

RUSS FEINGOLD AND JOHN SUNUNU

# Deadline for the Patriot Act

IN JULY, something unusual occurred in Washington: The US Senate cast a unanimous vote on a controversial issue. Every member of the Senate agreed to make meaningful changes to the Patriot Act as we reauthorized parts of it scheduled to expire at the end of the year. These revisions will ensure that our government can wage an effective fight against terrorists that respects our basic freedoms. But the battle for these reforms is not over. In the coming weeks, a House-Senate conference committee will meet to work out the differences between competing versions of the bill. Hard-won improvements to the Patriot Act could be in jeopardy.

We will make every effort — and, if we have to, use procedural options at our disposal — to oppose a final reauthorization bill that either strips out the meaningful changes made by the Senate bill or adds measures that ignore the public demands for more protection of our rights and freedoms. Our goal is not to derail reauthorization; it is to ensure that necessary changes to the Patriot Act are made as part of the reauthorization bill. We can — and should — provide law enforcement with the tools necessary to fight terrorism while protecting civil liberties at home.

The end-of-the-year deadline for reauthorization gives us a rare chance to fix parts of the Patriot Act — creating a check on searches for library, bookstore, and other sensitive records, putting new safeguards on secret “sneak and peek” searches of Americans’ homes, and giving citizens real power to challenge

secret court orders. These and other issues are at stake in the House-Senate conference committee’s deliberations.

If the Senate bill prevails in conference, Congress will finally catch up with an American public that has been questioning the Patriot Act for years — librarians who are standing up to a Justice Department that wants the power to dig into Americans’ library records; town and city councils — even whole states

## Time to balance the needs of law enforcement with protection of civil rights.

— that have passed resolutions opposing parts of the Patriot Act; and business interests like the US Chamber of Commerce, the National Association of Manufacturers, and the National Association of Realtors that support changes to the law.

The Senate bill would make changes to some of the most controversial provisions of the Patriot Act. The Senate bill would:

■ Require the government to convince a judge that a person is connected to terrorism or espionage before secretly obtaining library, medical, and other sensitive business records about that person, and allow recipients of court orders for such records to challenge them in court.

■ Require the government in most circumstances to inform targets of “sneak and peek” searches within seven days instead of being able to delay that notification

for an indefinite period as permitted by the Patriot Act, or for up to six months as permitted by the House bill.

■ Eliminate “John Doe roving wiretaps,” the secret intelligence orders that can now be issued without identifying either the person or phone to be tapped.

■ Provide only a four-year extension for three of the most sensitive provisions of the Patriot Act.

The House bill fails to include these important measures, leaving too many of our freedoms at risk. While some improvements were incorporated in the House bill, it is still a far cry from what Congress owes the American people.

There is a strong sense among many Americans that in the Patriot Act the government overreached when it sought power that is a potential threat to law-abiding citizens. Congress should respond to these legitimate concerns by sending the unanimously adopted Senate version of the Patriot Act reauthorization bill to the president. We must reform the Patriot Act, not rubber-stamp the original law. With these reforms, we can fight terrorism without sacrificing our freedoms.

*Russ Feingold, a Democratic US senator from Wisconsin, and John Sununu, a Republican US senator from New Hampshire, are original cosponsors of the legislation to modify the Patriot Act.*

EDWARD

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IN THE DEBATE over the members of the defense to be punished because they were passage of very severe penalties to convict accused persons to deterring drunken drivers argue that such efforts have to fail. Deterrence of drunk more broadly focused and of the problem.

There is a wider range the drunk driver. According driver convicted in Melan in a public establishment automobile and driving it of those who provide the alcohol to the point of intoxication. The time has come to focus side of the issue but the citizens

In Massachusetts, the person that is licensed to serve alcohol cannot be held liable for injuries to victims of drunk drivers unless the victims are able to prove that the establishment served alcohol to the drunk driver knowing the person was already intoxicated. A statute that makes it more difficult to sue against the establishment

JEFF JACOBY

# Privacy by decree

