

Published: 03.23.2005

Liberal-conservative alliance seeks change in USA Patriot Act

BLOOMBERG

An unusual coalition of conservative groups and the liberal American Civil Liberties Union opened a public campaign Tuesday to scale back the enhanced surveillance powers granted to law enforcement after the Sept. 11, 2001, terror attacks.

The alliance, Patriots to Restore Checks and Balances, urged Congress to modify what it called "extreme provisions" of the USA Patriot Act that expanded police power to conduct secret searches and broadened the definition of terrorism.

Because 16 provisions related to surveillance powers will "sunset" on Dec. 31 unless Congress extends them, lawmakers are under pressure to take action on the law this year.

The group, headed by former Republican Rep. Bob Barr of Georgia, also urged President Bush in a letter to reconsider his support for full renewal of the Patriot Act.

"We agree that much of the Patriot Act is necessary to provide law enforcement with the resources they need to defeat terrorism, but we remain very concerned that some of its provisions go beyond that mission and infringe on the rights of law-abiding Americans," the group said in its letter to Bush, dated today.

Members of the coalition include the American Conservative Union, Americans for Tax Reform, the Citizens' Committee for the Right to Keep and Bear Arms, the Eagle Forum and the American Association of Physicians and Surgeons.

"Given the number of folks in this room wearing elephant lapel pins, I don't think the administration can easily discount our message," Laura Murphy, director of the ACLU's Washington office, said at a press conference today.

Bush and Attorney General Alberto Gonzales have called on Congress to renew the Patriot Act in full. Gonzales said on Feb. 28 that, while he would welcome a debate in Congress on the topic, "What I will not support are changes in law that would make America more vulnerable to terrorist attacks."

Specific parts of law criticized

Drafted and enacted in just 45 days following the Sept. 11 attacks, the Patriot Act broadened the power of the FBI and police agencies to intercept communications and allowed intelligence officials to share information from foreign surveillance investigations with law enforcement.

David Keene, chairman of the American Conservative Union, estimated that 95 percent of the law is "non-controversial." Among the provisions that have drawn criticism is one that codified so-called "delayed-notice" searches, in which the target isn't immediately notified.

The law also authorizes the FBI to demand "any tangible things," including books and records, after telling a judge the material is needed for a terrorism or foreign intelligence investigation. Before the Patriot Act, the FBI could demand only travel or storage-facility records in an espionage or terror investigation and had to meet a higher standard of proof before the judge.

Barr's group said Congress should make changes to the "delayed-notice" search provision, which expires at the end of this year, and to the FBI's power to obtain "any tangible things," which doesn't expire.

It also urged changes to a non-expiring provision that broadly defines domestic terrorism as activity that appears to be intended "to intimidate or coerce" the public or the U.S. government.

"Terrorism laws must target terrorists, not critics of government policy," Murphy said.

All content copyright © 1999-2005 AzStarNet, Arizona Daily Star and its wire services and suppliers and may not be republished without permission. All rights reserved. Any copying, redistribution, or retransmission of any of the contents of this service without the expressed written consent of Arizona Daily Star or AzStarNet is prohibited.