

PETITION FOR REDRESS OF GRIEVANCES RELATING TO THE "WAR ON TERRORISM"

WHEREAS, on November 8th, 2002, every member of United States Congress in the House of Representatives and Senate and the President were served with a Petition for Redress of Grievances regarding the Constitutional abuses arising from the USA Patriot Act and the "War on Terrorism", and

WHEREAS, **such Petition for Redress was subsequently ignored**, and

WHEREAS, During October, 2001, the U.S. Congress passed and the President signed the U.S.A. Patriot Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism), and

WHEREAS, The U.S.A. Patriot Act was voted on by men and women engulfed in a terrifying atmosphere of shock, fear, mass media hysteria and anthrax mailings, and

WHEREAS, It has been acknowledged by some members of Congress that most congressmen were pressured to vote for, but never bothered to read the 324-page Act before voting on it, and

WHEREAS, on August 9, 2007, the United States Court of Appeals for the District of Columbia Circuit erred, in relying on two inapposite decisions by the Supreme Court of the United States and holding that the Government does not have to listen or respond to Petitions for Redress of Grievances from the People, and

WHEREAS, on February 22, 2008, the Supreme Court of the United States committed treason to the Constitution by refusing to hear the First Amendment case, We The People v. United States (case No. 07-681), calling for a judicial declaration - *for the first time in history* - of the Rights of the People and the obligations of the Government under the "accountability clause" of the Constitution – that is, the last ten words of the First Amendment.

WHEREAS, all men are created equal and are endowed by their "Creator" with certain unalienable rights, and

WHEREAS, if the Creator has, in fact, gratuitously provided, equipped and enriched the People with Rights, it follows that those Rights belong to the People and to the Creator, and it follows that any affront to the Constitution (as when government violates an unalienable Right) is an affront to the Creator, and

WHEREAS, if our Rights come from the Creator, only the Creator can frustrate, deny or defeat those Rights -- that is, government cannot abridge what God alone has manifest and bestowed upon the People, and

WHEREAS, the Constitution of the United States of America is a strongly worded, Divinely inspired, set of principles expressly intended to govern the government, not the People, and

WHEREAS, by the terms and provisions of the written Constitution, the People have expressly established their government and empowered it to act in only certain ways, while purposely and patently restricting and prohibiting it in other certain ways, and

WHEREAS, the Constitution of the United States of America guarantees to every American citizen and to those lawfully on our soil, the unalienable Rights to Life, Liberty, Property, Privacy and to Due Process of Law as well as other Rights, enumerated or not, and

WHEREAS, the Constitution prohibits and restricts the federal Government from infringing upon those Rights, and

WHEREAS, each of the Constitution's prohibitions and restrictions on government's authority is, in fact, another unalienable Right enjoyed by every American citizen and to those individuals lawfully upon our soil, and

WHEREAS, the People of this nation are entitled, by Right, particularly in times of national distress, to be free from a Government - that under the guise of protection, inflicts Constitutional abuse through acts of legislation such as the USA Patriot Act, as well as the protection of their other Constitutionally protected unalienable Rights,

Now therefore:

WE THE PEOPLE, hereby Petition the Executive and Legislative Branches of the federal Government, **yet again**, for Redress of Grievances relating to the so-called "War on Terrorism".

WE THE PEOPLE find ourselves, once again, in the position of having to admit that in every stage of our oppression we have Petitioned for Redress in the most humble terms, our repeated Petitions have been answered only by repeated injury, and that a Government that ignores its People is unfit to be the ruler of a free People.

WE THE PEOPLE, by and through the unalienable Right guaranteed by First and Ninth Amendments to the Constitution of the United States of America, instruct the President and each member of Congress to honor their oaths of office and their constitutional obligation by responding to this Petition for Redress, providing formal, specific answers to the questions contained herein, **no later than (40) forty days reckoning from the date of service of this Petition for Redress.**

WE THE PEOPLE reaffirm the essential principle underlying our system of governance, as expressed by the Founders, “whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government, for the doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.” See Declaration of Independence and the New Hampshire Constitution, Article 10.

WE THE PEOPLE reaffirm the essential principle underlying our system of governance, as expressed by the Founders, that “If money is wanted by Rulers who have in any manner oppressed the People, **they may retain it until their grievances are redressed**, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility” and “how efficacious its [the privilege of giving or withholding our money] intercession for redress of grievances and establishment of rights, and how improvident would be the surrender of so powerful a mediator.” (*Journals of the Continental Congress*, 1:105-113 and Jefferson’s papers 1:225).

WE THE PEOPLE instruct the President and each member of Congress to respond to this Petition by providing formal, specific answers to the following questions:

1. Do you admit that under Section 112 of the USA Patriot Act, a "suspected terrorist" needs only to be "certified" by the Attorney General on "reasonable grounds" that he "believes" someone to be engaged in terrorist activities?
2. Do you admit that Section 802 of the USA Patriot Act does not define an act of terrorism by the characteristics of the actors or the nature of the acts?
3. Do you admit that Section 802 of the USA Patriot Act defines an act of terrorism as an act "calculated to influence or affect the conduct of government by intimidation or coercion or to retaliate against government conduct"?
4. Do you admit that under Section 802 of the USA Patriot Act, the definition of terrorist is broad enough to sweep up citizens who engage in hunger strikes and other forms of non-violent demonstrations to force the government to respond to their Petitions for Redress?
5. Do you admit that under Section 803 of the USA Patriot Act, the act of giving food or shelter to a friend who may have been involved in any of these acts could, in turn, brand a person as a "terrorist" as well?
6. Do you admit that under Section 213 of the USA Patriot Act, government purportedly has the right to go into a citizen’s home while that person is away, copy the content of the person’s computer hard drive and files, gather and take

any information or items they please without ever serving a citizen notice of such search or seizure since, "the execution of a warrant may have adverse effect"?

7. Do you admit that Section 213 of the USA Patriot Act authorizes government to issue a warrant based on "reasonable cause," rather than the constitutionally mandated "probable cause?"
8. Do you admit that under Section 218 of the USA Patriot Act, the standards for foreign intelligence collection under the Foreign Intelligence Surveillance Act (FISA) were radically altered?
9. Do you admit that the standards for foreign intelligence collection traditionally meant that when a federal officer went to the FISA court or designated judge for an order of electronic surveillance under the FISA which may involve communications of a United States person, the application requires not only the approval of the Attorney General, based upon his finding that it satisfies strict criteria and requirements, but also a certification by the Assistant to the President for National Security Affairs or a designated senior executive branch official that, among other things, "the purpose" of the surveillance is to obtain foreign intelligence information?
10. Do you admit that Section 218 of the USA Patriot Act permits surveillance if intelligence gathering is a "significant purpose" (as opposed to "the purpose") of the government's contemplated action?
11. Do you admit that this wording change effectively allows intelligence to be used by both law enforcement and intelligence agencies, blurring the distinction between domestic law enforcement and foreign intelligence operations?
12. Do you admit that this wording change would allow the National Security Agency to become an arm of domestic law enforcement?
13. Do you admit that Sections 216, 217 and 218 of the USA Patriot Act allow for unrestricted wiretapping, the tracing and spying on email messages and internet activities on anyone anywhere in the USA without the need to obtain a court order as long as "the information likely to be obtained ... is relevant to an ongoing criminal investigation?"
14. Do you admit that USA Patriot Act infringes on and erodes traditional due process safeguards and relies heavily on detention in the immigration context?
15. Do you admit that the USA Patriot Act relies heavily on mandatory detention, depriving individuals of their liberty and significantly impacting their ability to secure and maintain working relationships with counsel?

16. Do you admit that the USA Patriot Act and Justice Department rule changes since September 11 permits a prolonged detention of immigration detainees *before* charges are initiated, continued mandatory detention without bond or a custody hearing after charges have been filed (even when charges are not based on security grounds), and an automatic stay of release when an immigration judge or the Board of Immigration Appeals disagrees with the INS and sets a bond?
17. Do you admit that under Section 236A of the USA Patriot Act (at the Attorney General's discretion), no court shall have jurisdiction to review, by habeas corpus, petition, or otherwise, any such action or decision?
18. Do you admit that under the USA Patriot Act, detainees will not have access to legal counsel with security clearances?
19. Do you admit that under the USA Patriot Act, detainees will not be able to meet privately with their legal counsel?
20. Do you admit that the USA Patriot Act and Justice Department rule changes since September 11 allow for the secret, incommunicado nature of detentions, closed hearings and a lack of access to attorneys and family members?
21. Do you admit that on October 11, 2001, the Justice Department issued a rule announcing that communications of certain federal prisoners would be monitored?
22. Do you admit that the USA Patriot Act and Justice Department rule changes since September 11 seriously impair the ability of attorneys to carry out their constitutional role under the 5th and 6th Amendments of providing effective counsel to their clients and will unduly limit the 1st Amendment rights of detainees to confer in confidence with their attorneys?
23. Do you admit that the USA Patriot Act and Justice Department rule changes since September 11 demonstrate a willingness on the part of the government to suspend the due process rights our Constitution guarantees, with no prior judicial approval and with no grounds other than "reasonable suspicion"?
24. Do you admit that the USA Patriot Act and Justice Department rule changes since September 11 demonstrate a willingness on the part of the government to eavesdrop on conversations between lawyers and their clients, including men, women and children who have never been charged with a crime?
25. Do you admit that the President's November 11, 2001 executive order on military commissions for trying unlawful combatants is the equivalent of the Taliban's secret Star Chambers?

26. Do you admit that the President's November 11, 2001 executive order on military commissions could apply to any non-citizen or resident alien who may have a tenuous (alleged) link to acts of terrorism?
27. Do you admit that the President's November 11, 2001 executive order on military commissions allows for secret proceedings?
28. Do you admit that the President's November 11, 2001 executive order on military commissions authorizes a lower standard of proof requirement than military courts, with only a 2/3 verdict necessary for the death sentence?
29. Do you admit that under the President's November 11, 2001 executive order on military commissions habeas corpus may not apply?
30. Do you admit that the President's November 11, 2001 executive order on military commissions stands to undermine the stature of the United States as the leader of the free world in ensuring fair and just tribunals for trials?
31. Do you admit that under the President's November 11, 2001 executive order, and the Defense Department's implementation procedures, military commissions could apply to U.S. citizens and to those lawfully present in the United States?
32. Do you admit that under the President's November 11, 2001 executive order on military commissions, and the Defense Department's implementation procedures, detention could be set for an indefinite period of time?
33. Do you admit that under the President's November 11, 2001 executive order on military commissions, and the Defense Department's implementation procedures, habeas corpus rights could be suspended?
34. Do you admit that under the President's November 11, 2001 executive order on military commissions, and the Defense Department's implementation procedures, there would be a lack of an appeal to an independent appellate body with the right to certiorari review by the US Supreme Court?
35. Do you admit that under the U.S. Patriot Act, government may monitor religious and political institutions, without suspecting criminal activity, to assist terror investigations?
36. Do you admit that under the U.S. Patriot Act, government has closed once-public immigration hearings, has secretly detained hundreds of people without charges, and has encouraged bureaucrats to resist public records requests?
37. Do you admit that under the U.S. Patriot Act, government may prosecute librarians or keepers of any other records if they tell anyone that the government subpoenaed information related to a terror investigation?

- 38. Do you admit that under the U.S. Patriot Act, government may monitor federal prison jailhouse conversations between attorneys and clients, and deny lawyers to Americans accused of crimes?
- 39. Do you admit that under the U.S. Patriot Act, government may search and seize Americans' papers and effects without probable cause to assist terror investigations?
- 40. Do you admit that under the U.S. Patriot Act, Government may jail Americans indefinitely without a trial?
- 41. Do you admit that under the U.S. Patriot Act, Americans may be jailed without being charged or being able to confront witnesses against them?
- 42. Do you admit that the Founders, in the 1774 Journals of the Continental Congress, expressly articulated the following?

“If money is wanted by Rulers who have in any manner oppressed the People, they may retain it until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility.”

1774, *Journals of the Continental Congress, 1:105-113* [emphasis added]

- 43. Do you admit that one of the most precious Rights the People enjoy is a government strictly limited by written Laws and that where Law is found to be wanting, no man can be Free?

Respectfully submitted this _____ day of _____, 200__ by:

First Name **Last Name** **City** **State**
