

After NSA Ruling, Congress at Odds Over Mass Surveillance

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In the wake of Thursday's federal court [ruling](#) that the U.S. National Security Agency's mass data collection program is illegal, officials in Congress have been left at odds over surveillance reform.

In the remaining six days of the legislative session, some Senate Republicans are rushing to find a short-term solution to keep the program in operation until it comes to the floor for a vote—one which is unlikely to pass in light of the court ruling. The government previously held that Section 215 of the Patriot Act, set to expire on June 1, justified the NSA's mass surveillance of U.S. citizens.

One option would be a one-month extension of the provision to get it past the deadline in exchange for Republicans allowing a vote on the USA Freedom Act—a bill aimed at reforming the NSA by replacing surveillance programs with a plan for phone companies to retain data instead. Some in Congress see the USA Freedom Act as their best chance to rein in the NSA's spying powers.

"I hope we can [pass a clean reauthorization] for at least a short period of time just so we can have this debate," majority whip Sen. John Cornyn of Texas told reporters. "It's an important debate and an important law, it's protected Americans and saved lives, and so we don't need to make this decision in haste."

That statement conflicted with Sen. Mitch McConnell's (R-KY) response to Thursday's court ruling, which he said should not impede a full reauthorization of the act. The provisions are "ideally suited for the terrorist threat we face in 2015,"

McConnell said.

However, the call to reject the Patriot Act has grown stronger, with allies from both sides of the aisle framing the court ruling as a turning point in the debate.

Even a short-term extension would amount to “reauthorizing for five years a statute that right now is deeply flawed,” Sen. Richard Blumenthal (D-Conn.) [told](#) the *Guardian*. “It fails to protect essential rights and clearly could be improved by having an adversarial system for example, changing the makeup of the [Fisa] court, reforming the system as needs to be done.”

Sen. Rand Paul (R-KY), a presidential candidate for the 2016 election, [wrote](#) in an op-ed for *Time* that not even the USA Freedom Act is enough to reform the NSA and should be rejected alongside the Patriot Act. “Now that the appellate court has ruled that Section 215 doesn’t authorize bulk collection, would the USA Freedom Act actually be expanding the Patriot Act?” he wrote. “That would be a bitter irony if the attempt to end bulk collection actually gave new authority to the Patriot Act to collect records.”

The American Civil Liberties Union (ACLU), which brought the case to the federal court, has also noted that the USA Freedom Act does not go far enough to rein in the government’s surveillance powers or ensure sufficient transparency from the FBI. “We can’t help but worry that the vague language in the bill’s key provisions will provide a new lease on life to surveillance programs that haven’t yet been—and may never be—disclosed to the public,” wrote ACLU deputy legal director Jameel Jaffer and ACLU staff attorney Patrick Toomey in a [blog post](#) last week, ahead of the ruling.

On Thursday, the ACLU [called](#) the court’s decision a “resounding victory for the rule of law.”

Staff attorney Alex Abdo, who argued the case, said in a

statement, "For years, the government secretly spied on millions of innocent Americans based on a shockingly broad interpretation of its authority... Mass surveillance does not make us any safer, and it is fundamentally incompatible with the privacy necessary in a free society."

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Senate Insider Speaks Out: Ex-Wyden Staffer on Secret Laws, Domestic Spying and Obama's NSA Reforms


As President Obama proposed a series of changes to reform the government's surveillance policies and programs, we speak to Jennifer Hoelzer, the former deputy chief of staff for Democratic Senator Ron Wyden, a longtime critic of the Obama administration for using a secret interpretation of the USA PATRIOT Act to allow the NSA to conduct domestic surveillance. "Unfortunately Edward Snowden was the only means by which we have been able to have this debate," Hoelzer says. "We, working for Senator Wyden, did everything to try to encourage the administration to bring these facts to light. We're not talking about sources and methods, we're not talking about sensitive materials, we're talking about what they believed the law allows them to do." Meanwhile, The Guardian newspaper has revealed the National Security Agency has a secret backdoor into its vast databases to search for email and phone calls of U.S. citizens without a warrant. According to documents leaked by Edward Snowden, NSA operatives can hunt

for individual Americans' communications using their name or other identifying information.

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The World channels its inner Steve Martin

Reading today's "Cheers and Jeers" column I am reminded of Steve Martin's comedy routine where he passes on sage advice from his grandmother. "Always, er... NO, never..." begins the quip and the rest is usually irrelevant. The paper engaged in its own crude version of the joke when it applauded Coos Bay Mayor Crystal Shoji for "choosing not to deal with a resolution opposing the National Defense Authorization Act" because it is federal law and not city business in the mayor's opinion. Then, in the same column it again cheered Shoji, this time for suggesting a public meeting to discuss the constitutionality of placing religious symbols on public property, namely the cross atop a Vietnam Veterans Memorial in Mingus Park.

According to the paper concerns about the NDAA are  "overblown" and "irrelevant" which is quite a statement to be made in light of recent revelations that the NSA is spying on Americans thanks to provisions of the Patriot Act that have been determined to be unconstitutional. Newer revelations indicate the data collected by the NSA is now being used by federal agencies like the [IRS and the DEA to falsify evidence](#) for criminal prosecution.

The paper makes a curious claim, which if accurate, should be investigated by the Oregon Government Ethics Commission. "Questions of constitutionality have so far," writes the

paper, “kept discussion of the memorial behind executive session doors.” Since when is “constitutionality” exempted from Oregon public meetings law or any law except by the super secret Foreign Intelligence Surveillance Court?

The cross would not be a matter of discussion at all were it not for the efforts of local citizens with support from a national organization. This is always how the peoples’ business is done, it starts at the local level. Shoji would garner more respect if she opened up a public forum to discuss offending provisions within the NDAA rather than saying, “I don’t think this is our job to do this.” It is up to the people to decide official business.

This is just another clumsy attempt by the editors to support the elected officials they like no matter how many back flips and contorted gymnastics moves are required to cover up for the hypocrisy some of these officials demonstrate.

Reps Blumenaur and DeFazio vote no on Patriot Act extension

Nevertheless, the House sent the Patriot Act Extension to [Obama for signature](#) with just a few minor revisions.

Key provisions of the nation’s primary counterterrorism law would be extended for a year under a bill passed by the House Thursday evening after Democrats retreated from adding new privacy protections.

The House voted 315 to 97 to extend the USA Patriot Act,

sending the bill to President Barack Obama. Without the bill, the provisions would expire Sunday.

Rep Earl Blumenaur [tweeted](#) yesterday

Voted NO on Patriot Act extension! We must thoughtfully rebalance the scales between safety and essential civil liberties.

According to an earlier tweet from Blumenaur so did Peter DeFazio (Peter does not appear to tweet). Thank them both!

Winter Soldier 2008: March 13-16 in DC

“These are the times that try men’s souls. The summer soldier and sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman.” Thomas Paine, 1776

Visit the [IVAW](#) website for details and to [support](#) this campaign and [watch](#) a larger version of the video above

Jonathon Turley takes note of

Hillary's avoidance of FISA vote

Turley points out Harry Reid's ludicrous stance on this bill. He did not have to allow this vote – period! From [Rawstory](#)

Federal judge in Oregon rules Patriot act unconstitutional

From the [Washington Post](#)

“For over 200 years, this Nation has adhered to the rule of law – with unparalleled success,” Aiken wrote in a strongly worded 44-page opinion. “A shift to a Nation based on extra-constitutional authority is prohibited, as well as ill-advised.”

Amen to that, now if we can just get Congress to reinstate habeas corpus