

## Oppose Civil Liberties Limitations in PATRIOT Act Reauthorization

[January 13, 2006] **ISSUE:** Limitations to privacy and civil liberties at stake with H.R. 3199 and several related bills pending in the House and the Senate.

**ACTION:** Contact your senators to say that you have a real concern that privacy and civil liberties be protected. Call the Capitol switchboard at 202-224-3121 and ask to speak with each of your senators. Or email them through the PresbyAction Center on the Washington Office web page at [www.pcusa.org/washington](http://www.pcusa.org/washington) . Immediate action needed.

**BACKGROUND:** **H.R.3199** On 12/14/2005 what is commonly referred to as the Patriot's Act, was agreed to in the House. The conference report, voted by the Yeas and Nays, was approved 251 – 174. It is formally called "The act to extend and modify authorities needed to combat terrorism" It's main Sponsor is [Rep Sensenbrenner, F. James, Jr.](#) [WI-5]. There were no cosponsors.

**Related Bills:** [H.RES.369](#), [H.RES.595](#), [S.1266](#), [S.1389](#)

The USA PATRIOT Act, first approved by Congress in October 2001, continues to be the subject of debate between civil liberties advocates, Members of Congress, and the Bush Administration with regard to protection against terrorist plotting and civil liberties. President Bush continues to say that "key provisions of the PATRIOT Act are set to expire... The terrorist threat will not expire ..." A five week extension past the December 31, 2005 expiration date was agreed to by leadership in the House and the Senate just days before the Christmas break. Congress will be dealing with this through the remainder of January.

The President has been highlighting the importance of the Act in keeping terrorists at bay by giving the FBI, CIA, and Justice Department the tools needed to track and detain those who could pose a threat to the American people. Many advocates have decried sections of the Act. Critics cite increased instances of racial, ethnic, and religious profiling because of it, as well as denials of First and Fourth Amendment rights (the right to free speech, and the right to legal representation), and an imbalance of power resulting from the lack of judicial review in many DOJ surveillance investigations and trials. David Cole, a Georgetown University professor and PATRIOT Act scholar, said "there is a lot of talk about 'sacrificing some liberty for security.'...But how that really plays out in the war on terror is that foreign nationals are stripped of rights and treated unjustly so that we, American citizens, may be safe. They sacrifice liberty for our security."[2](#)

Congress took action to limit the Act by voting 309-118 in July 2003 to prohibit funds for the DOJ (FY04) from being used to execute "sneak and peek" searches (allowed by Section 213 of the Act).[3](#) Lawsuits have been brought against the legislation, and 299 communities in 40 states have declared themselves civil liberties safe zones, as have the legislatures of four states — which accounts for 51 million Americans who are concerned about protecting their basic civil rights.

In claiming our identity as Christians and citizens, we must affirm communities that are safe and secure for all persons, and support policies that uphold civil rights and protect against ethnic, racial, or religious profiling and other forms of discrimination. The PATRIOT Act upsets the balance of power between the three branches of the government, and erodes civil liberties. Action must be taken to limit its controversial sections.

There is concern for the privacy of our medical records, book purchases, oversees visitors and phone wire taps. How much should be protected? Presbyterians have expressed concerns in the past for violations against the civil liberties of Rev. Martin Luther King and our Central America border ministries during the 1980's.

Write a letter to the editor of your local newspapers to raise questions about the infringements of civil liberties. Focus on erosion of the following principles:

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The right to due process,  
The right to be free from unreasonable search and seizure,  
The right to privacy,  
The right to free speech and assembly,  
The right to religious liberty.

Christians are obligated by the loving will of God to seek to ensure that the basic needs of Persons for food, clothes, shelter and safety are met (Matt. 25-35-40).

Christians believe in the intrinsic worth of each human as a person made in the image of God. Christians have the responsibility to challenge and to shape government policy regarding refugees, asylum seekers, and immigrants. [Excerpts from "Transformation of Churches and Society Through Encounter with New Neighbors" (1999).

Footnotes:

1. Remarks by the President at State of the Union. Jan. 20, 2004. [www.whitehouse.gov](http://www.whitehouse.gov).
2. Cole, David. "Civil Liberties and the War on Terror." Speech given to the Churches' Center on Theology and Public Policy in Washington, D.C., Feb. 19, 2004.

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