

S 1266

An original bill to permanently authorize certain provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, to reauthorize a provision of the Intelligence Reform and Terrorism Prevention Act of 2004, to clarify certain definitions in the Foreign Intelligence Surveillance Act of 1978, to provide additional investigative tools necessary to protect the national security, and for other purposes.

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jun 16, 2005

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 132.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 132. (Jun 16, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1266>

Sponsor

Name: Sen. Roberts, Pat [R-KS]

Party: Republican • **State:** KS • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Select) Committee	Senate	Reported Original Measure	Jun 16, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HR 3199	Related bill	Mar 9, 2006: Became Public Law No: 109-177.

Amends the USA PATRIOT Act to include in the provisions not subject to the sunset date of December 31, 2005 (thus making permanent): (1) provisions regarding the authority to share electronic, wire, and oral interception information or foreign intelligence information; and (2) provisions concerning roving surveillance authority, duration of surveillance of non-U.S. persons who are agents of a foreign power, pen register and trap and trace authority, access to business records for foreign intelligence and international terrorism investigations, authority for electronic surveillance orders to obtain foreign intelligence information, and immunity for compliance with wiretaps under the Foreign Intelligence Surveillance Act (FISA).

Amends the Intelligence Reform and Terrorism Prevention Act of 2004 to extend until December 31, 2009, the sunset date for provisions redefining an "agent of a foreign power" to include any person who engages in international terrorism or activities in preparation for such terrorism.

Modifies provisions regarding orders for access to business records to require relevance to an authorized investigation. Permits the disclosure that the Federal Bureau of Investigation (FBI) has sought or obtained tangible things to an attorney for purposes of seeking legal advice or assistance and to other persons designated by the FBI Director.

Authorizes the person charged with production of such tangible things to petition the Foreign Intelligence Surveillance Court to modify or set aside the order.

Sets forth provisions governing the use of mail covers in national security investigations.

Authorizes the Attorney General to issue a subpoena requiring the production of records or other materials that are relevant to an authorized investigation to obtain foreign intelligence information not concerning a U.S. person or to protect against international terrorism or clandestine intelligence activities. Directs the FBI to use such administrative subpoena authority in lieu of other specified authority to obtain certain communication service provider records, financial institution customer records, financial information, consumer reports, and credit agency consumer records for counterterrorism investigations.

Authorizes the judge approving an order for a pen register or trap and trace device to require a service provider to furnish certain subscriber information on the service targeted and the subscriber accounts making communications to or from the service covered.

Increases the maximum duration of FISA orders for pen registers and trap and trace devices in which the applicant certifies that the information likely to be obtained is foreign intelligence information concerning a foreign power or an agent of a foreign power.

Actions Timeline

- **Jun 16, 2005:** Introduced in Senate
- **Jun 16, 2005:** Committee on Intelligence ordered to be reported an original measure.
- **Jun 16, 2005:** Committee on Intelligence. Original measure reported to Senate by Senator Roberts. With written report No. 109-85. Additional and Minority views filed.
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