

**Section 215 Requiring Production of Any Tangible Thing (amended Sec. 501 of Foreign Intelligence Surveillance Act [50 USC 1861])**

| <b>Sanders (HR 1157)<br/>Freedom to Read Protection Act</b>  | <b>Boxer (S 1158)<br/>Library &amp; Bookseller Protection Act</b> | <b>Feingold &amp; Others (S 1507)<br/>Library, Bookseller, and Personal Records Privacy Act<br/>Craig-Durbin &amp; Others (S 1709)<br/>Security and Freedom Ensured (SAFE) Act</b>  | <b>Murkowski-Wyden (S 1552)<br/>Protecting the Rights of Individuals Act</b>   |
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| <p>Takes libraries/booksellers out by essentially saying that changes made to Section 501 of the Foreign Intelligence Surveillance Act ( 50 USC 1861) do not apply in libraries/booksellers. FBI may not, therefore, get a FISA court order for any tangible thing in a library or bookseller. Other authorities for the FBI to get orders under other sections of the Foreign Intelligence Surveillance Act are not affected.</p> | <p>Same as Sanders.</p>   | <p>Returns the standards for the FBI to get orders from the FISA Court to the standards that applied pre-USA PATRIOT for such orders.</p> <p>Specifically, it requires that the FBI</p> <ul style="list-style-type: none"><li>* name a person,</li><li>* articulate specific facts to the Court that the FBI has "reason to believe" that the person</li><li>* whose records are sought is "a foreign power or an agent of a foreign power" ( a suspected terrorist or spy).</li></ul> <p>Also, the FISA Court must "find" that</p> <ul style="list-style-type: none"><li>* there are specific and articulable facts that give reason to believe that the</li><li>* named person</li><li>* whose records are sought is "a foreign power or an agent of a foreign power."</li></ul> <p>It still allows the FBI to get such orders for libraries. It would preclude them from taking all records, systems, etc.</p> | <p>Same as Feingold for the records of any entity, with an <i>additional</i> exemption for library &amp; certain other records.</p> <p>In the case of library records, medical records, and other records involving the purchase or rental of books, video or music, or the accessing of legally and publicly available content via the Internet, the FBI would be required to</p> <ul style="list-style-type: none"><li>* name a person</li><li>* submit facts to the Court that the FBI showing "probable cause" (a higher standard) to believe that the person</li><li>* whose records are sought is "a foreign power or an agent of a foreign power" (a suspected terrorist or spy).</li></ul> |