

I'm Eric Funk. I love this country. I am a husband and a father and a Whitefish business owner. My friends and I have taken the day off from our work, to drive all the way from Whitefish to be here to talk to you today.

Eureka & Hatispell

Being hard working folks yourselves, you know, time is precious. We are all busy, we have families and jobs and commitment's. And I am not one who easily gets involved with these kinds of issues.

Yet this issue is so important that it has to be a priority. Someday in the future, I don't want my 6 year old daughter to come to me and say Daddy, what happened to our rights, and why didn't you do something?

There are times when we have to stand up for our rights. Today is one of those times. During the next couple of minutes, I am going to tell you why.

The USA PATRIOT Act was rushed through Congress just 45 days after 911. Over 340 pages long, few members of Congress had time to read the Patriot Act. To oppose it would have granted the headline "Senator so-and-so opposes USA Patriot Act." Especially during the aftermath of 911, those were certainly no headlines any congressman wanted. It was passed only with the provision that a Sunset clause be included calling for it's expiration at the end of 2005.

So what is the Patriot Act?

The letters USA PATRIOT stand for: **U**niting and **S**trengthening **A**merica by **P**roviding **A**ppropriate **T**ools **R**equired to **I**ntercept and **O**bstruct **T**errorism.

The name spells USA PATRIOT, because the crafters of the bill chose words with first letters that make up the acronym that spells USA PATRIOT. The name has nothing to do with being patriotic. In fact, to call a particular Act by a name such as this suggests that anyone who is not for it, is somehow being unpatriotic which was the desired effect. (It's kind of like making up a bill that stands for "Let's Oppose Virtually Everyone", and calling it the LOVE Act.)

Senator Elliott

It is important to mention that in SJ19, we are not advocating the repeal of the entire Patriot Act, only the provisions of it that violate our Constitution.

The provisions in the Patriot Act, for example, that:

- allow the government to secretly search your home without needing a reason to suspect you are doing anything wrong and without the traditional judicial oversight process in obtaining a search warrant. (*Sec. 215*)
- that allow the government to hold citizens in jail indefinitely without charging them with a crime. (*Patriot 2, Sec. 101 – “disappearing of citizens”*)
- that allow the government to deny citizens the right to consult an attorney or even contact their families. (*simple enemy combatant labeling*)
- that allow secret email and website monitoring, wiretapping of phone calls without a warrant, monitoring of your credit card transactions, secret, unlimited monitoring of the videos you rent and books you buy, or check out at the library. (*sec. 215*), (*505*), (*216*)
- that allow the government to monitor religious, political or activist groups of any kind and label them "terrorist". (*sec. 411*)

And if you have any doubts about the discretion of government officials labeling groups or people terrorists, consider this: On February 23rd, last year, Education Secretary, Rod Paige, at the governors conference in Washington, in a fit of outrage – labeled the 2.7 million member National Education Association a “terrorist organization.” The NEA is made up of teachers and school officials, the ones who teach our children.

The 64,000 member American Library Association opposes the Patriot Act. They have passed a resolution opposing aspects of Act that suppress our freedoms and promote intimidation tactics by our government.

As you might imagine it takes quite a bit to draw the ire of librarians, yet Chair of the California Library Associations Intellectual Freedom Committee, Karen Schneider says: “The Patriot Act is a clear and present danger to our civil liberties, and an assault on free speech in an open society. This is an important time for advocates of free speech everywhere to join forces to defend our Constitutional rights.”

These violations of our US Constitution by the Patriot Act have caused such an uproar across our nation that, as of last week, resolutions similar to SJ19 have been passed by 372 communities, including ground zero for 911-New York City, Los Angeles, Washington D.C., Dallas, Tampa, Boise, Seattle, Chicago, Philadelphia, Atlanta, St. Louis. Virtually every major metro area in our nation, has passed resolutions just like SJ19 that is before you today.

Helena, Whitefish, Bozeman, Missoula, Dillon, Beaverhead County, Lewis and Clark County and Eureka have passed resolutions supporting our rights and denouncing provisions in the Patriot Act that violate those rights. Butte, Stevensville, Phillipsberg and Kalispell have resolutions pending.

28 states have either already passed or are in the process of passing statewide resolutions that oppose the Patriot Act. (There are more than 250 additional resolution efforts currently underway.)



For people who sincerely care about this country, this is not about politics, it is about supporting what we Montanan's hold dear to our hearts - our guaranteed freedoms and civil liberties.

If men and women are willing to die to protect our freedom and our rights, the least we can do is stand up for those rights.

Please tell me that I can count on your support for SJ19. We are not a country founded upon fear. If the terrorist acts of 911 can force us to tear apart the very fiber of our country, the US Constitution and our Bill of Rights – then the terrorists have already won.

SJ19 will send a clear message to our leaders, that we will not trade our rights for fear, that we will not give up our freedoms, that we Montanan's will take a stand for our country and our Constitution. And when you stand with us, my friends, you are the true Patriots. Thank you.