
Subject: Martial Law

Posted by [ViperFUD](#) on Tue, 27 Jul 2004 12:29:45 GMT

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This is gonna be long. just warnin ya.

Quote:Sec. 201. Authority to intercept wire, oral, and electronic communications relating to terrorism.

The FBI gets to wiretap whatever they want as long as they're running a terrorism investigation.

No. Actually, this section did two things; it agreed with the Anti-Terror act of 1996, which made falsification of identification for the purposes of entering the country ("relating to fraud and misuse of visas, permits, and other documents") an offense which falls under the jurisdiction of the Attorney General and FBI, and also made "chemical weapons" and "terrorism" under their jurisdiction. They still need a warrant issued by a federal judge (and all the proof that goes along with it) to do this.

Quote:Sec. 202. Authority to intercept wire, oral, and electronic communications relating to computer fraud and abuse offenses.

The FBI gets to wiretap whatever they want as long as they're running a computer investigation.

Read it again. This just adds "computer fraud and abuse" to the section of US code dealing with "mail fraud". Same thing, different medium. No new laws/procedures; ie. they still have to do everything they had to do for a mail fraud investigation.

Quote:Sec. 207. Duration of FISA surveillance of non-United States persons who are agents of a foreign power.

Survey non-US citizens all we want.

Yeah, or "120 days." In fact, this states that we cannot keep someone under surveillance for more than 4 months, even if the FBI applies to be allowed to survey them for a longer period of time. The only lessening of restriction was that a physical search can now last 90 days rather than 45.

Quote:Sec. 209. Seizure of voice-mail messages pursuant to warrants.

More tapping of otherwise private communications.

Again, you're missing the point. Did you actually read the act, or just the section headlines? This area just clarifies a law already in existence (whereby the FBI can seize voicemail and such) by changing "electronic" to "wire and electronic".

Quote:Sec. 219. Single-jurisdiction search warrants for terrorism.

Instead of the good 'ole search warrants where the police get access to break into someone's house during said hour of said day, now the police can get a warrant to break in to anything the suspect owns any time they want to. It sounds like a good idea for fighting crime, but it's actually a horrendous idea when you're one of the many people who are guilty and get searched.

Now this is just WRONG. What this does is make it so that in a case of terrorism, a Federal judge, rather than a Magistrate judge, may issue the warrant. No more, no less.

In addition, if you're guilty, I would rather you get searched than keep your bombs and blow me the fuck up. However, this DOES set a dangerous precedent, so I would like the search to be kept legal and warranted and etc.

Quote:Sec. 225. Immunity for compliance with FISA wiretap.

Yay! Wiretap immunity!

What this says, and I quote, is, "No cause of action shall lie in any court against any provider of a wire or electronic communication service, landlord, custodian, or other person (including any officer, employee, agent, or other specified person thereof) that furnishes any information, facilities, or technical assistance in accordance with a court order or request for emergency assistance under this Act."

ie. If the government tells you to tap (or help them tap) someone who, say, is your tenant, then you cannot be sued or otherwise taken to court with following their orders. This does not give anyone wiretap immunity; it only gives immunity from prosecution for those who help the FBI (and not, incidently, to the FBI themselves).

Quote:Sec. 412. Mandatory detention of suspected terrorists; habeas corpus; judicial review.

Let's put people in jail and not give them a lawyer!

Again, not quite. But closer this time. This basically says that illegal aliens in the Attorney General's custody stay there until they leave the US. However, they receive habeas corpus ("produce the body") within 7 days, and they Attorney General must provide proof that either 1. They are an illegal alien or 2. They threaten "National Security" (<- that's the scary one - up to 6 months of detainment).

Quote:Sec. 416. Foreign student monitoring program

Spying on foreign exchange students.

True, but if you look at it, all it says is two things: (1) "The Attorney General ... shall fully implement and expand the program established by [the] ... Act of 1996" (it already exists; we're just not doing it yet ...) and (2) makes it so that ALL foreign exchange students and not just college ones are considered.

Quote:Sec. 501. Attorney General's authority to pay rewards to combat terrorism.

Remember back during the Cold War where we trained people like Osama to fight the Communists? Yeah, it's kind of like that. We also gave Iraq and other such places money and guns to say they didn't like communism.

Sec. 502. Secretary of State's authority to pay rewards.

Remember back during the Cold War where we trained people like Osama to fight the Communists? Yeah, it's kind of like that. We also gave Iraq and other such places money and guns to say they didn't like communism.

Actually, this looks more like getting paid to snitch on your neighbor, to me (still a Bad Thing) but it probably COULD be used they way you see it. It's not entirely clear to me, since this section seemed a little vague (to me).

Quote: `(6) LIMITATION ON INDEFINITE DETENTION- An alien detained solely under paragraph (1) who has not been removed under section 241(a)(1)(A), and whose removal is unlikely in the reasonably foreseeable future, may be detained for additional periods of up to six months only if the release of the alien will threaten the national security of the United States or the safety of the community or any person.

We get to hold people in jail without a lawyer!

Wel,, they get a lawyer, but we still get to hold them. See above.

Here's what I find scary:

Patriot Act SEC. 213 AUTHORITY FOR DELAYING NOTICE OF THE EXECUTION OF A WARRANT.

DELAY- With respect to the issuance of any warrant or court order under this section, or any other rule of law, to search for and seize any property or material that constitutes evidence of a criminal offense in violation of the laws of the United States, any notice required, or that may be required, to be given may be delayed if--

`(1) the court finds reasonable cause to believe that providing immediate notification of the execution of the warrant may have an adverse result (as defined in section 2705);

`(2) the warrant prohibits the seizure of any tangible property, any wire or electronic communication (as defined in section 2510), or, except as expressly provided in chapter 121, any stored wire or electronic information, except where the court finds reasonable necessity for the seizure; and

`(3) the warrant provides for the giving of such notice within a reasonable period of its execution, which period may thereafter be extended by the court for good cause shown.'

Basically, we don't have to tell you if we're searching your shit, as long as
1. It'll let you hide shit we wanna find.

2. We're just looking, not taking anything. Unless the court wants us to take something specific.
3. You'll find out about it soon enough. Like, when we arrest you.

Anyway. You seem like a smart kid; next time make sure you read what it says and not just the title sections.

~Viper

P.S. In summary, the Patriot Act doesn't look like a scary "let's give the government more powers" law to me; it looks like it's saying, "Remember all those anti-terrorism laws we passed? Yeah. Let's actually DO those."
