

Lesson 31:
Domestic Counterterrorism III:
The USA PATRIOT Act of 2002

Readings:

1. The Century Foundation, *The USA PATRIOT Act: Guide to the Issues* (Washington, DC: The Century Foundation, 2004).
2. US Department of Justice, *The USA PATRIOT Act: Preserving Life and Liberty* on USDOJ's PATRIOT Act website, www.lifeandliberty.gov (Washington, DC: USDOJ, July 2004).
3. Chang, Nancy. "The USA PATRIOT Act: What's So Patriotic About Trampling on the Bill of Rights?" in Howard, Forest, Moore, *Homeland Security and Terrorism*, Chapter 24.

Study Questions:

1. What is the USA PATRIOT Act, and what is it intended to do?
2. What is the rationale, as articulated by the Department of Justice, behind the PATRIOT Act's major provisions?
3. What sorts of secret searches does Section 213 authorize? What is a "sneak and peak" search?
4. What activities does Section 215 authorize? What is a "gag order?"
5. How does the PATRIOT Act update which devices the government is authorized to tap?
6. What is a "roving wiretap?"
7. How does the PATRIOT enable information sharing and break down "the wall?"
8. What are the implications of the Act's changing the standard for search warrants from "the primary purpose" to "a significant purpose" of the investigation?
9. What impact does the Act have on non-US persons?
10. Are there ambiguities in the act that should justifiably cause concern?
11. What are the major civil liberties concerns regarding the Act?
12. What are the "sunset provisions," and should the Congress renew them?