

Patriot Act gets short extension

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WASHINGTON (NNPA) - After nearly a week of wrangling with the White House and other members of the U.S. Senate, a bipartisan group of senators on Dec. 21 was able to push through legislation authorizing a six-month extension of the Patriot Act, key provisions of which were set to expire on Dec. 31.

President Bush and congressional GOP leadership had pushed to make the anti-terrorism law permanent but were blocked by a group of senators, including four Republicans who said the measure infringed on civil liberties.

"The [American Civil Liberties Union] is thrilled that fair-minded senators have decided to take a little more time to examine the Patriot Act," said Meredith Curtis, spokeswoman for the Maryland branch of the ACLU, which has been outspoken on this issue.

"When we're talking about our security and freedom it's a good decision to make."

Though a slightly modified version of the bill was passed by the House of Representatives 251-174, the legislation seemed to be at an impasse in the Senate, since both sides seemed unwilling to back down.

Proponents of a revised bill were successful in suppressing the number of votes (60) needed to invoke cloture, which would override a filibuster and end debate on the bill.

If supporters of the bill were successful in breaking the filibuster, they would have been able to bring up the measure for a vote and pass it by a simple majority, but the sunset provisions of the legislation seemed destined for expiration.

President Bush called the action "inexcusable" and said it would make the country vulnerable to terrorist attacks.

"The Patriot Act is scheduled to expire at the end of this year, [but] the terrorist threat is not going to expire at the end of this year," Bush said in a Dec. 21 press conference. "The senators obstructing the Patriot Act need to understand that the expiration of this vital law will endanger America and will

leave us in a weaker position in the fight against brutal killers."

But civil rights activists and a bipartisan group of lawmakers said though they supported the act it needed to be revised to safeguard the civil rights of citizens, and the lawmakers asked for a three-month extension of the act to negotiate those protections.

That proposal was killed in a Dec. 16 session after Bush said he would veto any such measure.

"Let's be clear about who's killing the Patriot Act: President Bush and the Republican leadership," said Senate Democratic Leader Harry Reid of Nevada at the time.

"Twice last week, a bipartisan group of senators tried to move forward on a three month extension, but instead of joining us, the president and the Republican leadership decided they would rather see the bill expire.

"We support the Act, but we want to improve it. That's what this is about. ...We do not have to sacrifice our basic liberties in the course of strengthening national security."

Bush has since indicated that he would likely sign off on the six-month extension but has continued to emphasize the importance of the act as a "vital tool" in "connecting the dots" to prevent another 9/11.

"The Patriot Act tore down the legal and bureaucratic wall that kept law enforcement and intelligence authorities from sharing vital information about terrorist threats," Bush said on Dec. 19. "It allows federal investigators to pursue terrorists with tools already used against other types of criminals."

Among those "tools" were two provisions that created significant concern for civil rights activists: one authorizing federal agents to use "John Doe" or roving wiretaps on all modes of communication used by suspects; another allowed officials to obtain personal records from libraries, doctors' offices, businesses and elsewhere under the Foreign Intelligence Surveillance Act or a national security letter without court oversight.

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Alito advised against Black Panthers

WASHINGTON (AP) - Supreme Court nominee Samuel Alito recommended against appealing to the high court a ruling that revived a Black Panther Party lawsuit against the government.

Alito, working in the Justice Department at the time, argued that the department could win the case in a lower court.

"None of the legal issues presented by this case seems to warrant Supreme Court review," Alito wrote on Nov. 19, 1981, while he

was working for the solicitor general's office. The memo was among another batch of Alito papers released Wednesday by the National Archives.

The Black Panthers' lawsuit accused government officials of conspiring against the militant group and its members for years. A federal judge had thrown out the lawsuit, but the U.S. Court of Appeals for the District of Columbia reversed that decision. The appeals court ordered the judge to reconsider the case.

Alito noted that nothing in the trial court was "decided against the government with finality."

And "even if the Supreme Court were to agree with our arguments, it would not follow that dismissal of the complaint would be the appropriate sanction," he wrote.

The Supreme Court thought otherwise. The Justice Department went on to appeal the case to the high court, which ordered the Black Panther lawsuit thrown out.

Alito did note that he

could see a reason to take the case to the Supreme Court, considering its high-profile nature.

"This is not an ordinary lawsuit, and the issues may consequently take on added significance," Alito said. "While I am convinced that the individual legal issues do not warrant the filing of a petition action, I recognize that a decision to the contrary has something to recommend it."

The Black Panther (See Panthers, Page 4)



Happy New Year!

Wishing you and your family a joyous New Year filled with peace, hope and prosperity.

Commissioner Lynette Boggs McDonald