

Jennifer Fellguth

Research Question: Is the U.S. Government Misusing the Patriot Act?

Annotated Bibliography

Clark, E. (2002). ISPs in the Crosshairs. *Network Magazine*, 17 (8), 10.

This article examines the compromising position that ISPs are put into by the FBI and its Carnivore spy software as a result of the P.A.

This source was located through EBSCOhost, by using the keyword Boolean search "Patriot Act AND Internet AND Privacy". This search was for magazine articles about the impact of the Patriot Act on internet users.

The author is a news analyst/correspondent for Network Magazine, a well known and respected periodical. It appears to be accurate and unbiased. This information is directed at networking professionals.

Though informative this article is not scholarly, there are no citations and there is no bibliography. This a primary source; it is current event news reporting.

Kandra, A. (2002). National Security vs. Online Privacy. *PC World*, 20 (1), 37.

This is perhaps the most relevant of the listed sources because it discusses the functional implications of the Patriot Act at the internet user level.

This source was located through EBSCOhost, using the keyword Boolean search "Patriot Act AND Internet AND Privacy". This search was for magazine articles on the impact of the P.A for internet users.

The author is a writer for a well known PC users magazine and is an authority on internet PC use. This article focuses on government surveillance techniques and software. The reporting appears to be unbiased and factual. It is not a scholarly article, there are no citations or footnotes. It is a primary source, reporting on the current state of internet surveillance from a users perspective.

Kerr, O. (2003). Internet Surveillance Law After the USA Patriot Act: The Big Brother That Isn't, GWU Law School, Public Law Research Paper No. 43. *Northwestern University Law Review*, 97. Retrieved January 2, 2006, http://papers.ssrn.com/sol3/delivery.cfm/SSRN_ID317501_code020719560.pdf?abstrctid=317501

This source provides analysis of the Patriot Act in the context of previous legislation (or lack of it) regarding internet privacy. Of interest here is a discussion of e-mail and the

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carnivore surveillance system. This provides an opposing view of the effect of the P.A. on internet privacy.

This source was located through Lycos, using the keyword Boolean search "Patriot Act AND Internet AND Privacy". The search was for general and scholarly information.

The author is a law professor at George Washington University, and as such appears to be authoritative and accurate. The article was written as a working paper for the purpose of analyzing the Patriot Act in the context of laws existing before it was enacted. The author appears to make different basic assumptions about the inherent right to privacy than the previous two sources. Though there is a different frame of reference, I will call the author unbiased.

This is a scholarly document that uses many citations and is well footnoted. It is both primary and secondary in nature as the author examines a current event but analyzes it relative to historical information.

Minow, M. (2002). *The USA PATRIOT Act and Patron Privacy on Library Internet Terminals*. Library Law.com. Retrieved January 2, 2006, <http://www.llrx.com/features/usapatriotact.htm>

This article speaks to the intrusion of the Patriot Act as regards the privacy of information access, and therefore freedom of expression, in libraries.

This source was located through lii.org, using the keyword Boolean search "Patriot Act AND Internet AND Privacy". This was a subject directory search for scholarly articles on the impact of the P.A for internet users.

The author is a columnist and consultant for this website with expertise in library law. This appears to be an unbiased, accurate and informative portrayal of the legal effect of the P.A on library internet usage.

It is both a primary and a secondary source in that the author is analyzing events but also reporting on a current event in which she is a participant.

This is a scholarly article that is well-documented and contains a good bibliography.

Podesta, J. (2004). *USA Patriot Act. The Good, the Bad, and the Sunset*. Electronic Privacy Information Center. Retrieved January 1, 2006, from <http://www.abanet.org/irr/hr/winter02/podesta.html>

This article breaks down and analyses the Patriot Act, by subsection, as it pertains to internet privacy. It is a clear, concise and easy to read summation.

This source was located through Google, using the keyword Boolean search "Patriot Act AND Internet AND Privacy". This search was for websites and organizations concerned

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with the Patriot Act and internet privacy. The article was found within the Web site of the Electronic Privacy Information Center.

The author is a visiting law professor at George University Law Center. The information appears to be accurate and current. The website appears to be advocating, and the author is a former chief of staff to President Clinton, this information should be considered in that frame of reference.

Though the author is clearly a scholar there are no citations or footnotes. This is mostly analysis and opinion, therefore a secondary source.

Terrell, E. (2002). Introduction to Module V: the USA Patriot Act, Foreign Intelligence Surveillance and Cyber Space Privacy. In *Privacy in Cyberspace*, Module 5. Berkman Center for Internet & Society, Harvard University. Retrieved January 1, 2006, from http://cyber.law.harvard.edu/privacy/Introduction%20to%20Module%20V.htm#_ftnref1

This source examines the role that foreign intelligence surveillance organizations now play in domestic surveillance as a result of the Patriot Act. It examines those subsections of the P.A. affecting stored e-mail, voluntary disclosures of private user information by ISPs, and browsing surveillance through pen/trap orders.

This source was located through Google, using the keyword Boolean search "Patriot Act AND Internet AND Privacy". The search was for general and scholarly information.

This source appears to be authoritative, accurate and current. It was written by a student as a research paper for a seminar on Cyber Privacy at Harvard University and is one subsection of a broader online publication on that topic. It appears to be scholarly, using citations and footnotes. It appears to be unbiased, though it does appear to make different basic assumptions about the right to privacy, and so comes to different conclusions, than the source that follows. As a research document, this is a primary source.