12. During the hearing, you cited the Inspector General's Report on Section 215 of the PATRIOT Act, which found that the FBI rarely used this authority to obtain library records. However, I am concerned that the FBI is using other provisions in the PATRIOT Act to obtain this information, thereby circumventing the safeguards and reporting requirements of Section 215. For example in 2005, the FBI issued NSLs to four Connecticut libraries asking them to surrender "all subscriber information, billing information and access logs of any person" related to a specific library computer during a specific time period, pursuant to Section 505 of the PATRIOT Act. These NSLs also prohibited the librarians from disclosing the fact that they had received the NSLs or their contents -- the so-called "gag order" under the PATRIOT Act.
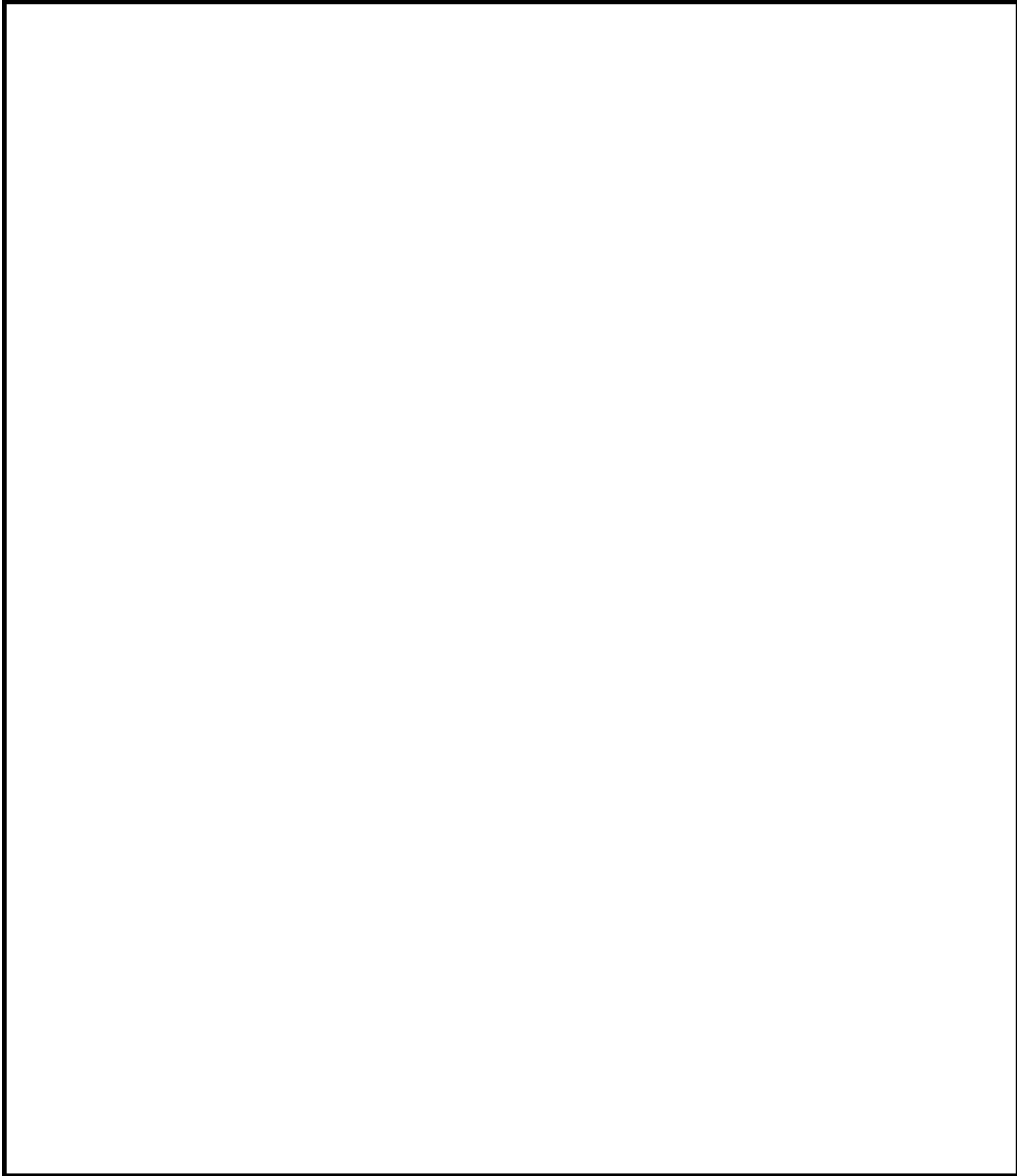
a)

b)   Please identify all of the PATRIOT Act provisions that the FBI has used to obtain library records from libraries and educational institutions?

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c)   Is the FBI circumventing the requirements of Section 215 by relying on other provisions in the PATRIOT Act to obtain this information?

Outside the Scope

FEDERAL BUREAU OF INVESTIGATION
FOIPA
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