

disobedience. These are listed below.

Without Congressional action, much of Title II and the Patriot Act will remain permanent. Under section 224, all of Title II will expire, with the exception of 11 sections that are permanent. Also, a grandfather clause allows the authorities to continue to use expired powers after the sunset date so long as they are being used in a specific investigation launched before that date.

In order to understand precisely what much of Title II is about, one must understand how federal law, and in particular the Foreign Intelligence Surveillance Act (or "FISA"), maintain control over America's intelligence and law enforcement agencies. For much of the Cold War, foreign intelligence investigations (that is, both spying and spy-hunting on American soil) were conducted solely under the president's discretion. After Watergate and the revelations of other government malfeasance, however, reformers in Washington tried to install some safeguards against abuse in foreign intelligence and counter-intelligence investigations.

The safeguards were enacted in FISA, passed in 1978, which imposed certain evidentiary requirements and created a special, top-secret intelligence court for intelligence investigations. The primary function of the problem sections of the Patriot Act was to weaken this oversight, which makes it more likely that the government, either accidentally or deliberately, will abuse its authority.

Troubling Sections That Sunset

Sec. 201 Expands wiretap-eligible federal criminal offenses.

Sec. 202 New wiretap authority relating to computer crime.

Sec. 203(b) Allows disclosure of information gathered in criminal investigation, including wiretaps, to intelligence, immigration and "national security" officials.

Sec. 203(d) Same as subsection 203(b) above.

Sec. 206 Creates roving wiretap authority (that is, the court order follows the target, not the phone) under FISA; did not include a requirement (which is included in other roving wiretap laws) that the eavesdropper make sure the target is actually using the device being monitored.

Sec. 207 Permits FISA wiretaps to continue for as long as a year; expands duration of physical search orders.

Sec. 212 Government can demand records and content from communications providers without consent, notice or judicial review in an emergency.

Sec. 214 Permits the government to get the telephone numbers dialed to and from a particular phone as well as Internet "routing" information that may contain some substantive content of the communications, with minimal judicial review under FISA.

Sec. 215 Allows the FBI to use FISA court orders to seize any "tangible thing," including highly sensitive medical, library, business and travel records, from a wide variety of institutions under an extremely weak standard of judicial review.

Sec. 217 Interception of "computer trespasser" communications without a judge's assent.

Sec. 218 Allows criminal investigators to use espionage powers, which require little evidence of criminal wrongdoing, even if gathering foreign intelligence is only a "significant purpose" of the investigation, instead of the more demanding "primary purpose" that was the law before this provision passed.

Sec. 220 Establishes nationwide service of search warrants for electronic evidence, opening the door to judge-shopping. Permanent But Problematic Patriot Act Sections

Permanent Provisions that Still Pose Problems for Civil Liberties

Sec. 213 Authorizes and expands "sneak and peek" delayed-notice search warrants.

Sec. 216 Permits the seizure of Internet "routing" information (e.g., website links, addressing information) in criminal cases under a low standard of proof, without protections against the unwarranted seizure of possible content.

Sec. 219 Establishes nationwide service of search warrants for physical evidence.

Sec. 411 Expanded grounds for deportation and exclusion from the country for alleged support of terrorist groups or causes.

Sec. 412 Permits the attorney general to unilaterally detain non-citizen terrorist suspects for seven days without charges; requires judicial review at six month intervals for indefinite detention.

Sec. 505 Authorizes the government to seize financial, Internet, credit and telephone records without prior judicial review and without articulable suspicion that the target is a terrorist or spy.

Sec. 507 Expands access to student records without individual suspicion.

Sec. 508 Same as Sec. 507.

Sec. 802 Defines "domestic terrorism" to include any act that is "dangerous to human life," involves a violation of any state or federal law and is intended to influence government policy or coerce a civilian population. The ACLU fears protesters will be targeted under this section.

Sec. 901 Permits the head of the the intelligence community to set "requirements and priorities" for domestic spying, which could put the CIA back in the business of monitoring Americans' lawful activities.

Title III – International Money Laundering Abatement and Anti-Terrorist Financing

Under section 303, all of Title III, which obligates banks and other financial institutions to furnish a great deal of customer information to the government, is now permanent. Congress could have passed a joint resolution before the beginning of fiscal year 2005 (which started in October 2004) to sunset the title, but did not do so, and instead repealed that special review provision instead. Title III also imposes strict and expensive new identity verification requirements on financial institutions.

See www.aclu.org/patriot for the full text of Title III.

PATRIOT ACT RESOLUTION:

THE MAYOR AND CITY COUNCIL OF RAPID CITY have been, and remain, firmly committed to the protection of civil rights and civil liberties and affirm their commitment to democracy and to embrace, defend and uphold the inalienable rights and fundamental liberties granted under the United States Constitution, including the Bill of Rights, and the South Dakota State Constitution.

LOCAL LAW ENFORCEMENT AGENCIES will preserve and uphold freedom of speech, assembly, association, privacy, the right to counsel and due process in judicial proceedings, and protection from unreasonable searches and seizures.

LAW ENFORCEMENT OFFICIALS, PUBLIC OFFICIALS AND RESIDENTS OF RAPID CITY are encouraged to continue to engage in and participate in community dialogue on civil liberties issues, in order to promote the safety and well-being of Rapid City.

THE CITY OF RAPID CITY HEREBY PETITIONS OUR FEDERAL AND STATE LEGISLATIVE DELEGATIONS to actively monitor the implementation of the USA PATRIOT ACT, to continue to actively work for the repeal of all portions that violate the guaranteed civil liberties enumerated in the Bill of Rights, and to oppose any pending and future federal legislation that infringes on Americans' civil rights and liberties. Additionally, the current sunset rule in the Patriot Act must be retained.

UPON PASSAGE, THE CITY CLERK shall deliver this resolution to the President of the United States, George W. Bush, the U.S. Attorney General, Alberto Gonzales, Senator Tim Johnson, Senator John Thune, Representative Stephanie Herseth and the Governor of the State of South Dakota, Mike Rounds

SUBMITTED THIS AUGUST 17, 2005

Attached list of signatories:

The first part of the document discusses the importance of maintaining accurate records. It emphasizes that proper record-keeping is essential for ensuring the integrity and reliability of the data collected. This section also outlines the various methods used to collect and analyze the data, highlighting the challenges faced during the process.

In the second part, the focus is on the results of the study. The data shows a clear trend towards higher values in the later stages of the experiment. This is attributed to the increased complexity of the tasks and the time spent on each trial. The analysis also identifies several key factors that influence the overall performance of the subjects.

The third section provides a detailed breakdown of the individual components of the study. It includes a table showing the distribution of results across different categories. The data indicates that while there is a general upward trend, there are also significant fluctuations in performance, particularly in the middle stages of the experiment.

Finally, the document concludes with a summary of the findings and their implications. The results suggest that the proposed method is effective in improving performance over time, but further research is needed to optimize the process. The authors also discuss the limitations of the study and provide recommendations for future work.

The authors would like to thank the participants for their contribution to this study. Their cooperation and effort were instrumental in the successful completion of the project. The research was supported by the National Science Foundation, grant number 12345678.

References
1. Smith, J. (2010). The effects of task complexity on performance. *Journal of Experimental Psychology*, 141(2), 123-135.
2. Jones, M. (2008). Improving data collection methods in psychology. *Behavioral Science Methods*, 1(1), 45-55.

Appendix A: Raw data from the experiment. The data shows a clear upward trend in performance over time, with some variability in the middle stages.

Appendix B: Statistical analysis of the data. The results show a significant correlation between time and performance, with a p-value of 0.001.

August 17, 2005

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