

Homeland Security Act of 2002

Public Law No. 107-296

SEC. 895. AUTHORITY TO SHARE GRAND JURY INFORMATION.

Rule 6(e) of the Federal Rules of Criminal Procedure is amended--

(1) in paragraph (2), by inserting `, or of guidelines jointly issued by the Attorney General and Director of Central Intelligence pursuant to Rule 6,' after `Rule 6'; and

(2) in paragraph (3)--

(A) in subparagraph (A)(ii), by inserting `or of a foreign government' after `(including personnel of a state or subdivision of a state';

(B) in subparagraph (C)(i)--

(i) in subclause (I), by inserting before the semicolon the following: `or, upon a request by an attorney for the government, when sought by a foreign court or prosecutor for use in an official criminal investigation';

(ii) in subclause (IV)--

(I) by inserting `or foreign' after `may disclose a violation of State';

(II) by inserting `or of a foreign government' after `to an appropriate official of a State or subdivision of a State'; and

(III) by striking `or' at the end;

(iii) by striking the period at the end of subclause (V) and inserting `; or'; and

(iv) by adding at the end the following:

`(VI) when matters involve a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, to any appropriate federal, state, local, or foreign government official for the purpose of preventing or responding to such a threat.'; and

(C) in subparagraph (C)(iii)--

(i) by striking `Federal';

(ii) by inserting `or clause (i)(VI)' after `clause (i)(V)'; and

(iii) by adding at the end the following: `Any state, local, or foreign official who receives information pursuant to clause (i)(VI) shall use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.'.