

Legislative and executive powers

[History](#)



The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, "most commonly known as the USA PATRIOT ACT contains provisions that, on its face, infringes upon the civil rights and liberties of the citizens. The implications of the law violate one of the most fundamental rights of any individual, the right to privacy and security guaranteed by the Constitution.

This act was enacted as a kneejerk reaction to the tragic events of September 11 brought about by terrorists. The need to address the emotionally-fueled anger of the people because of the impending threats by extremists groups allowed Congress to pass a bill that was not well-planned in a relatively short time. The Patriot Act was passed only 45 days after the 9/11 attacks to provide a solution to the breach in national security. Many regard this law as a legal means for the government to spy on virtually any person. The wide reach of the law allows surveillance of private individuals that extends to their phone conversations, internet communications and even bank transactions. The Federal Bureau of Investigation (FBI) is granted the power to National Security Letters known as NSLs without judicial intervention which allows them access to the mentioned personal information. Those issued with NSLs have 'gag orders' prohibiting them to disclose (American Civil Liberties Union [ACLU], 2011). Several courts have declared this provision to be unlawful. A San Francisco federal district court judge struck down as unconstitutional the provisions of the law in this regard last year on an action brought by the Electronic Frontier Foundation (Sledge, 2013).

Bibliography

American Civil Liberties Union. (2011, Oct. 24). Surveillance under the Patriot <https://assignbuster.com/legislative-and-executive-powers/>

Act. Retrieved from <https://www.aclu.org/national-security/surveillance-under-patriot-act>

Sledge, C. (2013, Mar. 15). National security letter gag orders struck down as unconstitutional (Update). The Huffington Post. Retrieved from http://www.huffingtonpost.com/2013/03/15/national-security-letter-_n_2886130.html