

September 23, 2005

**Letter Supporting Data-Mining Provision in
USA PATRIOT Act Reauthorization**

Dear USA PATRIOT Act Conferee or potential Conferee,

The undersigned organizations with diverse views write to urge that Senate Conferees accede to the House passed-version of the PATRIOT Act with respect to Section 132 of the House bill. It would require a government-wide survey of those federal programs that use “pattern-based” data-mining to identify a “pattern indicating terrorist or criminal activity.” This provision would require the first full cataloging and assessment of government programs that employ this emerging technology. The provision would also require the Justice Department to identify legal impediments, if any, to the use of such technology.

Data-mining is a fast-growing technology that many federal agencies now employ for a variety of purposes. It involves linking disparate and primarily lawful behaviors to identify individuals who are engaging in crime, including acts of terrorism. Because this “pattern-based” data mining can involve governmental monitoring of a wide variety of lawful activities, it raises serious privacy and other civil liberties concerns. Proponents of pattern-based data-mining claim various types of the technology hold tremendous societal and governmental promise for helping the government quickly identify critical information from masses of data. Irrespective of your approach to data-mining, Congress and the public would be well-served by the systematic Department of Justice survey and report that this amendment would mandate. Such a report renders Congressional oversight of such programs easier.

We urge that you insist that Section 132 of the House-passed PATRIOT Act reauthorization legislation be included in the Conference Committee’s final version of the PATRIOT Act reauthorization legislation.

Sincerely,

American-Arab Anti-Discrimination Committee
American Association of Law Libraries
American Conservative Union
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Library Association
American Policy Center

Arab Community Center for Economic & Social Services (ACCESS)
Asian American Legal Defense and Education Fund
Asian Law Caucus
Association of Research Libraries
Center for Democracy and Technology
Center for National Security Studies
Competitive Enterprise Institute
Computer Professionals for Social Responsibility
Consumer Action
Consumer Project on Technology
Cyber Privacy Project
Electronic Frontier Foundation
Fairfax County Privacy Council
First Amendment Foundation
Free Congress Foundation
Hebrew Immigrant Aid Society
Korean American Resource and Cultural Center
Korean Resource Center
Liberty Coalition
Multiracial Activist
National Asian Pacific American Legal Consortium
National Center for Transgender Equality
National Committee Against Repressive Legislation
National Council of La Raza
National Immigration Forum
National Immigration Law Center
National Korean American Service and Education Consortium
National Lawyers Guild—National Office
Natural Solutions Foundation
Patriots to Restore Checks and Balances
Privacy Activism
Privacy International
Privacy Rights Clearinghouse
Privacy Times
Republican Liberty Conference
Rutherford Institute
September 11th Families for Peaceful Tomorrows
World Privacy Forum
YKASEC-Empowering the Korean American Community