

#1 Thorson

Financial Crimes Enforcement Network
U.S. Dept. of the Treasury

RE: ATTN: Section 352 - Real Estate Settlements

I am opposed to any law or regulation that would place real estate transaction attorneys within the definition of "financial institution" for the purposes of the USA Patriot Act. It would be over-reaching and damaging to our society. It would be an invasion into a little-appreciated freedom that we Americans enjoy: the attorney-client privilege of confidentiality.

I am a Vietnam veteran, a proud American, and a real estate transaction attorney. Our American society works well not merely because of the constitutional checks and balances built into the Constitution, but also because we enjoy a free press (the "fourth estate") and an independent bar of attorneys and counselors at law (the "fifth estate"). I cannot imagine how far the damage would carry if the government is allowed to impinge upon the free press or an independent bar.

It is better to protect the attorney-client confidentiality privilege for the vast majority than to damage it in an attempt to reveal the nefarious few. I realize that this opinion implies that I am willing to risk that some real estate transaction attorneys will be abused by a few persons who will later be revealed to be enemies of our nation. I think that this is a risk that we must live with in order to protect our freedoms.

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