



Better Living Through Secret Surveillance? The Patriot Act and You

- The USA Patriot Act gives the government broad powers to secretly collect information (like medical, travel, hotel, library or financial records) about innocent Americans without probable cause.
- The law contains “sunset” provisions, under which certain sections expire by the end of 2005 unless Congress chooses to renew them.
- Some in Congress want to make the entire law permanent and expand it to give federal agents even broader access to our personal records.

Regardless of how you come down on the Patriot Act, you have to admit one thing: the Constitution is always more vulnerable when our national security is in danger.

During World War II, for instance, our government locked up 125,000 Japanese-Americans and Japanese citizens based only on their race, even though the vast majority were loyal to the United States.

During the Cold War, the witch hunts of Senator Joe McCarthy and others used guilt by association to attack innocent people and chill the exercise of civil liberties.

- The Patriot Act and similar policies are more subtle than the Japanese internments and McCarthy’s tactics, but no less dangerous. By law, they give the White House a lot more power at the expense of Congress and the courts and undermine the structural checks and balances intended to safeguard our liberty.
- It is an American tradition dating back to our founding to have a **healthy skepticism** of too much concentrated or unchecked power in the hands of any person.
- We need to make modest changes to the Patriot Act to keep us both safe *and* free. We need to make sure that these extraordinary powers are focused on preventing terrorism, not on secretly searching the records of ordinary Americans.

Here are two examples of what we need to fix:

Section 213 expands the government’s ability to conduct secret searches of your home or office. Agents can get a “sneak and peek” warrant, which allows them to break into your home, search your things, take DNA swabs, download files from your computer and even seize property—all without telling you for an indefinite period of time.

Section 215 allows the government to use secret spy-hunting powers to seize the hotel, library, medical or other personal records of ordinary Americans without probable cause or based on a

rubber-stamp court order that the judge cannot deny. If served with one of these orders, the hotel manager, librarian or doctor could go to jail if they tell anybody anything about it.

- “It’s a free country!” is more than just a punch line. America is the freest nation in the world. Whether you’re from a “blue” state or a “red” one, we all share certain universal values, like fairness, equality and a belief in the importance of checks and balances on government power.

The Patriot Act threatens these values. That’s why people from both ends of the political spectrum are joining forces to hold Congress’s feet to the fire, to force our elected representatives to take a sober second look at the Patriot Act four years after September 11, 2001.

To get informed and to help keep the Patriot Act from becoming permanent, please go to reformthepatriotact.org.

