

thorization Act for Fiscal Year 2015, and not as part of the International Emergency Economic Powers Act which comprises this chapter.

CHAPTER 36—FOREIGN INTELLIGENCE SURVEILLANCE

SUBCHAPTER I—ELECTRONIC SURVEILLANCE

- Sec.
1801. Definitions.
1802. Electronic surveillance authorization without court order; certification by Attorney General; reports to Congressional committees; transmittal under seal; duties and compensation of communication common carrier; applications; jurisdiction of court.
1803. Designation of judges.
1804. Applications for court orders.
1805. Issuance of order.
1805a to 1805c. Repealed.
1806. Use of information.
1807. Report of electronic surveillance.
1808. Report of Attorney General to Congressional committees; limitation on authority or responsibility of information gathering activities of Congressional committees; report of Congressional committees to Congress.
1809. Criminal sanctions.
1810. Civil liability.
1811. Authorization during time of war.
1812. Statement of exclusive means by which electronic surveillance and interception of certain communications may be conducted.
1813. Procedures for the retention of incidentally acquired communications.

SUBCHAPTER II—PHYSICAL SEARCHES

1821. Definitions.
1822. Authorization of physical searches for foreign intelligence purposes.
1823. Application for order.
1824. Issuance of order.
1825. Use of information.
1826. Congressional oversight.
1827. Penalties.
1828. Civil liability.
1829. Authorization during time of war.

SUBCHAPTER III—PEN REGISTERS AND TRAP AND TRACE DEVICES FOR FOREIGN INTELLIGENCE PURPOSES

1841. Definitions.
1842. Pen registers and trap and trace devices for foreign intelligence and international terrorism investigations.
1843. Authorization during emergencies.
1844. Authorization during time of war.
1845. Use of information.
1846. Congressional oversight.

SUBCHAPTER IV—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE PURPOSES

1861. Definitions.
1862. Access to certain business records for foreign intelligence and international terrorism investigations.
1863. Congressional oversight.
1864. Notification of changes to retention of call detail record policies.

SUBCHAPTER V—OVERSIGHT

1871. Semiannual report of the Attorney General.
1872. Declassification of significant decisions, orders, and opinions.
1873. Annual reports.
1874. Public reporting by persons subject to orders.

SUBCHAPTER VI—ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES

1881. Definitions.

- Sec.
1881a. Procedures for targeting certain persons outside the United States other than United States persons.
1881b. Certain acquisitions inside the United States targeting United States persons outside the United States.
1881c. Other acquisitions targeting United States persons outside the United States.
1881d. Joint applications and concurrent authorizations.
1881e. Use of information acquired under this subchapter.
1881f. Congressional oversight.
1881g. Savings provision.

SUBCHAPTER VII—PROTECTION OF PERSONS ASSISTING THE GOVERNMENT

1885. Definitions.
1885a. Procedures for implementing statutory defenses.
1885b. Preemption.
1885c. Reporting.

SUBCHAPTER I—ELECTRONIC SURVEILLANCE

§ 1801. Definitions

As used in this subchapter:

(a) “Foreign power” means—

(1) a foreign government or any component thereof, whether or not recognized by the United States;

(2) a faction of a foreign nation or nations, not substantially composed of United States persons;

(3) an entity that is openly acknowledged by a foreign government or governments to be directed and controlled by such foreign government or governments;

(4) a group engaged in international terrorism or activities in preparation therefor;

(5) a foreign-based political organization, not substantially composed of United States persons;

(6) an entity that is directed and controlled by a foreign government or governments; or

(7) an entity not substantially composed of United States persons that is engaged in the international proliferation of weapons of mass destruction.

(b) “Agent of a foreign power” means—

(1) any person other than a United States person, who—

(A) acts in the United States as an officer or employee of a foreign power, or as a member of a foreign power as defined in subsection (a)(4), irrespective of whether the person is inside the United States;

(B) acts for or on behalf of a foreign power which engages in clandestine intelligence activities in the United States contrary to the interests of the United States, when the circumstances indicate that such person may engage in such activities, or when such person knowingly aids or abets any person in the conduct of such activities or knowingly conspires with any person to engage in such activities;

(C) Omitted

(D) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor; or