

## **Highlights of Patriot Act 2:**

- *makes it easier for the government to initiate surveillance and wiretapping of U.S. citizens under the shadowy, top-secret Foreign Intelligence Surveillance Court.*
- *exempts from liability federal agents engaged in illegal surveillance without a court order from criminal prosecution if they are following orders of high Executive Branch officials.*
- *allows secret access to your Internet Service Provider (AOL, MSN, Earthlink, Cox, etc.) and the scanning of your emails and the web sites you have visited, without a court order.*
- *expands the Nationwide Search Warrants from current application to terrorism standard of "violent acts or acts dangerous to human life" to include non-violent acts.*
- *allows federal agents access consumer credit reports without a subpoena or court order, and no one would be notified that their records had been accessed.*
- *authorizes secret detentions by including a provision that would preempt federal litigation challenging non-disclosure of basic information about detainees.*
- *allows the creation of a DNA databank of innocent Americans without court order and without consent.*
- *terminates court-approved limits on police spying, which were initially put in place to prevent McCarthy-style law enforcement persecution based on political or religious affiliation.*
- *criminalizes association - without any intent to commit acts of terrorism - with unpopular organizations labeled as terrorist by the government.*
- *applies the death penalty to offenses that, because of the redefinition of domestic terrorism in USA PATRIOT, could sweep in protest tactics that "involve violent acts or acts dangerous to human life." Under the law, the ACLU said, if an anti-war protestor broke the law during a demonstration and someone died as a result, the protestor could be subject to the death penalty.*
- *allows the government to strip citizenship from any American who provides support for a group designated by the federal government as a "terrorist organization". Significantly, Section 802 of the Patriot Act broadened the definition of domestic terrorism to potentially include domestic protest organizations such as Operation Rescue or People for the Ethical Treatment of Animals.*
- *unfairly targets undocumented workers with extended jail terms for common immigration offenses.*
- *summary deportations without evidence of crime or criminal intent, even of lawful permanent residents, if the Attorney General says they are a threat to national security.*
- *abolishes fair hearings for lawful permanent residents convicted of criminal offenses through an "expedited removal" procedure, and prevents any court from questioning the government's unlawful actions by explicitly exempting these cases from habeas corpus. Congress has not exempted any person from habeas corpus -- a protection guaranteed by the Constitution -- since the Civil War.*

## **Conclusion**

Patriot Act 2 is fundamentally flawed because it relies on a false premise – that America can be safer if we do away with basic checks and balances. By undermining the role of the courts, Congress and the press in providing a real check on executive power, Patriot Act 2 directs its ire at the institutions of our democracy instead of at the terrorists that threaten it. In so doing, it threatens to undermine the rights of ordinary people and, ironically, the war against terrorism.

At the core of the American experiment is liberty, the freedom secured through Constitutional rights of individuals and limitations on government power. So under our Constitution, government powers are subject to limits by the courts, the Congress and the people. Help us stop Patriot Act 2 to preserve our democracy!