



USA PATRIOT Improvement and Reauthorization Act of 2006

- The USA PATRIOT Improvement and Reauthorization Act of 2006 became law on March 9, 2006 and gave the FBI continued use of the valuable tools initially authorized by Congress in October 2001. In addition, the statute provides for additional oversight of the use of some of the tools. Specifically:



- **Section 215 (access to business records under FISA):** Special categories of records requested under Section 215 now require special approval. Either the Director, Deputy Director, or the Executive Director for National Security is required to sign requests for library records, book sales and book customer lists, firearm sales records, tax records, educational records, and medical records. The law includes enhanced Congressional oversight of Section 215. DOJ is required to report annually to the HJC, the HPSCI, the SJC, and the SSCI regarding the total Section 215 requests (unclassified report) and the requests for the special categories of business records. Additionally, the law directs DOJ's IG to audit the effectiveness and use of Section 215 for the years 2002 to 2006.



- The House passed its version of the USA PATRIOT Improvement and Reauthorization Act on December 14, 2005. The Bill stalled when the Senate failed to invoke a cloture petition to end the debate on December 16, 2005. On two occasions, Congress extended the deadline for expiration to allow the Senate time to resolve concerns raised by several Members that the Act lacked safeguards to protect the *privacy and civil rights of law abiding Americans*.
- *Senator Sumnu crafted legislation, the "USA PATRIOT Act Additional Reauthorizing Amendments Act" (S. 2271) in February 2006 that reflected an agreement he and his Senate colleagues reached with the White House to include new civil liberty protections in addition to other numerous protections the Senators included in the reauthorized PATRIOT Act.*

- *President Bush signed Sununu's bill (S. 2271) into law on March 8, 2006, along with the PATRIOT Act reauthorization conference report (H.R. 3199).*
- *S. 2271 addressed Section 215 and NSLs subpoena powers in the PATRIOT Act used to obtain sensitive, non-public personal information such as library, medical, and firearms transaction records. The legislation also added clarification that libraries functioning in their traditional capacity, including providing basic Internet access, are not subject to NSLs.*