

HR 3162

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

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Sponsor

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Party: Republican • **State:** WI • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Oxley, Michael G. [R-OH-4]	R · OH		Oct 23, 2001

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Oct 23, 2001
Education and Workforce Committee	House	Referred To	Oct 23, 2001
Energy and Commerce Committee	House	Referred to	Oct 23, 2001
Financial Services Committee	House	Referred To	Oct 23, 2001
Foreign Affairs Committee	House	Referred To	Oct 23, 2001
Intelligence (Permanent Select) Committee	House	Referred To	Oct 23, 2001
Judiciary Committee	House	Referred To	Oct 23, 2001
Transportation and Infrastructure Committee	House	Referred To	Oct 23, 2001

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
107 S 1510	Related bill	Oct 30, 2001: Indefinitely postponed by Senate by Unanimous Consent. (consideration: CR S11247)
107 HR 3004	Procedurally related	Oct 17, 2001: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
107 HR 2975	Related bill	Oct 15, 2001: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 198.

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 - **Title I: Enhancing Domestic Security Against Terrorism** - Establishes in the Treasury the Counterterrorism Fund.

(Sec. 102) Expresses the sense of Congress that: (1) the civil rights and liberties of all Americans, including Arab Americans, must be protected, and that every effort must be taken to preserve their safety; (2) any acts of violence or discrimination against any Americans be condemned; and (3) the Nation is called upon to recognize the patriotism of fellow citizens from all ethnic, racial, and religious backgrounds.

(Sec. 103) Authorizes appropriations for the Federal Bureau of Investigation's (FBI) Technical Support Center.

(Sec. 104) Authorizes the Attorney General to request the Secretary of Defense to provide assistance in support of Department of Justice (DOJ) activities relating to the enforcement of Federal criminal code (code) provisions regarding the use of weapons of mass destruction during an emergency situation involving a weapon (currently, chemical weapon) of mass destruction.

(Sec. 105) Requires the Director of the U.S. Secret Service to take actions to develop a national network of electronic crime task forces throughout the United States to prevent, detect, and investigate various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems.

(Sec. 106) Modifies provisions relating to presidential authority under the International Emergency Powers Act to: (1) authorize the President, when the United States is engaged in armed hostilities or has been attacked by a foreign country or foreign nationals, to confiscate any property subject to U.S. jurisdiction of a foreign person, organization, or country that he determines has planned, authorized, aided, or engaged in such hostilities or attacks (the rights to which shall vest in such agency or person as the President may designate); and (2) provide that, in any judicial review of a determination made under such provisions, if the determination was based on classified information such information may be submitted to the reviewing court ex parte and in camera.

Title II: Enhanced Surveillance Procedures - Amends the Federal criminal code to authorize the interception of wire, oral, and electronic communications for the production of evidence of: (1) specified chemical weapons or terrorism offenses; and (2) computer fraud and abuse.

(Sec. 203) Amends rule 6 of the Federal Rules of Criminal Procedure (FRCrP) to permit the sharing of grand jury information that involves foreign intelligence or counterintelligence with Federal law enforcement, intelligence, protective, immigration, national defense, or national security officials (such officials), subject to specified requirements.

Authorizes an investigative or law enforcement officer, or an attorney for the Government, who, by authorized means, has obtained knowledge of the contents of any wire, oral, or electronic communication or evidence derived therefrom to disclose such contents to such officials to the extent that such contents include foreign intelligence or counterintelligence.

Directs the Attorney General to establish procedures for the disclosure of information (pursuant to the code and the FRCrP) that identifies a United States person, as defined in the Foreign Intelligence Surveillance Act of 1978 (FISA).

Authorizes the disclosure of foreign intelligence or counterintelligence obtained as part of a criminal investigation to such officials.

(Sec. 204) Clarifies that nothing in code provisions regarding pen registers shall be deemed to affect the acquisition by the Government of specified foreign intelligence information, and that procedures under FISA shall be the exclusive means by which electronic surveillance and the interception of domestic wire and oral (current law) and electronic communications may be conducted.

(Sec. 205) Authorizes the Director of the FBI to expedite the employment of personnel as translators to support counter-terrorism investigations and operations without regard to applicable Federal personnel requirements. Requires: (1) the Director to establish such security requirements as necessary for such personnel; and (2) the Attorney General to report to the House and Senate Judiciary Committees regarding translators.

(Sec. 206) Grants roving surveillance authority under FISA after requiring a court order approving an electronic surveillance to direct any person to furnish necessary information, facilities, or technical assistance in circumstances where the Court finds that the actions of the surveillance target may have the effect of thwarting the identification of a specified person.

(Sec. 207) Increases the duration of FISA surveillance permitted for non-U.S. persons who are agents of a foreign power.

(Sec. 208) Increases (from seven to 11) the number of district court judges designated to hear applications for and grant orders approving electronic surveillance. Requires that no fewer than three reside within 20 miles of the District of Columbia.

(Sec. 209) Permits the seizure of voice-mail messages under a warrant.

(Sec. 210) Expands the scope of subpoenas for records of electronic communications to include the length and types of service utilized, temporarily assigned network addresses, and the means and source of payment (including any credit card or bank account number).

(Sec. 211) Amends the Communications Act of 1934 to permit specified disclosures to Government entities, except for records revealing cable subscriber selection of video programming from a cable operator.

(Sec. 212) Permits electronic communication and remote computing service providers to make emergency disclosures to a governmental entity of customer electronic communications to protect life and limb.

(Sec. 213) Authorizes Federal district courts to allow a delay of required notices of the execution of a warrant if immediate notice may have an adverse result and under other specified circumstances.

(Sec. 214) Prohibits use of a pen register or trap and trace devices in any investigation to protect against international terrorism or clandestine intelligence activities that is conducted solely on the basis of activities protected by the first amendment to the U.S. Constitution.

(Sec. 215) Authorizes the Director of the FBI (or designee) to apply for a court order requiring production of certain business records for foreign intelligence and international terrorism investigations. Requires the Attorney General to report to the House and Senate Intelligence and Judiciary Committees semi-annually.

(Sec. 216) Amends the code to: (1) require a trap and trace device to restrict recoding or decoding so as not to include the contents of a wire or electronic communication; (2) apply a court order for a pen register or trap and trace devices to any person or entity providing wire or electronic communication service in the United States whose assistance may facilitate execution of the order; (3) require specified records kept on any pen register or trap and trace device on a

packet-switched data network of a provider of electronic communication service to the public; and (4) allow a trap and trace device to identify the source (but not the contents) of a wire or electronic communication.

(Sec. 217) Makes it lawful to intercept the wire or electronic communication of a computer trespasser in certain circumstances.

(Sec. 218) Amends FISA to require an application for an electronic surveillance order or search warrant to certify that a significant purpose (currently, the sole or main purpose) of the surveillance is to obtain foreign intelligence information.

(Sec. 219) Amends rule 41 of the FRCrP to permit Federal magistrate judges in any district in which terrorism-related activities may have occurred to issue search warrants for searches within or outside the district.

(Sec. 220) Provides for nationwide service of search warrants for electronic evidence.

(Sec. 221) Amends the Trade Sanctions Reform and Export Enhancement Act of 2000 to extend trade sanctions to the territory of Afghanistan controlled by the Taliban.

(Sec. 222) Specifies that: (1) nothing in this Act shall impose any additional technical obligation or requirement on a provider of a wire or electronic communication service or other person to furnish facilities or technical assistance; and (2) a provider of such service, and a landlord, custodian, or other person who furnishes such facilities or technical assistance, shall be reasonably compensated for such reasonable expenditures incurred in providing such facilities or assistance.

(Sec. 223) Amends the Federal criminal code to provide for administrative discipline of Federal officers or employees who violate prohibitions against unauthorized disclosures of information gathered under this Act. Provides for civil actions against the United States for damages by any person aggrieved by such violations.

(Sec. 224) Terminates this title on December 31, 2005, except with respect to any particular foreign intelligence investigation beginning before that date, or any particular offense or potential offense that began or occurred before it.

(Sec. 225) Amends the Foreign Intelligence Surveillance Act of 1978 to prohibit a cause of action in any court against a provider of a wire or electronic communication service, landlord, custodian, or any other person that furnishes any information, facilities, or technical assistance in accordance with a court order or request for emergency assistance under such Act (for example, with respect to a wiretap).

Title III: International Money Laundering Abatement and Anti-Terrorist Financing Act of 2001 - International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001- Sunsets this Act after the first day of FY 2005 if Congress enacts a specified joint resolution to that effect.

Subtitle A: International Counter Money Laundering and Related Measures - Amends Federal law governing monetary transactions to prescribe procedural guidelines under which the Secretary of the Treasury (the Secretary) may require domestic financial institutions and agencies to take specified measures if the Secretary finds that reasonable grounds exist for concluding that jurisdictions, financial institutions, types of accounts, or transactions operating outside or within the United States, are of primary money laundering concern. Includes mandatory disclosure of specified information relating to certain correspondent accounts.

(Sec. 312) Mandates establishment of due diligence mechanisms to detect and report money laundering transactions through private banking accounts and correspondent accounts.

(Sec. 313) Prohibits U.S. correspondent accounts with foreign shell banks.

(Sec. 314) Instructs the Secretary to adopt regulations to encourage further cooperation among financial institutions, their regulatory authorities, and law enforcement authorities, with the specific purpose of encouraging regulatory authorities and law enforcement authorities to share with financial institutions information regarding individuals, entities, and organizations engaged in or reasonably suspected (based on credible evidence) of engaging in terrorist acts or money laundering activities. Authorizes such regulations to create procedures for cooperation and information sharing on matters specifically related to the finances of terrorist groups as well as their relationships with international narcotics traffickers.

Requires the Secretary to distribute annually to financial institutions a detailed analysis identifying patterns of suspicious activity and other investigative insights derived from suspicious activity reports and investigations by Federal, State, and local law enforcement agencies.

(Sec. 315) Amends Federal criminal law to include foreign corruption offenses as money laundering crimes.

(Sec. 316) Establishes the right of property owners to contest confiscation of property under law relating to confiscation of assets of suspected terrorists.

(Sec. 317) Establishes Federal jurisdiction over: (1) foreign money launderers (including their assets held in the United States); and (2) money that is laundered through a foreign bank.

(Sec. 319) Authorizes the forfeiture of money laundering funds from interbank accounts. Requires a covered financial institution, upon request of the appropriate Federal banking agency, to make available within 120 hours all pertinent information related to anti-money laundering compliance by the institution or its customer. Grants the Secretary summons and subpoena powers over foreign banks that maintain a correspondent bank in the United States. Requires a covered financial institution to terminate within ten business days any correspondent relationship with a foreign bank after receipt of written notice that the foreign bank has failed to comply with certain judicial proceedings. Sets forth civil penalties for failure to terminate such relationship.

(Sec. 321) Subjects to record and report requirements for monetary instrument transactions: (1) any credit union; and (2) any futures commission merchant, commodity trading advisor, and commodity pool operator registered, or required to register, under the Commodity Exchange Act.

(Sec. 323) Authorizes Federal application for restraining orders to preserve the availability of property subject to a foreign forfeiture or confiscation judgment.

(Sec. 325) Authorizes the Secretary to issue regulations to ensure that concentration accounts of financial institutions are not used to prevent association of the identity of an individual customer with the movement of funds of which the customer is the direct or beneficial owner.

(Sec. 326) Directs the Secretary to issue regulations prescribing minimum standards for financial institutions regarding customer identity in connection with the opening of accounts.

Requires the Secretary to report to Congress on: (1) the most timely and effective way to require foreign nationals to provide domestic financial institutions and agencies with appropriate and accurate information; (2) whether to require foreign nationals to obtain an identification number (similar to a Social Security or tax identification number) before opening an account with a domestic financial institution; and (3) a system for domestic financial institutions and agencies

to review Government agency information to verify the identities of such foreign nationals.

(Sec. 327) Amends the Bank Holding Company Act of 1956 and the Federal Deposit Insurance Act to require consideration of the effectiveness of a company or companies in combating money laundering during reviews of proposed bank shares acquisitions or mergers.

(Sec. 328) Directs the Secretary take reasonable steps to encourage foreign governments to require the inclusion of the name of the originator in wire transfer instructions sent to the United States and other countries, with the information to remain with the transfer from its origination until the point of disbursement. Requires annual progress reports to specified congressional committees.

(Sec. 329) Prescribes criminal penalties for Federal officials or employees who seek or accept bribes in connection with administration of this title.

(Sec. 330) Urges U.S. negotiations for international cooperation in investigations of money laundering, financial crimes, and the finances of terrorist groups, including record sharing by foreign banks with U.S. law enforcement officials and domestic financial institution supervisors.

Subtitle B: Bank Secrecy Act Amendments and Related Improvements - Amends Federal law known as the Bank Secrecy Act to revise requirements for civil liability immunity for voluntary financial institution disclosure of suspicious activities. Authorizes the inclusion of suspicions of illegal activity in written employment references.

(Sec. 352) Authorizes the Secretary to exempt from minimum standards for anti-money laundering programs any financial institution not subject to certain regulations governing financial recordkeeping and reporting of currency and foreign transactions.

(Sec. 353) Establishes civil penalties for violations of geographic targeting orders and structuring transactions to evade certain recordkeeping requirements. Lengthens the effective period of geographic targeting orders from 60 to 180 days.

(Sec. 355) Amends the Federal Deposit Insurance Act to permit written employment references to contain suspicions of involvement in illegal activity.

(Sec. 356) Instructs the Secretary to: (1) promulgate regulations requiring registered securities brokers and dealers, futures commission merchants, commodity trading advisors, and commodity pool operators, to file reports of suspicious financial transactions; (2) report to Congress on the role of the Internal Revenue Service in the administration of the Bank Secrecy Act; and (3) share monetary instruments transactions records upon request of a U.S. intelligence agency for use in the conduct of intelligence or counterintelligence activities, including analysis, to protect against international terrorism.

(Sec. 358) Amends the Right to Financial Privacy Act to permit the transfer of financial records to other agencies or departments upon certification that the records are relevant to intelligence or counterintelligence activities related to international terrorism.

Amends the Fair Credit Reporting Act to require a consumer reporting agency to furnish all information in a consumer's file to a government agency upon certification that the records are relevant to intelligence or counterintelligence activities related to international terrorism.

(Sec. 359) Subjects to mandatory records and reports on monetary instruments transactions any licensed sender of money or any other person who engages as a business in the transmission of funds, including through an informal value

transfer banking system or network (e.g., hawala) of people facilitating the transfer of money domestically or internationally outside of the conventional financial institutions system.

(Sec. 360) Authorizes the Secretary to instruct the United States Executive Director of each international financial institution to use his or her voice and vote to: (1) support the use of funds for a country (and its institutions) which contributes to U.S. efforts against international terrorism; and (2) require an auditing of disbursements to ensure that no funds are paid to persons who commit or support terrorism.

(Sec. 361) Makes the existing Financial Crimes Enforcement Network a bureau in the Department of the Treasury.

(Sec. 362) Directs the Secretary to establish a highly secure network in the Network that allows financial institutions to file certain reports and receive alerts and other information regarding suspicious activities warranting immediate and enhanced scrutiny.

(Sec. 363) Increases to \$1 million the maximum civil penalties (currently \$10,000) and criminal fines (currently \$250,000) for money laundering. Sets a minimum civil penalty and criminal fine of double the amount of the illegal transaction.

(Sec. 364) Amends the Federal Reserve Act to provide for uniform protection authority for Federal Reserve facilities, including law enforcement officers authorized to carry firearms and make warrantless arrests.

(Sec. 365) Amends Federal law to require reports relating to coins and currency of more than \$10,000 received in a nonfinancial trade or business.

(Sec. 366) Directs the Secretary to study and report to Congress on: (1) the possible expansion of the currency transaction reporting requirements exemption system; and (2) methods for improving financial institution utilization of the system as a way of reducing the submission of currency transaction reports that have little or no value for law enforcement purposes.

Subtitle C: Currency Crimes - Establishes as a bulk cash smuggling felony the knowing concealment and attempted transport (or transfer) across U.S. borders of currency and monetary instruments in excess of \$10,000, with intent to evade specified currency reporting requirements.

(Sec. 372) Changes from discretionary to mandatory a court's authority to order, as part of a criminal sentence, forfeiture of all property involved in certain currency reporting offenses. Leaves a court discretion to order civil forfeitures in money laundering cases.

(Sec. 373) Amends the Federal criminal code to revise the prohibition of unlicensed (currently, illegal) money transmitting businesses.

(Sec. 374) Increases the criminal penalties for counterfeiting domestic and foreign currency and obligations.

(Sec. 376) Amends the Federal criminal code to extend the prohibition against the laundering of money instruments to specified proceeds of terrorism.

(Sec. 377) Grants the United States extraterritorial jurisdiction where: (1) an offense committed outside the United States involves an access device issued, owned, managed, or controlled by a financial institution, account issuer, credit card system member, or other entity within U.S. jurisdiction; and (2) the person committing the offense transports, delivers, conveys, transfers to or through, or otherwise stores, secrets, or holds within U.S. jurisdiction any article used to assist in

the commission of the offense or the proceeds of such offense or property derived from it.

Title IV: Protecting the Border - Subtitle A: Protecting the Northern Border - Authorizes the Attorney General to waive certain Immigration and Naturalization Service (INS) personnel caps with respect to ensuring security needs on the Northern border.

(Sec. 402) Authorizes appropriations to: (1) triple the number of Border Patrol, Customs Service, and INS personnel (and support facilities) at points of entry and along the Northern border; and (2) INS and Customs for related border monitoring technology and equipment.

(Sec. 403) Amends the Immigration and Nationality Act to require the Attorney General and the Federal Bureau of Investigation (FBI) to provide the Department of State and INS with access to specified criminal history extracts in order to determine whether or not a visa or admissions applicant has a criminal history. Directs the FBI to provide periodic extract updates. Provides for confidentiality.

Directs the Attorney General and the Secretary of State to develop a technology standard to identify visa and admissions applicants, which shall be the basis for an electronic system of law enforcement and intelligence sharing system available to consular, law enforcement, intelligence, and Federal border inspection personnel.

(Sec. 404) Amends the Department of Justice Appropriations Act, 2001 to eliminate certain INS overtime restrictions.

(Sec. 405) Directs the Attorney General to report on the feasibility of enhancing the Integrated Automated Fingerprint Identification System and other identification systems to better identify foreign individuals in connection with U.S. or foreign criminal investigations before issuance of a visa to, or permitting such person's entry or exit from, the United States. Authorizes appropriations.

Subtitle B: Enhanced Immigration Provisions - Amends the Immigration and Nationality Act to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities to include an alien who: (1) is a representative of a political, social, or similar group whose political endorsement of terrorist acts undermines U.S. antiterrorist efforts; (2) has used a position of prominence to endorse terrorist activity, or to persuade others to support such activity in a way that undermines U.S. antiterrorist efforts (or the child or spouse of such an alien under specified circumstances); or (3) has been associated with a terrorist organization and intends to engage in threatening activities while in the United States.

(Sec. 411) Includes within the definition of "terrorist activity" the use of any weapon or dangerous device.

Redefines "engage in terrorist activity" to mean, in an individual capacity or as a member of an organization, to: (1) commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity; (2) prepare or plan a terrorist activity; (3) gather information on potential targets for terrorist activity; (4) solicit funds or other things of value for a terrorist activity or a terrorist organization (with an exception for lack of knowledge); (5) solicit any individual to engage in prohibited conduct or for terrorist organization membership (with an exception for lack of knowledge); or (6) commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training for the commission of a terrorist activity; to any individual who the actor knows or reasonably should know has committed or plans to commit a terrorist activity; or to a terrorist organization (with an exception for lack of knowledge).

Defines "terrorist organization" as a group: (1) designated under the Immigration and Nationality Act or by the Secretary of State; or (2) a group of two or more individuals, whether related or not, which engages in terrorist-related activities.

Provides for the retroactive application of amendments under this Act. Stipulates that an alien shall not be considered inadmissible or deportable because of a relationship to an organization that was not designated as a terrorist organization prior to enactment of this Act. States that the amendments under this section shall apply to all aliens in exclusion or deportation proceedings on or after the date of enactment of this Act.

Directs the Secretary of State to notify specified congressional leaders seven days prior to designating an organization as a terrorist organization. Provides for organization redesignation or revocation.

(Sec. 412) Provides for mandatory detention until removal from the United States (regardless of any relief from removal) of an alien certified by the Attorney General as a suspected terrorist or threat to national security. Requires release of such alien after seven days if removal proceedings have not commenced, or the alien has not been charged with a criminal offense. Authorizes detention for additional periods of up to six months of an alien not likely to be deported in the reasonably foreseeable future only if release will threaten U.S. national security or the safety of the community or any person. Limits judicial review to habeas corpus proceedings in the U.S. Supreme Court, the U.S. Court of Appeals for the District of Columbia, or any district court with jurisdiction to entertain a habeas corpus petition. Restricts to the U.S. Court of Appeals for the District of Columbia the right of appeal of any final order by a circuit or district judge.

(Sec. 413) Authorizes the Secretary of State, on a reciprocal basis, to share criminal- and terrorist-related visa lookout information with foreign governments.

(Sec. 414) Declares the sense of Congress that the Attorney General should: (1) fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry with all deliberate speed; and (2) begin immediately establishing the Integrated Entry and Exit Data System Task Force. Authorizes appropriations.

Requires the Attorney General and the Secretary of State, in developing the integrated entry and exit data system, to focus on the use of biometric technology and the development of tamper-resistant documents readable at ports of entry.

(Sec. 415) Amends the Immigration and Naturalization Service Data Management Improvement Act of 2000 to include the Office of Homeland Security in the Integrated Entry and Exit Data System Task Force.

(Sec. 416) Directs the Attorney General to implement fully and expand the foreign student monitoring program to include other approved educational institutions like air flight, language training, or vocational schools.

(Sec. 417) Requires audits and reports on implementation of the mandate for machine readable passports.

(Sec. 418) Directs the Secretary of State to: (1) review how consular officers issue visas to determine if consular shopping is a problem; and (2) if it is a problem, take steps to address it, and report on them to Congress.

Subtitle C: Preservation of Immigration Benefits for Victims of Terrorism - Authorizes the Attorney General to provide permanent resident status through the special immigrant program to an alien (and spouse, child, or grandparent under specified circumstances) who was the beneficiary of a petition filed on or before September 11, 2001, to grant the alien permanent residence as an employer-sponsored immigrant or of an application for labor certification if the petition or application was rendered null because of the disability of the beneficiary or loss of employment due to physical damage to, or destruction of, the business of the petitioner or applicant as a direct result of the terrorist attacks on September 11, 2001 (September attacks), or because of the death of the petitioner or applicant as a direct result of such attacks.

(Sec. 422) States that an alien who was legally in a nonimmigrant status and was disabled as a direct result of the September attacks may remain in the United States until his or her normal status termination date or September, 11, 2002. Includes in such extension the spouse or child of such an alien or of an alien who was killed in such attacks. Authorizes employment during such period.

Extends specified immigration-related deadlines and other filing requirements for an alien (and spouse and child) who was directly prevented from meeting such requirements as a result of the September attacks respecting: (1) nonimmigrant status and status revision; (2) diversity immigrants; (3) immigrant visas; (4) parolees; and (5) voluntary departure.

(Sec. 423) Waives, under specified circumstances, the requirement that an alien spouse (and child) of a U.S. citizen must have been married for at least two years prior to such citizen's death in order to maintain immediate relative status if such citizen died as a direct result of the September attacks. Provides for: (1) continued family-sponsored immigrant eligibility for the spouse, child, or unmarried son or daughter of a permanent resident who died as a direct result of such attacks; and (2) continued eligibility for adjustment of status for the spouse and child of an employment-based immigrant who died similarly.

(Sec. 424) Amends the Immigration and Nationality Act to extend the visa categorization of "child" for aliens with petitions filed on or before September 11, 2001, for aliens whose 21st birthday is in September 2001 (90 days), or after September 2001 (45 days).

(Sec. 425) Authorizes the Attorney General to provide temporary administrative relief to an alien who, as of September, 10, 2001, was lawfully in the United States and was the spouse, parent, or child of an individual who died or was disabled as a direct result of the September attacks.

(Sec. 426) Directs the Attorney General to establish evidentiary guidelines for death, disability, and loss of employment or destruction of business in connection with the provisions of this subtitle.

(Sec. 427) Prohibits benefits to terrorists or their family members.

Title V: Removing Obstacles to Investigating Terrorism - Authorizes the Attorney General to pay rewards from available funds pursuant to public advertisements for assistance to DOJ to combat terrorism and defend the Nation against terrorist acts, in accordance with procedures and regulations established or issued by the Attorney General, subject to specified conditions, including a prohibition against any such reward of \$250,000 or more from being made or offered without the personal approval of either the Attorney General or the President.

(Sec. 502) Amends the State Department Basic Authorities Act of 1956 to modify the Department of State rewards program to authorize rewards for information leading to: (1) the dismantling of a terrorist organization in whole or significant part; and (2) the identification or location of an individual who holds a key leadership position in a terrorist organization. Raises the limit on rewards if the Secretary State determines that a larger sum is necessary to combat terrorism or defend the Nation against terrorist acts.

(Sec. 503) Amends the DNA Analysis Backlog Elimination Act of 2000 to qualify a Federal terrorism offense for collection of DNA for identification.

(Sec. 504) Amends FISA to authorize consultation among Federal law enforcement officers regarding information acquired from an electronic surveillance or physical search in terrorism and related investigations or protective measures.

(Sec. 505) Allows the FBI to request telephone toll and transactional records, financial records, and consumer reports in any investigation to protect against international terrorism or clandestine intelligence activities only if the investigation is not conducted solely on the basis of activities protected by the first amendment to the U.S. Constitution.

(Sec. 506) Revises U.S. Secret Service jurisdiction with respect to fraud and related activity in connection with computers. Grants the FBI primary authority to investigate specified fraud and computer related activity for cases involving espionage, foreign counter-intelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or restricted data, except for offenses affecting Secret Service duties.

(Sec. 507) Amends the General Education Provisions Act and the National Education Statistics Act of 1994 to provide for disclosure of educational records to the Attorney General in a terrorism investigation or prosecution.

Title VI: Providing for Victims of Terrorism, Public Safety Officers, and Their Families - Subtitle A: Aid to Families of Public Safety Officers - Provides for expedited payments for: (1) public safety officers involved in the prevention, investigation, rescue, or recovery efforts related to a terrorist attack; and (2) heroic public safety officers. Increases Public Safety Officers Benefit Program payments.

Subtitle B: Amendments to the Victims of Crime Act of 1984 - Amends the Victims of Crime Act of 1984 to: (1) revise provisions regarding the allocation of funds for compensation and assistance, location of compensable crime, and the relationship of crime victim compensation to means-tested Federal benefit programs and to the September 11th victim compensation fund; and (2) establish an antiterrorism emergency reserve in the Victims of Crime Fund.

Title VII: Increased Information Sharing for Critical Infrastructure Protection - Amends the Omnibus Crime Control and Safe Streets Act of 1968 to extend Bureau of Justice Assistance regional information sharing system grants to systems that enhance the investigation and prosecution abilities of participating Federal, State, and local law enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities. Authorizes appropriations.

Title VIII: Strengthening the Criminal Laws Against Terrorism - Amends the Federal criminal code to prohibit specific terrorist acts or otherwise destructive, disruptive, or violent acts against mass transportation vehicles, ferries, providers, employees, passengers, or operating systems.

(Sec. 802) Amends the Federal criminal code to: (1) revise the definition of "international terrorism" to include activities that appear to be intended to affect the conduct of government by mass destruction; and (2) define "domestic terrorism" as activities that occur primarily within U.S. jurisdiction, that involve criminal acts dangerous to human life, and that appear to be intended to intimidate or coerce a civilian population, to influence government policy by intimidation or coercion, or to affect government conduct by mass destruction, assassination, or kidnapping.

(Sec. 803) Prohibits harboring any person knowing or having reasonable grounds to believe that such person has committed or to be about to commit a terrorism offense.

(Sec. 804) Establishes Federal jurisdiction over crimes committed at U.S. facilities abroad.

(Sec. 805) Applies the prohibitions against providing material support for terrorism to offenses outside of the United States.

(Sec. 806) Subjects to civil forfeiture all assets, foreign or domestic, of terrorist organizations.

(Sec. 808) Expands: (1) the offenses over which the Attorney General shall have primary investigative jurisdiction under

provisions governing acts of terrorism transcending national boundaries; and (2) the offenses included within the definition of the Federal crime of terrorism.

(Sec. 809) Provides that there shall be no statute of limitations for certain terrorism offenses if the commission of such an offense resulted in, or created a foreseeable risk of, death or serious bodily injury to another person.

(Sec. 810) Provides for alternative maximum penalties for specified terrorism crimes.

(Sec. 811) Makes: (1) the penalties for attempts and conspiracies the same as those for terrorism offenses; (2) the supervised release terms for offenses with terrorism predicates any term of years or life; and (3) specified terrorism crimes Racketeer Influenced and Corrupt Organizations statute predicates.

(Sec. 814) Revises prohibitions and penalties regarding fraud and related activity in connection with computers to include specified cyber-terrorism offenses.

(Sec. 816) Directs the Attorney General to establish regional computer forensic laboratories, and to support existing laboratories, to develop specified cyber-security capabilities.

(Sec. 817) Prescribes penalties for knowing possession in certain circumstances of biological agents, toxins, or delivery systems, especially by certain restricted persons.

Title IX: Improved Intelligence - Amends the National Security Act of 1947 to require the Director of Central Intelligence (DCI) to establish requirements and priorities for foreign intelligence collected under the Foreign Intelligence Surveillance Act of 1978 and to provide assistance to the Attorney General (AG) to ensure that information derived from electronic surveillance or physical searches is disseminated for efficient and effective foreign intelligence purposes. Requires the inclusion of international terrorist activities within the scope of foreign intelligence under such Act.

(Sec. 903) Expresses the sense of Congress that officers and employees of the intelligence community should establish and maintain intelligence relationships to acquire information on terrorists and terrorist organizations.

(Sec. 904) Authorizes deferral of the submission to Congress of certain reports on intelligence and intelligence-related matters until: (1) February 1, 2002; or (2) a date after February 1, 2002, if the official involved certifies that preparation and submission on February 1, 2002, will impede the work of officers or employees engaged in counterterrorism activities. Requires congressional notification of any such deferral.

(Sec. 905) Requires the AG or the head of any other Federal department or agency with law enforcement responsibilities to expeditiously disclose to the DCI any foreign intelligence acquired in the course of a criminal investigation.

(Sec. 906) Requires the AG, DCI, and Secretary of the Treasury to jointly report to Congress on the feasibility and desirability of reconfiguring the Foreign Asset Tracking Center and the Office of Foreign Assets Control to provide for the analysis and dissemination of foreign intelligence relating to the financial capabilities and resources of international terrorist organizations.

(Sec. 907) Requires the DCI to report to the appropriate congressional committees on the establishment and maintenance of the National Virtual Translation Center for timely and accurate translation of foreign intelligence for elements of the intelligence community.

(Sec. 908) Requires the AG to provide a program of training to Government officials regarding the identification and use

of foreign intelligence.

Title X: Miscellaneous - Directs the Inspector General of the Department of Justice to designate one official to review allegations of abuse of civil rights, civil liberties, and racial and ethnic profiling by government employees and officials.

(Sec. 1002) Expresses the sense of Congress condemning acts of violence or discrimination against any American, including Sikh-Americans. Calls upon local and Federal law enforcement authorities to prosecute to the fullest extent of the law all those who commit crimes.

(Sec. 1004) Amends the Federal criminal code with respect to venue in money laundering cases to allow a prosecution for such an offense to be brought in: (1) any district in which the financial or monetary transaction is conducted; or (2) any district where a prosecution for the underlying specified unlawful activity could be brought, if the defendant participated in the transfer of the proceeds of the specified unlawful activity from that district to the district where the financial or monetary transaction is conducted.

States that: (1) a transfer of funds from one place to another, by wire or any other means, shall constitute a single, continuing transaction; and (2) any person who conducts any portion of the transaction may be charged in any district in which the transaction takes place.

Allows a prosecution for an attempt or conspiracy offense to be brought in the district where venue would lie for the completed offense, or in any other district where an act in furtherance of the attempt or conspiracy took place.

(Sec. 1005) First Responders Assistance Act - Directs the Attorney General to make grants to State and local governments to improve the ability of State and local law enforcement, fire department, and first responders to respond to and prevent acts of terrorism. Authorizes appropriations.

(Sec. 1006) Amends the Immigration and Nationality Act to make inadmissible into the United States any alien engaged in money laundering. Directs the Secretary of State to develop a money laundering watchlist which: (1) identifies individuals worldwide who are known or suspected of money laundering; and (2) is readily accessible to, and shall be checked by, a consular or other Federal official before the issuance of a visa or admission to the United States.

(Sec. 1007) Authorizes FY 2002 appropriations for regional antidrug training in Turkey by the Drug Enforcement Administration for police, as well as increased precursor chemical control efforts in South and Central Asia.

(Sec. 1008) Directs the Attorney General to conduct a feasibility study and report to Congress on the use of a biometric identifier scanning system with access to the FBI integrated automated fingerprint identification system at overseas consular posts and points of entry to the United States.

(Sec. 1009) Directs the FBI to study and report to Congress on the feasibility of providing to airlines access via computer to the names of passengers who are suspected of terrorist activity by Federal officials. Authorizes appropriations.

(Sec. 1010) Authorizes the use of Department of Defense funds to contract with local and State governments, during the period of Operation Enduring Freedom, for the performance of security functions at U.S. military installations.

(Sec. 1011) Crimes Against Charitable Americans Act of 2001 - Amends the Telemarketing and Consumer Fraud and Abuse Prevention Act to cover fraudulent charitable solicitations. Requires any person engaged in telemarketing for the solicitation of charitable contributions, donations, or gifts to disclose promptly and clearly the purpose of the telephone call.

(Sec. 1012) Amends the Federal transportation code to prohibit States from licensing any individual to operate a motor vehicle transporting hazardous material unless the Secretary of Transportation determines that such individual does not pose a security risk warranting denial of the license. Requires background checks of such license applicants by the Attorney General upon State request.

(Sec. 1013) Expresses the sense of the Senate on substantial new U.S. investment in bioterrorism preparedness and response.

(Sec. 1014) Directs the Office for State and Local Domestic Preparedness Support of the Office of Justice Programs to make grants to enhance State and local capability to prepare for and respond to terrorist acts. Authorizes appropriations for FY 2002 through 2007.

(Sec. 1015) Amends the Crime Identification Technology Act of 1998 to extend it through FY 2007 and provide for antiterrorism grants to States and localities. Authorizes appropriations.

(Sec. 1016) Critical Infrastructures Protection Act of 2001 - Declares it is U.S. policy: (1) that any physical or virtual disruption of the operation of the critical infrastructures of the United States be rare, brief, geographically limited in effect, manageable, and minimally detrimental to the economy, human and government services, and U.S. national security; (2) that actions necessary to achieve this policy be carried out in a public-private partnership involving corporate and non-governmental organizations; and (3) to have in place a comprehensive and effective program to ensure the continuity of essential Federal Government functions under all circumstances.

Establishes the National Infrastructure Simulation and Analysis Center to serve as a source of national competence to address critical infrastructure protection and continuity through support for activities related to counterterrorism, threat assessment, and risk mitigation.

Defines critical infrastructure as systems and assets, whether physical or virtual, so vital to the United States that their incapacity or destruction would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

Authorizes appropriations.

Actions Timeline

- **Oct 26, 2001:** Signed by President.
- **Oct 26, 2001:** Signed by President.
- **Oct 26, 2001:** Became Public Law No: 107-56.
- **Oct 26, 2001:** Became Public Law No: 107-56.
- **Oct 25, 2001:** Passed/agreed to in Senate: Passed Senate without amendment by Yea-Nay Vote. 98 - 1. Record Vote Number: 313.(consideration: CR S10990-11060)
- **Oct 25, 2001:** Passed Senate without amendment by Yea-Nay Vote. 98 - 1. Record Vote Number: 313. (consideration: CR S10990-11060)
- **Oct 25, 2001:** Message on Senate action sent to the House.
- **Oct 25, 2001:** Presented to President.
- **Oct 25, 2001:** Presented to President.
- **Oct 24, 2001:** Considered as unfinished business. (consideration: CR H7224)
- **Oct 24, 2001:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 357 - 66 (Roll no. 398).(text of measure as passed House: CR 10/23/2001 H7159-7196)
- **Oct 24, 2001:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 357 - 66 (Roll no. 398). (text of measure as passed House: CR 10/23/2001 H7159-7196)
- **Oct 24, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 24, 2001:** Received in the Senate, read twice.
- **Oct 23, 2001:** Introduced in House
- **Oct 23, 2001:** Introduced in House
- **Oct 23, 2001:** Referred to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Financial Services, International Relations, Energy and Commerce, Education and the Workforce, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Oct 23, 2001:** Referred to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Financial Services, International Relations, Energy and Commerce, Education and the Workforce, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Oct 23, 2001:** Referred to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Financial Services, International Relations, Energy and Commerce, Education and the Workforce, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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- **Oct 23, 2001:** Referred to the Subcommittee on Telecommunications and the Internet, for a period to be subsequently determined by the Chairman.
- **Oct 23, 2001:** Mr. Sensenbrenner moved to suspend the rules and pass the bill.
- **Oct 23, 2001:** Considered under suspension of the rules. (consideration: CR H7159-7207)
- **Oct 23, 2001:** DEBATE - By unanimous consent, the House proceeded with one hour of debate on the motion to suspend the rules and pass H.R. 3162.
- **Oct 23, 2001:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.