



THE PATRIOT ACT

In the aftermath of the 9/11 terrorists' attacks on the United States, Congress voted to pass the Patriot Act. U.S. Senator Dan Akaka voted in support of the Patriot Act, believing, like many of his colleagues, that the federal government needed the tools to fight, detect and deter terrorist acts, and that the powers granted the government at the time were limited. In addition, assurances were made by the Bush Administration that there were adequate provisions in the legislation to protect individual citizen's privacy and civil rights. Nevertheless, there were many voices, including Senator Akaka's, who expressed concern over the real potential for civil rights abuse.

Since then, Senator Akaka believes the Administration has been less than forthcoming in disclosing how the Patriot Act has been used. According to reports he has received, the federal government used the Patriot Act to:

- Investigate and prosecute crimes that are not terrorism offenses,
- Investigate individuals without having just cause to believe that the person was involved in terrorist activities, and
- Coerce Internet Services Providers (ISPs) to turn over information about e-mail activity and Web surfing while preventing the ISP from disclosing this abuse to the public.

These revelations are not only disturbing but may indicate other abuses that the Justice Department has not revealed.

Last July, the Senate agreed to reauthorize the Patriot Act, but only with stronger protections in place to prevent civil rights abuses. However, the Republican-controlled House of Representatives submitted its own compromise measure lacking the protections insisted upon by the Senate. Consequently, when the final version of USA Patriot Improvement and Reauthorization Act of 2005 was put before the Senate this past March, Senator Akaka voted against it.

In the post-9/11 world, stronger national security and vigilance against terrorism is a fact of life. Senator Akaka has never disputed the need to respond to that essential reality. However, that concern must NEVER come at the expense of the rights and freedoms that this country was built upon. History has shown us over and over again, when those rights are dismissed for expediency—no matter the reason—nothing good ever comes of it. Japanese-American citizens saw that with their forced detention during World War II. The nation experienced that same kind of hysteria during the McCarthy hearings in the 1950s. The new, sweeping powers given to the federal government to conduct investigations and surveillance inside the U.S. and the deterioration of constitutional checks and balances on law enforcement are chilling indeed.

In 2003, the State Legislature of Hawaii passed a resolution reaffirming its commitment to civil liberties and called on the Hawaii congressional delegation to repeal any sections of the Patriot Act that limits or violates our fundamental rights and liberties as citizens—no matter our race, color or creed. Senator Akaka applauded and wholeheartedly supported this resolution.

Senator Akaka does not believe that the Patriot Act, as it is being employed by the Bush Administration, strengthens this nation. Instead, it weakens us by eroding the very freedoms that define us. He encourage all of my constituents to remain vigilant and continue to hold this Administration morally accountable to both the underlying purpose of the Patriot Act and to freedoms that it professes to protect.

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