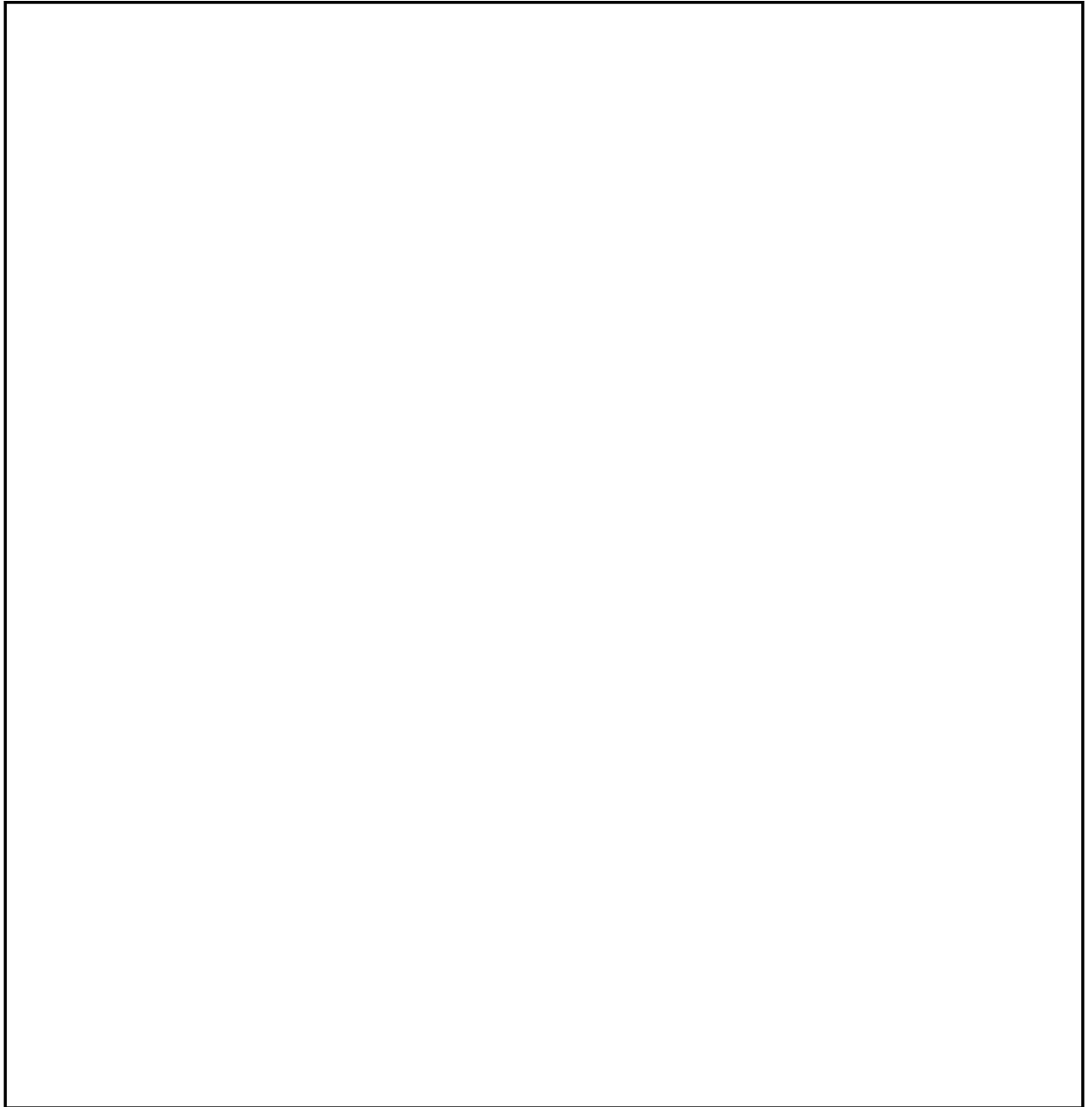


Cuyahoga Community College
PATRIOT Act Presentation
April 24, 2007

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PATRIOT Act
FBI Citizens Academy
10/04/2007

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N E W S

LEGAL UPDATE

E T T E R

Vol. 6 No. 3
FALL 2005

LEGISLATION, CASES AND ISSUES OF INTEREST

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Outside the Scope

EFF Section 215-1239

court order can be applied for where the business records sought are those held by a library, to include circulation records, patron lists, book sales records and customer lists. The Senate version requires the FBI to provide the FISA court that "reasonable grounds" exist to believe that the Section 215 business records sought are relevant to a foreign intelligence investigation or to a foreign power. The Senate version requires prior FBI Director approval for Section 215 FISA order applications not only for library business records but for book sales, firearms sales and medical records as well.

PATRIOT Act Update

Both houses of Congress have passed legislation with respect to various provisions of the PATRIOT Act which are due to expire on 12/31/2005. The House of Representatives version was passed on 07/21/2005 and the Senate version was passed on 07/29/2005. The matter is currently in a House - Senate conference committee to resolve differences. Highlights of the two versions are as follows:

- ★ Section 215 - This section allows the FBI to obtain third party business records, including those held by libraries, after obtaining a FISA court order. The House version reauthorizes this section for ten years, the Senate version for four years. The House version amends Section 215 to require FBI Director approval before a FISA

EFF Section 215-1241

U.S. Department of Justice
Federal Bureau of



igation

In Reply, Please Refer to
File No.

[Redacted]

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477 Michigan Avenue
Detroit, Michigan 48226
April 13, 2005

[Redacted]

The Detroit News
615 West Lafayette Blvd.
Detroit, Michigan 48226

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Dear [Redacted]

Outside the Scope

On April 10, 2005, a Detroit News editorial urged that certain provisions of the Patriot Act be replaced. Unfortunately, the editorial paints with a broad brush and fails to provide crucial relevant facts.

[Redacted]

The editorial complains that Section 215 of the Patriot Act permits investigators to obtain personal records "without evidence linking them to a crime." Section 215, however, is not a radical innovation. Federal grand juries have long had the power to issue subpoenas for all types of records, including medical records, firearms purchases, and library records. Grand jury subpoenas were

- 1 - Addressee
- 2 - Detroit

- (1 - [Redacted])
- (1 - [Redacted])

JRD/aal
(3)

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This document contains neither recommendations nor conclusions of the U.S. Department of Justice, Federal Bureau of Investigation, and its contents are not to be distributed outside your agency.

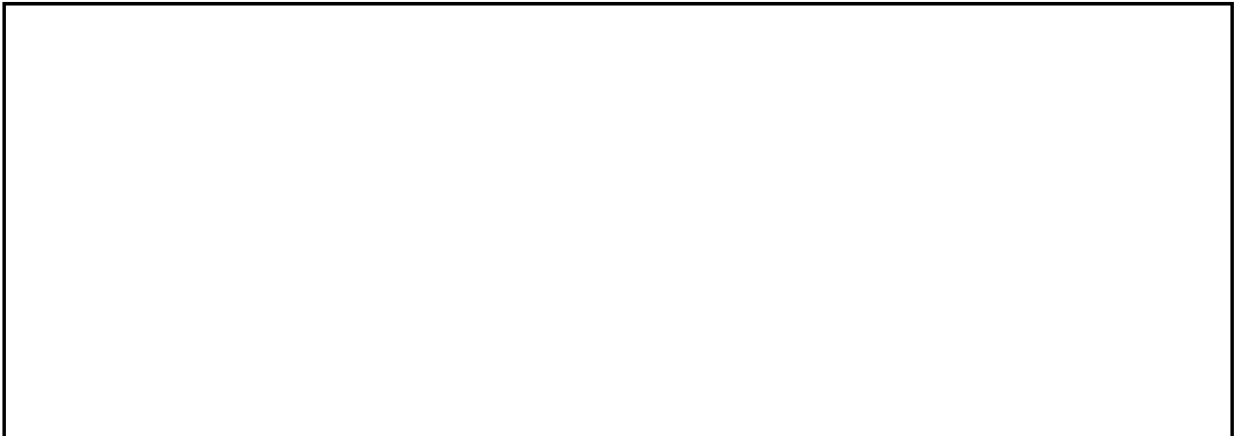


Re:

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used in the Unabomber investigation to determine who had checked out four books cited in the "Unabomber Manifesto." Section 215 simply makes this investigative tool available for foreign intelligence and terrorism investigations. Furthermore, by requiring a federal judge to approve such an order, Section 215 imposes more restrictions on its use than are required with federal grand jury subpoenas. Attorney General Alberto Gonzales recently advised the Senate Judiciary Committee that, since the enactment of the Patriot Act, Section 215 has never been used to obtain library or bookstore reading lists.

Outside the Scope



The Patriot Act provides valuable tools in investigating and combating terrorism. An intelligent discussion of extending or modifying it should necessarily include all of the relevant facts.

Sincerely yours,

Daniel D. Roberts
Special Agent in Charge

(Revised 11/04/2003)

**FBI FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA)
BUSINESS RECORDS REQUEST FORM**

INSTRUCTIONS

The FBI must use this form to request that the National Security Law Branch (NSLB)

[Redacted box]

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FBI field offices must adhere to the following procedures in using this form:

[Large redacted box]

(A)

Direct any questions about how to complete this form to the

[Redacted box]

[Redacted box]

Blank versions of this form are unclassified. Add classification markings to the form according to the classification of the information you provide.

[Redacted box]

- 959

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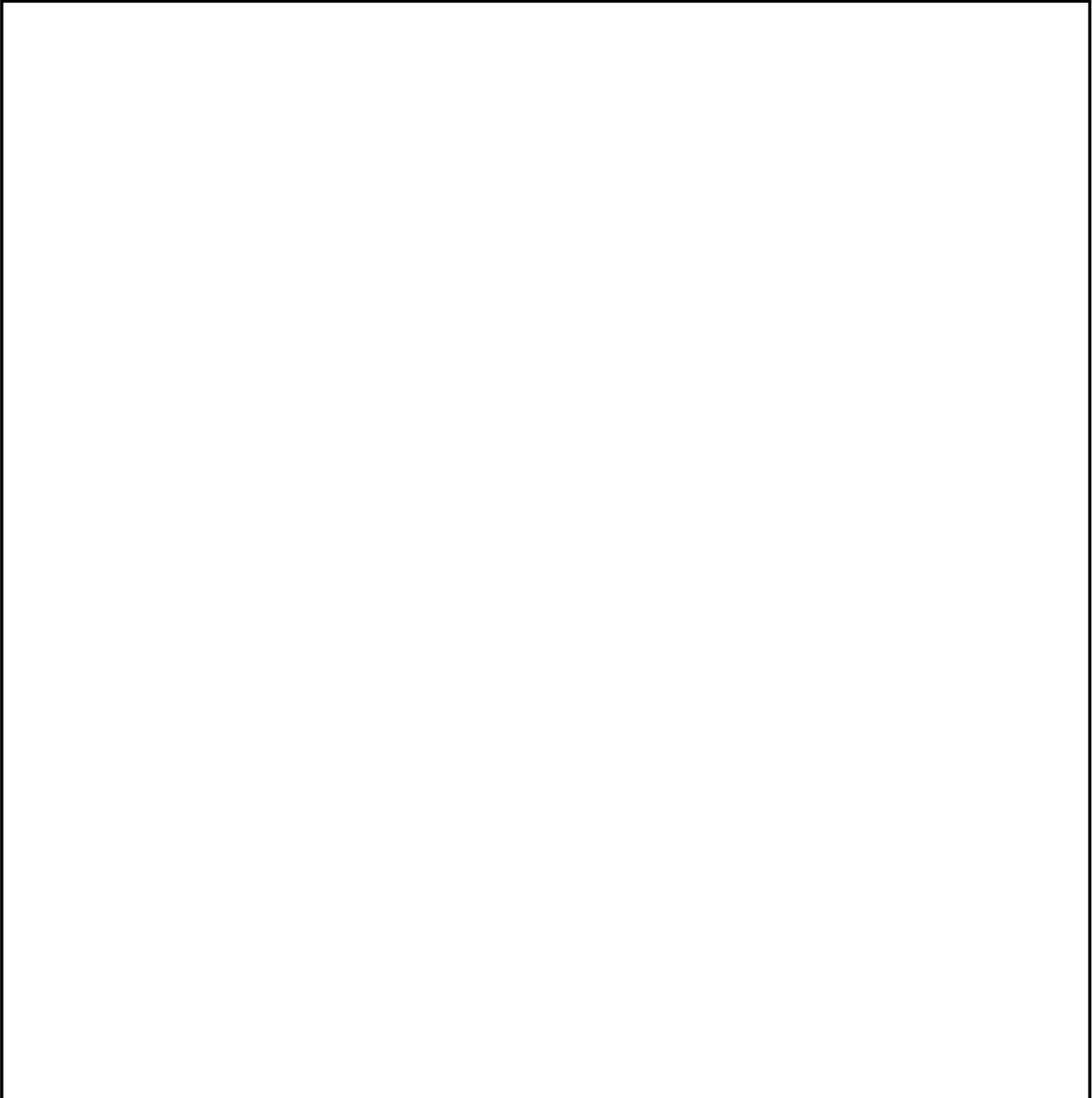
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FBI-RICHMOND	
<i>R</i>	

(Classification of completed form)

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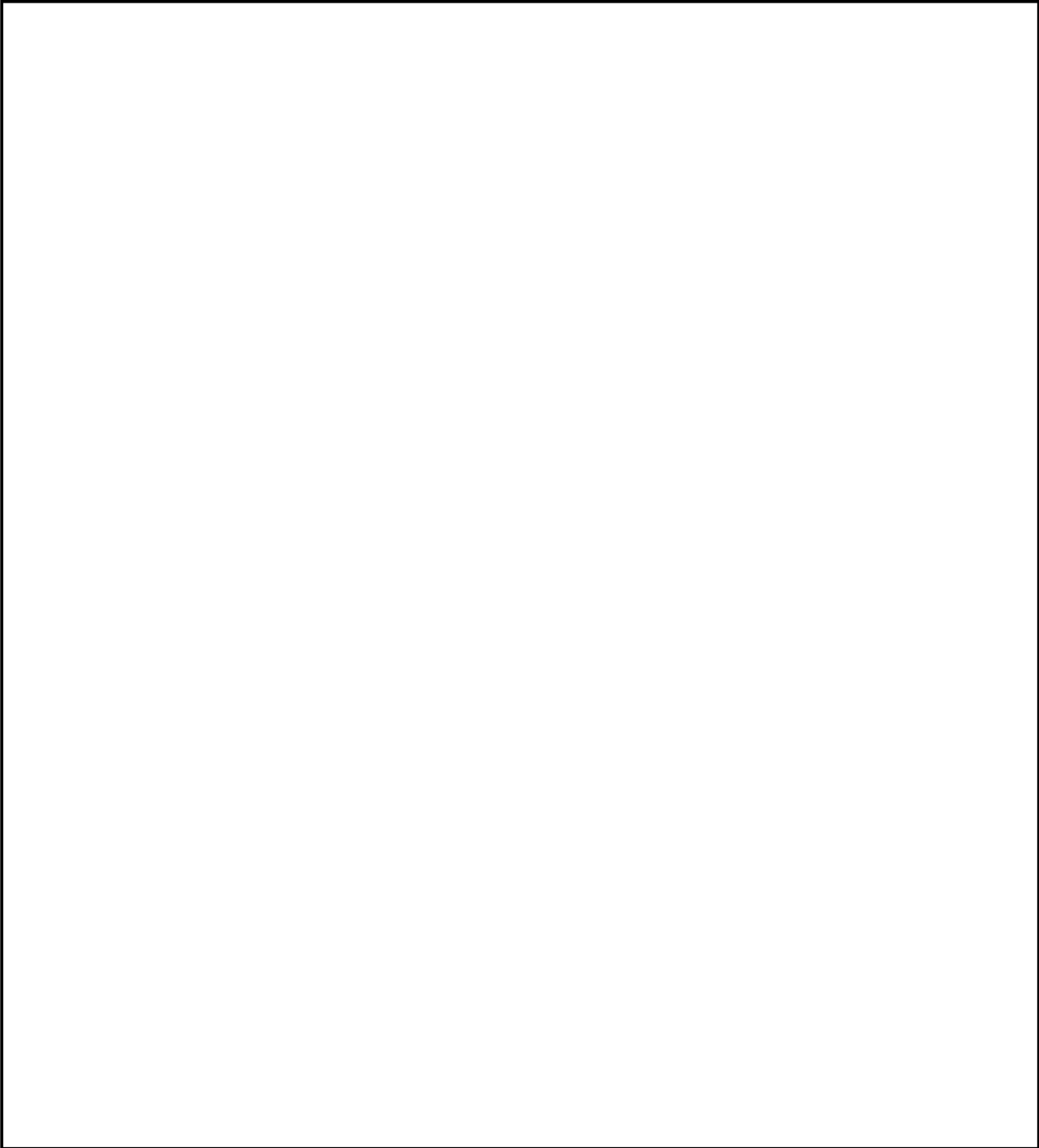
(Revised 11/04/03)

**FISA REQUEST FOR ACCESS TO BUSINESS RECORDS,
I.E., "ANY TANGIBLE THING (INCLUDING BOOKS, RECORDS,
PAPERS, DOCUMENTS AND OTHER ITEMS)" (50 USC Section 1861)**



(Classification of completed form)

(Classification of completed form)



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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

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Page 7 ~ b5, b6, b7C, b7E, Outside the Scope

Page 8 ~ b5, b7E, Outside the Scope

Page 9 ~ b5, b7E

Page 10 ~ b5, b7E

Page 11 ~ Outside the Scope

Page 12 ~ Outside the Scope

Page 13 ~ Outside the Scope

Page 15 ~ b5

Page 16 ~ b5

Page 18 ~ b5

Page 19 ~ b5

Page 20 ~ b5

Page 21 ~ b5

Page 22 ~ Outside the Scope

Page 24 ~ Outside the Scope

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Page 27 ~ Duplicate

Page 28 ~ Duplicate

Page 29 ~ Outside the Scope

Page 30 ~ Outside the Scope

Page 31 ~ Outside the Scope

Page 32 ~ b5, b6, b7C

Page 33 ~ b5, Outside the Scope

Page 34 ~ b5, Outside the Scope

Page 35 ~ Outside the Scope

Page 36 ~ b5, Outside the Scope

Page 37 ~ b5, Outside the Scope

Page 38 ~ b5, Outside the Scope

Page 39 ~ b5, Outside the Scope

Page 40 ~ b5, Outside the Scope

Page 41 ~ b5, Outside the Scope

Page 42 ~ b5, Outside the Scope

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Page 47 ~ b5, Outside the Scope

Page 48 ~ b5, Outside the Scope

Page 49 ~ b5, Outside the Scope

Page 50 ~ b5, Outside the Scope
Page 51 ~ b5
Page 52 ~ b5, Outside the Scope
Page 53 ~ b5, Outside the Scope
Page 54 ~ b5, Outside the Scope
Page 55 ~ b5, b7E, Outside the Scope
Page 56 ~ b5, b7E, Outside the Scope
Page 57 ~ b5, Outside the Scope
Page 58 ~ b5, Outside the Scope
Page 61 ~ b5, b6, b7C, b7E
Page 62 ~ b5, b7E
Page 66 ~ b7E