recognizes	Yes. Changes Title 18 to	Yes. By allowing the	No. The bill reinforces the	Yes. Allows
inherent, exclusive	decriminalize wiretapping	president to bypass	exclusive requirements of	wiretapping of int'l
power of president	without warrants. And the	the courts and simply	FISA, preserving the	communications
to unilaterally,	optional FISA court "program"	inform the	carefully calibrated checks	without court review.
secretly, and	approval process does not cure	Intelligence	in the courts and Congress	Also allows
indefinitely wiretap	this because the court need not	Committee every 45	to ensure that our precious	warrantless
anyone he	be told the names of	days that he needs a	antiterrorism resources are	surveillance for
designates, without	Americans' wiretapped, the	TSP (just as he	focused on al Qaeda and not	extended periods after
any individualized	individual reason why they are	already certifies to	wasted on Americans who	an "armed attack";
judicial check	being tapped, the method of	himself), the bill	have done nothing wrong.	for infinitely
remired.	surveillance (tanning their	gives statutory	The FISA court has	renewable 90-day

or if the tap proves useless. And the statute would allow the court to approve programs of surveillance, even for threats of substantial economic harm. Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits—and expands punishments for disclosing information about foreign intelligence even if in violation of the or if the tap proves useless. And the statute would allow the court to approve programs of surveillance, even for threats of surveillance approve a wiretap, in advance or afterward in an emergency. Waterrorist attact and American were aiding al Qaeda the court would approve a wiretap, in advance or afterward in an emergency. Will ever be told the names, reasons, methods or results of warrantless surveillance. Waterrorist attact and infinitely renewable 90-or advance or afterward in an emergency. Waterrorist attact and infinitely renewable 90-or advance or afterward in an emergency.	required.	surveillance (tapping their	gives statutory	The FISA court has	renewable 90-day
And the statute would allow the court to approve programs of surveillance, even for threats of substantial economic harm. Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits—and expands punishments for disclosing information about foreign intelligence geven if in violation of the he need not get court approval, before listening to approve a wiretap, in advance or afterward in an emergency. Americans' approve a wiretap, in advance or afterward in an emergency. threat of "death serious injury, substantial economic threat of "death serious i	_	phones or bugging their homes)	support for the	approved over 99.99% of all	periods after a
court to approve programs of surveillance, even for threats of substantial economic harm. Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits—and expands punishments for disclosing information about foreign intelligence geven if in violation of the approval, before listening to approve a wiretap, in advance or afterward in an emergency. Americans' conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. Qaeda the court would approve a wiretap, in advance or afterward in an emergency. threat of "death serious injury, substantial economic harm. whould also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering even if in violation of the		or if the tap proves useless.	president's claim that	search orders sought and if	"terrorist attack;"
surveillance, even for threats of substantial economic harm. Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits— and expands punishments for disclosing information about foreign intelligence even if in violation of the surveillance, even for threats of substantial to Americans' conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. listening to Americans' advance or afterward in an emergency. substantial economic harm. Americans' conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance.		And the statute would allow the	he need not get court	an American were aiding al	and infinitely
substantial economic harm. Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits—and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the Americans' conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. Americans' advance or afterward in an emergency.		court to approve programs of	approval, before	Qaeda the court would	renewable 90-day
Would also strip other courts of jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits— and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. conversations or after the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless immediate wire emergences if		surveillance, even for threats of	listening to	approve a wiretap, in	periods to defend
jurisdiction to hear challenges to foreign intelligence gathering programs—so broad it could sweep in FOIA suits— and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the the fact. Neither the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. serious injury, substantial eco damage." The names, reasons, methods or results of warrantless surveillance.		substantial economic harm.	Americans'	advance or afterward in an	against an imminent
to foreign intelligence gathering programs—so broad it could sweep in FOIA suits— and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the courts nor Congress will ever be told the names, reasons, methods or results of warrantless surveillance. substantial eco damage." The names, reasons, methods or results of warrantless surveillance. immediate wir emergences if		Would also strip other courts of	conversations or after	emergency.	threat of "death,
gathering programs—so broad it could sweep in FOIA suits— names, reasons, and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the will ever be told the names, reasons, methods or results of warrantless surveillance. damage." The damage." The names, reasons, methods or results of warrantless surveillance. damage." The names, reasons, methods or results of warrantless surveillance.		jurisdiction to hear challenges	the fact. Neither the		serious injury, or
it could sweep in FOIA suits— and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the names, reasons, methods or results of warrantless surveillance. broad terms are defined. And if already allows immediate wir emergences if		to foreign intelligence	courts nor Congress		substantial economic
and expands punishments for disclosing information about foreign intelligence gathering even if in violation of the methods or results of warrantless surveillance. defined. And I defined. And I defined. And I defined already allows immediate wire emergences if		gathering programs—so broad	will ever be told the		damage." These
disclosing information about foreign intelligence gathering even if in violation of the warrantless surveillance. already allows immediate wir emergences if		it could sweep in FOIA suits—	names, reasons,		broad terms are not
foreign intelligence gathering even if in violation of the surveillance. immediate wir emergences if		and expands punishments for	methods or results of		defined. And FISA
even if in violation of the emergences if		disclosing information about	warrantless		already allows
		foreign intelligence gathering	surveillance.		immediate wiretaps
law—to chill whistleblowers. warrant is later		even if in violation of the			emergences if a
		law—to chill whistleblowers.			warrant is later
sought.					sought.