



# LET THE SUN SET on the PATRIOT ACT

Ten percent of the Patriot Act expires on December 31, 2005, unless Congress acts to renew those sections. In the four years since the Act's passage, two federal courts have declared parts of the Patriot Act unconstitutional, and close to 400 communities, including seven states, have passed anti-Patriot Act resolutions. Congress must resist White House pressure to expand presidential authority under the Patriot Act and should instead restore checks and balances against abuse of power. At stake are our basic rights to free speech, privacy, due process and government accountability.

## **EXAMPLES OF PATRIOT ACT SECTIONS THAT SUNSET THIS YEAR:**

**SECTION 215:** Grants the FBI unprecedented authority to seize a vast array of sensitive personal information and belongings—including medical, library and business records—using secret intelligence tools that do not require proof of individual criminal activity.

**SECTION 218:** Allows criminal investigators to use foreign intelligence tools, such as secret searches and secret wiretaps, in regular criminal proceedings, in violation of the Fourth Amendment's requirement of proving probable cause of a crime.

**SECTION 206:** Creates roving wiretap authority using espionage powers, permitting the court order to follow the target of the wiretap rather than a particular phone, without protections to ensure that innocent Americans do not have their phone calls listened to.

**SECTION 214:** Grants the government the authority to seize the telephone numbers dialed to and from a particular phone as well as Internet "routing" information that may contain substantive and private content of the communications, with almost no judicial oversight.

## **SOME OF THE MOST ALARMING SECTIONS OF THE PATRIOT ACT DO NOT SUNSET, INCLUDING:**

**SECTION 213:** Allows the government to execute secret search warrants and to seize property without telling the target for weeks or months

**SECTION 802:** Defines "domestic terrorism" so broadly that it includes individuals engaged in nonviolent civil disobedience.

## **MORE THAN TWO DOZEN COMMUNITIES IN NEW YORK STATE HAVE PASSED ANTI-PATRIOT ACT RESOLUTIONS.**



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