

(June 21, 2005) Lipinski Votes to Amend Patriot Act and Protect Americans' Reading Records

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WASHINGTON, DC - Congressman Dan Lipinski joined a broad Congressional coalition last week in restoring Americans' constitutionally guaranteed right to read and access information without governmental intrusion or monitoring. With Congressman Lipinski's support, the House passed an amendment to the House Science-State-Justice Subcommittee (SSJC) appropriations bill. This amendment would bar the Department of Justice from using any of the appropriated money to search library and bookstore records under Section 215 of the USA PATRIOT Act without a traditional search warrant.

"This is a tremendous victory that restores important Constitutional rights to the American people," Lipinski said. "It is essential that we do all we can to protect Americans from terrorism, but we must do it in a way that does not undermine the basic constitutional rights that makes us a free country."

Under Section 215 of the PATRIOT Act, federal agents have been empowered to get orders from a secret court that allows them to access, among other things, the reading records of Americans in both libraries and book-stores. Unfortunately, because these orders are granted by a secret court, the people whose records are sought had no opportunity to oppose the order. In most cases the person whose records are acquired would never know it because the law itself makes it a criminal offense for the librarian or bookseller to tell anyone about the order. Currently, seven state legislatures, 44 state library associations, and 381 cities and towns representing nearly 62 million people have passed resolutions expressing their concerns with Section 215 and other specific provisions of the USA PATRIOT Act.

"Section 215 not only intrudes on Americans' Constitutional rights, but it does so unnecessarily. Government agents have and will continue to have the ability to access library and bookstore records if they have probable cause to believe they are connected to criminal activity-including terrorism," Lipinski said. "This amendment simply restores the checks and balances that protect innocent Americans under the constitution, such as search warrants and grand jury subpoenas."