

## HR 3969

Counterterrorism Authorities Improvements Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Oct 29, 2009

**Current Status:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

**Latest Action:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jan 4, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/3969>

### Sponsor

**Name:** Rep. Reyes, Silvestre [D-TX-16]

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

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boren, Dan [D-OK-2]	D · OK		Oct 29, 2009
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Oct 29, 2009
Rep. Ruppertsberger, C. A. Dutch [D-MD-2]	D · MD		Oct 29, 2009

### Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred To	Oct 29, 2009
Intelligence (Permanent Select) Committee	House	Referred To	Oct 29, 2009
Judiciary Committee	House	Referred to	Jan 4, 2010

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

*No related bills are listed.*

Counterterrorism Authorities Improvements Act of 2009 - Amends the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 to extend through December 31, 2013, provisions: (1) granting roving surveillance authority under the Foreign Intelligence Surveillance Act of 1978 (FISA) in certain cases; (2) authorizing the Director of the Federal Bureau of Investigation (FBI) to apply for a court order requiring production of tangible things (books, records, documents) during foreign intelligence and international terrorism investigations; and (3) revising the definition of "agent of a foreign power" to include any non-U.S. person who engages in international terrorism or preparatory activities (thereby not requiring a showing that they are members or agents of a terrorist group or foreign power ["lone wolf" provision]).

Amends FISA to revise the factual basis requirements for the issuance of orders requiring FBI access to certain business records for foreign intelligence and international terrorism investigation purposes. Allows the application for such an order to include a request prohibiting any person from disclosing that the FBI has sought such information. Requires continuance through 2013 of required audits by the Inspector General of the Department of Justice (DOJ) of FBI investigative authority for foreign intelligence and international terrorism purposes.

Provides judicial review for telecommunications service providers, financial institutions, consumer reporting agencies, and government agencies of a nondisclosure requirement imposed in connection with a request or order from the FBI or authorized investigative agency for the production of reports, records, or other information in connection with a foreign intelligence, counterintelligence, or terrorism investigation. Prohibits the disclosure of such orders (also called national security letters) when the FBI Director certifies that disclosure may result in a danger to U.S. national security, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or a danger to the life or physical safety of a person. Provides exceptions.

Requires a request from the FBI or authorized investigative agency for access to telephone toll and transactional records and financial information and credit reports for counterintelligence purposes to include a written statement showing reasonable grounds that the information sought is relevant to the authorized investigation.

Requires continuance through 2013 of audits of the FBI use of national security letters. Directs the Attorney General to establish procedures for the collection, use, and storage of information obtained in response to a national security letter.

Directs the Attorney General to notify the congressional intelligence committees of the approval of an order for surveillance of an agent of a foreign power.

Requires applications for orders for the use of pen registers and trap and trace devices for foreign intelligence purposes to include a statement of whether minimization (information protection) procedures are being proposed, and, if so, a description of such procedures. Requires the DOJ's Inspector General to perform audits of the effectiveness and use of such devices for such purposes.

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## **Actions Timeline**

- **Jan 4, 2010:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Oct 29, 2009:** Introduced in House
- **Oct 29, 2009:** Referred to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Intelligence (Permanent Select), 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 29, 2009:** Referred to House Judiciary
- **Oct 29, 2009:** Referred to House Financial Services
- **Oct 29, 2009:** Referred to House Intelligence (Permanent)

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