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CONTACT: Laura Brinker
(202) 715-1540
laura.brinker@dittus.com

FBI INTELLIGENCE VIOLATIONS UNDERSCORE NEED FOR PATRIOT ACT REFORM

Senate-Passed Amendments Essential to Restoring Americans' Fourth Amendment Right to Privacy

Washington, DC (October 26, 2005) - Former congressman Bob Barr, chair of Patriots to Restore Checks and Balances (PRCB), today cited FBI intelligence violations as proof of why modest privacy protections contained in the Senate-passed version of Patriot Act reauthorization legislation are an essential step forward to protecting the Fourth Amendment freedoms of all Americans.

"For the FBI to qualify these blatant violations of rules intended to protect individual rights as 'administrative errors' is an outrage," said Barr at a press conference on Capitol Hill. "This cavalier attitude towards Americans' constitutional rights provides yet another justification for checking government power run amuck. We have been assured time and again that the Patriot Act made only 'minor, technical changes' to federal law, yet time and again we are seeing its far-reaching powers being used without needed checks against abuse and misuse."

Reports provided to the *Washington Post* by the Electronic Privacy Information Center (EPIC) indicate at least 230 allegations of abuse of the laws governing secret surveillance over a three-year period. Violations included spying on U.S. residents for up to 18 months without proper paperwork; obtaining email correspondence using expired search warrants; collecting bank records without legal authority; and conducting unlawful physical searches. The allegations of misconduct were described in 93 pages of documents released to EPIC under the Freedom of Information Act.

Marc Rotenberg, EPIC Executive Director, echoed Barr's concerns during today's event. "The Patriot Act significantly expanded the FBI's ability to conduct secret surveillance in the United States, yet they are too few safeguards to prevent spying on innocent Americans. The fact that we now have documentation describing many allegations of misconduct by the FBI and other agencies in intelligence investigations sends a clear message to lawmakers that stronger oversight of the Patriot Act is absolutely essential," said Rotenberg.

"The sweeping powers granted under the current Patriot Act have made it easy for federal agents to operate outside the necessary constraints of our government's system of checks and balances," added Barr. "I seriously hope that these new examples of Patriot Act abuse will serve as a reality check to the Members of Congress tasked with producing a final reauthorization bill in conference. The modest but important reforms contained in the Senate bill must be adopted to ensure that Americans' right to privacy is not completely obliterated under the guise of protection from terrorism. More reforms are clearly needed."

Patriots to Restore Checks and Balances is an organization dedicated to protecting Americans' fundamental freedoms guaranteed by the Fourth Amendment and ensuring that all provisions of the Patriot Act are in line with the Constitution. For more information, visit our Web site at www.checksbalances.org.

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