



Press Release

Reauthorizing FISA: Options for Reform

PAULINA ENCK | DECEMBER 6, 2023

The looming expiration of the Foreign Intelligence Surveillance Act (FISA), a law that allows for the National Security Agency to conduct surveillance on foreign agents and adversaries, has prompted several reform proposals to the current legislation. In a new insight, Technology and Innovation Policy Analyst Joshua Levine and John Belton review the key reform issues, and focus on the most comprehensive proposal, the Government Surveillance Reform Act (GSRA).

Key points:

- This paper provides brief summaries of FISA, Executive Order 12333 (EO 12333), and the Electronic Communications Privacy Act of 1986 (ECPA); it also analyzes the GSRA's key reforms and discusses some of the potential implications of such reforms.
- The GSRA reforms would impact FISA as well as EO 12333, which ensures the intelligence community (IC) can provide adequate information to the executive branch on foreign intelligence threats, and the ECPA, which sets rules related to digital data collection surveillance by the IC and law enforcement, respectively.
- Specifically, the GSRA would institute reforms such as requiring intelligence agencies to get a warrant to acquire information that includes U.S. persons or purchase data from data brokers; increasing the presence of amici curiae in hearings before the FISA courts; and setting new monitoring and reporting rules for information collected and used by intelligence agencies and law enforcement.

[Read the analysis](#)