

HR 2715

Stop Self-Authorized Secret Searches Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: May 26, 2005

Current Status: Referred to the Subcommittee on Financial Institutions and Consumer Credit.

Latest Action: Referred to the Subcommittee on Financial Institutions and Consumer Credit. (Jul 29, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/2715>

Sponsor

Name: Rep. Nadler, Jerrold [D-NY-8]

Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Flake, Jeff [R-AZ-6]	R · AZ		May 26, 2005
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Jun 29, 2005
Rep. Paul, Ron [R-TX-14]	R · TX		Jun 29, 2005
Rep. Sanders, Bernard [I-VT-At Large]	I · VT		Jun 29, 2005
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Jun 29, 2005
Rep. Farr, Sam [D-CA-17]	D · CA		Nov 3, 2005
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Nov 3, 2005
Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Nov 3, 2005
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Nov 3, 2005
Rep. Markey, Edward J. [D-MA-7]	D · MA		Nov 3, 2005
Rep. McGovern, James P. [D-MA-3]	D · MA		Nov 3, 2005
Rep. Moore, Gwen [D-WI-4]	D · WI		Nov 3, 2005
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Nov 3, 2005
Rep. Serrano, Jose E. [D-NY-16]	D · NY		Nov 3, 2005
Rep. Udall, Tom [D-NM-3]	D · NM		Nov 3, 2005
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Nov 3, 2005
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Nov 10, 2005

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred to	Jul 29, 2005
Judiciary Committee	House	Referred to	Jul 1, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 S 737	Related bill	Apr 6, 2005: Read twice and referred to the Committee on the Judiciary.

Summary (as of May 26, 2005)

Stop Self-Authorized Secret Searches Act - Amends the federal criminal code, the Right to Financial Privacy Act, and Fair Credit Reporting Act to require that there be specific and articulable facts giving reason to believe that the person to whom records pertain is a foreign power or agent for Federal Bureau of Investigation (FBI) access to such records for foreign intelligence and international terrorism investigations.

Prohibits a request for subscriber information or financial or business records from: (1) containing any requirement that would be held unreasonable if contained in a subpoena issued by a U.S. court in aid of a grand jury investigation of espionage or international terrorism; or (2) requiring the production of documentary evidence that would be privileged from disclosure if demanded by such a subpoena.

Prohibits an electronic communication service provider, a financial institution, or a consumer reporting agency from disclosing that the FBI has sought access to telephone records for 90 days after receipt of such request, with exceptions (current law places no limits on nondisclosure). Authorizes the court to issue an ex parte order prohibiting disclosure for an additional period upon determining that there is reason to believe that disclosure sought by a government agency will result in: (1) endangering the life or physical safety of any person; (2) flight from prosecution; (3) destruction of or tampering with evidence; (4) intimidation of potential witnesses; or (5) otherwise seriously endangering U.S. national security by alerting a target, a target's associates, or the foreign power of which the target is an agent, of the government's interest in the target.

Sets forth provisions governing: (1) judicial review of requests for and disclosure or nondisclosure of information; and (2) use and disclosure of acquired information by federal officers, including requirements for advanced authorization by the Attorney General for its use in a criminal proceeding, advance notice to the aggrieved party of its use in a trial, hearing, or other government proceeding, and the right of such party to move to suppress evidence obtained.

Actions Timeline

- **Jul 29, 2005:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.
- **Jul 1, 2005:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **May 26, 2005:** Introduced in House
- **May 26, 2005:** Introduced in House
- **May 26, 2005:** Referred to the Committee on the Judiciary, and in addition to the Committee on Financial 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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