

To: Montana House Federal Relations, Energy and Telecommunications Committee
From: Bernadine Abbott Hoduski, Lewis & Clark County
Chair Friends of Lewis & Clark Library
Subject: Support for resolution SJ19 on the U.S. Patriot Act
Date: March 14, 2005

Bernadine E. Abbott Hoduski

I am the grandchild of four sets of homesteaders and was born in Northeastern Montana. My parents brought me up with the constant reminder that I had constitutional rights and I should do my best to protect those rights. They also saw libraries as a place to pursue information without restrictions by the government. As a librarian I have worked for adoption of resolutions opposing parts of the Patriot Act by the Montana Library Association and the American Library Association. Almost all the state library associations have passed resolutions opposing the Patriot Act.

Librarians are concerned about section 215, which allows the FBI to obtain a search warrant (from a secret Foreign Intelligence Court) for "any tangible thing", including books, records, papers, floppy disks, data bases, computers with hard drives and circulation and computer use records. Library users are reluctant to read material that might label them a terrorist.

The law prohibits librarians served with a Patriot Act warrant from disclosing under penalty of law, the existence of the warrant or the fact that records were produced as a result. Library users can not be told that their records were given to the FBI or that they are suspects.

I urge you to support resolution SJ19 and to urge Senators Baucus and Burns and Representative Rheberg to let the parts of the Patriot Act that are due to lapse lapse and to revise the other sections in order to protect the liberties of all of us.