### The Patriot Act: Key Controversies

Passed in the weeks after the Sept. 11 attacks, the Patriot Act was designed to enhance federal anti-terrorism investigations. Sixteen surveillance provisions were set to expire after a certain time had passed. The House later voted 251-174 to make most of those provisions permanent, with some new safeguards and with expiration dates for the act's two most controversial powers, which authorize [roving wiretaps](http://www.npr.org/news/specials/patriotact/patriotactdeal.html#issue2#issue2) and [secret searches of records](http://www.npr.org/news/specials/patriotact/patriotactdeal.html#issue3#issue3). But opponents in the Senate said those changes fail to adequately address the civil liberties concerns which those provisions raise. Below, NPR examines the act's most controversial provisions as they are currently written:

#### Information Sharing

**Sec. 203(b) and (d):** Allows information from criminal probes to be shared with intelligence agencies and other parts of the government. **Expires.**

#### Pro:

Supporters say the provisions have greatly enhanced information sharing within the FBI, and with the intelligence community at large.

#### Con:

Critics warn that unrestricted sharing could lead to the development of massive databases about citizens who are not the targets of criminal investigations.

#### Roving Wiretaps

**Sec. 206:** Allows one wiretap authorization to cover multiple devices, eliminating the need for separate court authorizations for a suspect's cell phone, PC and Blackberry, for example. **Expires.**

#### Pro:

The government says roving wiretaps are needed to deal with technologically sophisticated terrorists.

#### Con:

Critics say the language of the act could lead to privacy violations of anyone who comes into casual contact with a suspect.

#### Access to Records

**Sec. 215:** Allows easier access to business records in foreign intelligence investigations. **Expires.**

#### Pro:

The provision allows investigators to obtain books, records, papers, documents and other items sought "in connection with" a terror investigation.

#### Con:

Critics attack the breadth of the provision, saying the law could be used to demand the reading records of library or bookstore patrons.

#### Foreign Intelligence Wiretaps and Searches

**Sec. 218:** Lowers the bar for launching foreign intelligence wiretaps and searches. **Expires.**

#### Pro:

Allows investigators to get a foreign intelligence wiretap or search order, even if they end up bringing criminal charges instead.

#### Con:

Because foreign intelligence probes are conducted in secret, with little oversight, critics say abuses could be difficult to uncover.

#### “Sneak & Peek” Warrants

**Sec. 213:** Allows "Sneak and peek" search warrants, which let authorities search a home or business without immediately notifying the target of a probe. **Does not expire.**

#### Pro:

Supporters say this provision has already allowed investigators to search the houses of drug dealers and other criminals without providing notice that might have jeopardized an investigation.

#### Con:

Critics say the provision allows the use of "sneak and peek" warrants for even minor crimes, not just terror and espionage cases.

#### Material Support

**Sec. 805:** Expands the existing ban on giving "material support" to terrorists to include "expert advice or assistance." **Does not expire.**

#### Pro:

Supporters say it helps cut off the support networks that make terrorism possible.

#### Con:

Critics say the provision could lead to guilt by association.

**Using the information provided, answer these questions:**

**1. Why did the US Congress enact the Patriot Act?**

**2. How does the Patriot Act better protect Americans from a terrorist attack?**

**3. How does the Patriot Act affect the rights and freedoms of Americans?**

**4. Do you think the Patriot Act is a good or bad law? Why?**