

Sec. 1 – SHORT TITLE

Surveillance Order Reporting Act

Sec. 2 – REPORTING FISA ORDERS AND NATIONAL SECURITY LETTERS

Sec. 2(a) – Establishes that “electronic service providers” may publicly report certain information about government requests for information under “surveillance laws.”

Sec. 2(f)(1) – Defines “electronic service providers” as electronic communications service providers and remote computing service providers, as those terms are defined under 18 U.S.C. 2510 and 2711. The terms include Internet, cloud computing, and telecommunications service providers.

Sec. 2(f)(2) – Defines “surveillance laws” to include the Foreign Intelligence Surveillance Act, the national security letter statutes, and any specific provision of those laws.

Sec. 2(b)(1) – Enables the service providers to publicly report an estimated number of surveillance orders made.

Sec. 2(b)(2) – Enables the service providers to report an estimated number of orders complied with.

Sec. 2(b)(3) – Enables service providers to report an estimated number of users and accounts on whom information is requested or provided. This provision allows service providers to report the number of users affected by requests that carry over through multiple reporting periods.

Sec. 2(c)(2) – Enables service providers to report estimates in a range of 100, rounded to the nearest 100s (i.e., 1-100, 100-200, etc.). If a service provider does not receive a surveillance order during a reporting period, they may report zero.

Sec. 2(c)(3) – Enables service providers to report the estimates quarterly, but not more often. Service providers can compile and report the data in larger time periods (i.e., annually, semi-annually, etc.).

Sec. 2(d) – Ensures that service providers are not subject to criminal or civil liability for making reports they reasonably believe in good faith are authorized by this section.

Sec. 2(e) – Makes clear that the bill does not prohibit or preclude other disclosures authorized by law but not described in this bill.

END