

Ashcroft to tour in defense of embattled Patriot Act

The attorney general says the Patriot Act is a vital tool in fighting terrorism; opponents contend his arguments invoke a "straw man"

By Michelle Mittelstadt
The Dallas Morning News (KRT)

WASHINGTON — Attorney General John Ashcroft launched a campaign-style offensive to defend the Patriot Act on Tuesday, responding to rising signs of unease around the country and on Capitol Hill about aspects of the sweeping anti-terrorism law.

Ashcroft, who will travel to more than a dozen cities in the coming weeks to tout the Patriot Act, provided a rousing defense of the 2001 law during a speech before a conservative-leaning think tank, the American Enterprise Institute.

"We have used these tools to prevent terrorists from unleashing more death and destruction on our soil. We have used these tools to save innocent American lives. We have used these tools to provide the security that ensures liberty," he said, standing in front of a backdrop stamped with the words "Preserving Life and Liberty."

Less visible was the reason for the counteroffensive: a surprising vote in the Republican-led House last month to deprive the Justice Department of one of its Patriot Act tools, other proposed legislative curbs and a campaign by an unusual left-right coalition to rein in parts of the law.

Groups across the political divide, from the American Civil Liberties Union to the American Conservative Union and the Eagle Forum, have banded together to question whether the Bush administration's tactics in the war on terrorism intrude on Americans' civil liberties.

To date, 152 communities and the legislatures in Alaska, Hawaii and Vermont have approved resolutions condemning the Patriot Act.

More troubling, perhaps, to the

Justice Department was the House's overwhelming approval last month of an amendment that would ban "sneak-and-peek" warrants permitting secret searches.

The Patriot Act, which greatly expanded the government's surveillance and detention powers for suspected terrorists and their alleged associates, was passed resoundingly by lawmakers in the weeks after the Sept. 11 terrorist attacks. Some of its provisions are set to expire in 2005.

Worried by what they describe as mischaracterizations and misunderstanding of the Patriot Act, Justice Department officials drew up a travel schedule for Ashcroft and are encouraging the nation's 94 U.S. attorneys to discuss the law at town hall meetings.

The attorney general's schedule does not contemplate any meetings that would allow the public to question him about the law. Instead, he'll appear before law enforcement audiences later this week in Philadelphia, Cleveland, Detroit and Des Moines, Iowa. The still evolving schedule also includes trips to Boston, Milwaukee and Salt Lake City, aides said.

The Justice Department counteroffensive comes complete with a new Web site (www.lifeandliberty.gov) designed to deflate the "myths" that department officials say Patriot Act critics and ill-informed members of the media are peddling.

Offering a preview of his message, Ashcroft forcefully defended the constitutionality and the success of the government's anti-terrorism tactics.

He cautioned against repeal of the Patriot Act, saying: "To abandon these tools would senselessly imperil American lives and American liberty, and it would ignore the lessons of September 11th."

ACLU legislative counsel Tim Edgar described the attorney general's repeal talk as a "straw man."

"Nobody is talking about repealing the Patriot Act," he said in an inter-

view. "The critics of the Patriot Act have concerns about five or six very important provisions, and we've proposed and supported legislation that would provide for more checks and balances for those provisions."

As for the Justice Department's Patriot tour, Edgar said, "I think that they are clearly seeing the shift in momentum."

The Free Congress Foundation, a conservative group that is making common cause with the ACLU on this issue, agreed that the dynamics are favoring the critics.

"I think we have a very good argument to make that you can work to fight terrorism and at the same time work to make sure that as much of our freedom is intact," said Steve Lilienthal, director of privacy and technology at the Free Congress Foundation.

Opposition is being fomented by a "small and vocal minority," Justice Department spokeswoman Barbara Comstock said, and is not indicative of the support Americans express for the Patriot Act in polls.

Justice officials point to a July 31 poll by Fox News that found 55 percent of respondents support the Patriot Act, compared to 27 percent opposed.

"There is strong public support for it," Comstock said.

Laura Murphy, director of the ACLU's Washington office, questioned the propriety of what she termed a "Patriot Act charm offensive" and questioned whether the tour, which hits several key battleground states, has a political component.

Comstock and others at the department denied the allegation.

"It's not political," said spokesman Mark Corallo. "The American people should have the opportunity to make their judgment based on the facts, not on myths."

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