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Cyberlaw

Module 8 assignment

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Category	Code Provisions	Explanation
1. Applicability	50 U.S.C. Chapter 36 (FIS)	FISA is applicable when electronic surveillance is conducted for foreign intelligence purposes, including counterterrorism. FISA is used when the target is a foreign power or agent of a foreign power. Electronic Communications Privacy Act (ECPA) applies in other cases, such as criminal investigations.
2. Court Order	50 U.S.C. 1801 et seq.	FISA requires a court order based on a probable cause. This means that the government must show that the target is a foreign power or agent of a foreign power, and that the surveillance is for foreign intelligence purposes. The order is obtained from the Foreign Intelligence Surveillance Court (FISC), a secret court.

3. Surveillance without court order	50 U.S.C. 1802, 50 U.S.C.	Surveillance without a court order can be conducted in emergency situations, but a retroactive court order is within a specified time. Additionally, there are provisions for surveillance of non U.S. people reasonably believed to be located outside the United States without an individualized court order, subject to certain restrictions and oversight.
4. Collection outside the United States	50 U.S.C. 1881a, 50 U.S.C. 1881b	FISA provides authority to collect against non-U.S. people reasonably believed to be located outside the United States. These provisions have been expanded through amendments to the FISA Amendments Act. Certain procedures and oversight are in place to ensure compliance with the law and protect privacy rights.