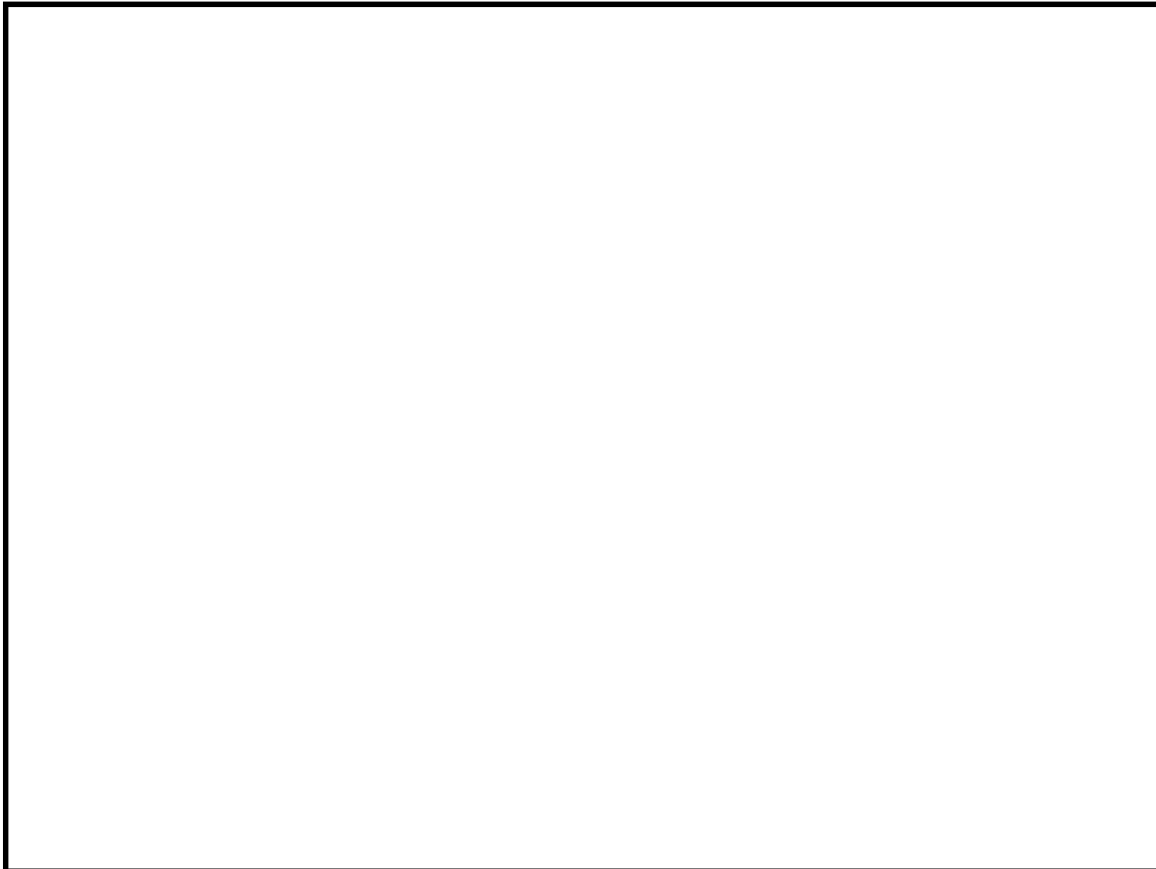


SUMMARY OF PATRIOT ACT REAUTHORIZATION

Sunsets

- Retains 4-year sunsets for two PATRIOT provisions:
 - Section 206, multi-point or “roving” wiretaps; and
 - Section 215, FISA court orders for business records.
- Makes remaining PATRIOT provisions permanent.

Outside the Scope

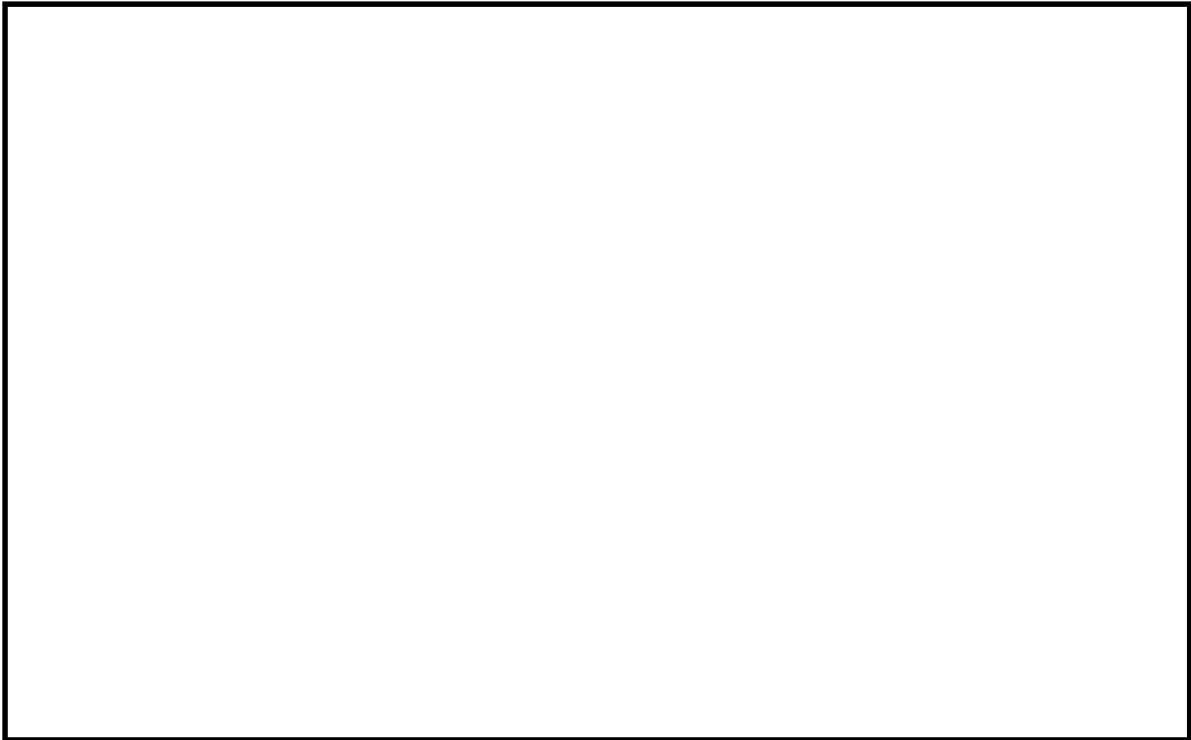


Section 215 (FISA Business Records)

- Requires applications to include “a statement of facts” showing “reasonable grounds to believe” the things sought are “relevant” to an authorized investigation.
- Creates a legal presumption in favor of a finding of relevance for records that pertain to: (a) a foreign power or an agent of a foreign power; (b) the activities of a suspected agent of a foreign power who is the subject of an authorized investigation; or (c) an individual in contact with, or known to, a suspected agent of a foreign power who is the subject of an authorized investigation.
- Includes explicit right for recipients to consult legal counsel and to seek judicial review.

- Permits challenges to non-disclosure requirement, but no sooner than 1 year after issuance of order. (Added by Sununu bill, S.2271.)
- Makes clear that section 215 orders are not available for threat assessments.
- Requires FBI Director, Deputy Director or Executive Assistant Director to approve requests for certain records (e.g., library, medical, educational, and tax records).
- Limits scope of requests to materials that could be obtained via grand jury subpoena or a similar court order for the production of records.
- Requires recipients, upon request, to inform the FBI of the names of others to whom the order has been or will be disclosed.
 - Disclosures to legal counsel exempt from this requirement. (Added by S. 2271)
- Requires the use of minimization procedures to limit “the retention, and prohibit the dissemination” of information concerning US persons.
- Requires audits by the DOJ Inspector General on the use of Section 215;
- Includes enhanced reporting to Congress regarding the use of Section 215 and new public reporting on the use of Section 215.

Outside the Scope



ACLU Sect. 215-665

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