

PATRIOT Act Legislation Compared (as of 1/2/2004)

Bills proposed	S 1709/ HR 3352	S 1552	S 436	S 1158
Short title	Security and Freedom Ensured Act of 2003	Protecting the Rights of Individuals Act	Domestic Surveillance Oversight Act of 2003	Library and Bookseller Protection Act
Sponsors	Craig/ Otter	Murkowski	Leahy	Boxer
Cosponsors (#)	6 in S/ 13 in HR	1	4	0
Summary:	To strengthen civil liberty protection under FISA regarding search warrants and access to records.	To strengthen civil liberty protection under FISA regarding search warrants, access to records, and reporting.	To amend FISA to improve administration and oversight.	To exempt bookstores and libraries from the PATRIOT Act ensuring they are subjected to the regular system of court-ordered warrants
Oversight/Reports	Requires a semi/annual public report as well as report to congress. Expands congressional report recipients from 2 to 4 by adding Judiciary Committees of both Senate and House	Requires a semiannual public report, expands what is required, and includes requests for delay of notification of search warrants	Any changes to FISA rules must be reported to specified Congressional committees and the Chief Justice; An annual public report must be issued by the DoJ; A separate report required on requests to libraries	
Sunset Provisions: Several surveillance provisions expire on December 31, 2005	Expands sunset provisions to several more sections			
Search Warrants: Sec. 215 (Requiring production of any tangible thing)	Restores and codifies pre-PATRIOT standards; must "specify that there are specific and articulable facts giving reason to believe that the person to whom the records pertain is a foreign power or an agent of a foreign power";	Restores and codifies pre-PATRIOT standards; must "include a statement of the facts.. to justify the applicant's belief that the person to whom the records pertain is a foreign power or an agent of a foreign power."		
Authority to delay notice of Search Warrant: "Sneak and Peek" searches	Restores and codifies pre-PATRIOT standards; more clearly defines what is seen as due cause to delay notification			
Pen Registers and Trap & Trace Devices: Clarify when they can be used by LE		Must specify that "there exist specific and articulable facts that .indicate that a crime has been, or will be committed..." Establishes that the subject line and URI in email is considered content.		
Library/Bookseller Exemptions: Sec 505 (National Security Authorities)	Libraries not considered a wire or electronic communication service provider, therefore exempt from providing transactional records to the FBI	Libraries not considered a wire or electronic communication service provider, therefore exempt from providing transactional records to the FBI		Exempt from producing records under the FISA Act that contain PII; not considered communication service providers, therefore exempt from providing transactional records to the FBI

S 1507	S 1695	HR 2429	HR 3171
Library, Bookseller, and Personal Records Privacy Act	PATRIOT Oversight Restoration Act of 2003	Surveillance Oversight and Disclosure Act of 2003	Benjamin Franklin True Patriot Act
Feingold	Leahy	Hoeffel	Kucinich
8	4	17	21
To limit government access to library, bookseller, and other personal records under FISA.	To increase the number of sections of the PATRIOT Act that cease to have effect on December 31, 2005.	Similar to S 436; to amend FISA to improve administration and oversight	Calls for sections of the PATRIOT Act to cease to be in effect in 90 days (from date signed into law) unless hearings are held to prove otherwise.
Expands congressional report recipients from 2 to 4 by adding Judiciary Committees of both Senate and House;		Any changes to FISA rules must be reported to specified Congressional committees and the Chief Justice; An annual public report must be issued by the DoJ; A separate report required on requests to libraries	
Expands sunset provisions to an additional section	Expands sunset provisions to many more sections of the PATRIOT Act with the exception of investigations underway at the time.		Calls for multiple sections of the PATRIOT Act to cease to be in effect in 90 days (from date signed into law) unless hearings are held to prove otherwise.
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