

Section 505 Miscellaneous National Security Authorities (modified 18 USC 2709) National Security Letters

**Sanders (HR 1157)
Freedom to Read Protection Act**

Does not address. Had not been identified as an issue at time bill was introduced.

**Boxer (S 1158)
Library & Bookseller Protection Act**

Section 2709 of Title 18 USC permits the FBI to get an order, through an internal certification (non-judicial) process, requiring production of transactional records

For the purposes of Section 2709 of Title 18 USC a library could not be treated as "a wire or electronic communication service provider, one of the categories from which the FBI can require the production of transactional records.

The effect is that a library can not be required under this authority to produce records of such things as the e-mail or Internet usage of library users.

"Library" as defined under section 213(2) of LSTA, whose services include access to the Internet, books, journals, magazines, newspapers, or other similar forms of communication in print or digitally to patrons for their use, review, examination, or circulation.

**Feingold & Others (S 1507)
Library, Bookseller, and Personal
Records Privacy Act**

When a request is made under Section 2709 of Title 18 USC (see Boxer) to a library or bookseller, the certification made must

- * name a person,
- * articulate specific facts to the Court that the FBI has "reason to believe that the person whose records are sought is "a foreign power or an agent of a foreign power (a suspected terrorist or spy.

"Library" definition same as Boxer.

"Bookseller" means a person or entity engaged in the sale, rental, or delivery of books, journals, magazines, or other similar forms of communication in print or digitally.

**Craig-Durbin & Others (S 1709)
Security and Freedom Ensured
(SAFE) Act**

Additionally, would subject Section 505 of USA PATRIOT to the same sunset provisions as certain other provisions (such as Section 215).

**Murkowski-Wyden (S 1552)
Protecting the Rights of Individuals
Act**

**Craig-Durbin & Others (S 1709)
Security and Freedom Ensured
(SAFE) Act**

Same as Boxer.