

The Washington Times

Sen. Wyden seeks to scale back NSA surveillance

October 9, 2013

By John Glaser

If defenders of the National Security Agency's surveillance programs are able to beat back current reform efforts in Congress, "it will spark a new era in digital surveillance" that will compound the "danger to Americans' privacy and liberty," Senator Ron Wyden said on Wednesday.

Sen. Wyden, a Democrat from Oregon and one of the fiercest critics of the NSA, joined several other members of Congress, tech experts, and leading journalists at the Washington, D.C. headquarters of the Cato Institute, a libertarian think tank, to discuss the expansive spying practices of the secretive intelligence agency.

Wyden is sponsoring legislation that would end the NSA's bulk collection of phone data of hundreds of millions of Americans', a practice revealed through documents leaked by former NSA contractor Edward Snowden, and one that the Cato Institute's Jim Harper described as the first example "in some 230 years [of U.S. history] of a general warrant."

The bill, co-sponsored by Sens. Mark Udall (D-OR), Rand Paul (R-KY), and Richard Blumenthal (D-CT), would also impose limits on the NSA's ability to conduct surveillance without a warrant and would impose transparency on the Foreign Intelligence Surveillance Court (FISC), which oversees surveillance orders.

But if the "business as usual brigade" in Washington succeeds in their effort to "fog up the surveillance debate," Wyden warned, the reform measures will be gutted and rendered "only skin deep."

The NSA's current surveillance practices, Wyden explained, scoop up the information of millions of citizens and "paint an illuminating picture of what the private lives of law abiding Americans are really like."

Wyden, who is on the Senate Intelligence Committee and has access to classified information about the NSA's surveillance practices, explained that even with the overly broad statutory powers granted to the NSA, "the rules have been broken, and the rules have been broken a lot."

A recently declassified FISC ruling found that the NSA "frequently and systematically violated" statutory laws governing how intelligence agents can search databases of Americans' telephone communications and that NSA analysts deliberately misled judges about their surveillance activities in order to get court approval.

Rep. Justin Amash (R-MI) also attended the Cato conference and spoke about the lack of transparency and oversight Congress has over the intelligence community.

"Director [of National Intelligence James] Clapper very clearly lied to Congress," Amash recalled, when he denied that the NSA collects information of hundreds of millions of Americans.

"He should step down," the libertarian-leaning representative added. "He should be prosecuted for lying."

Amash criticized the "secret, unaccountable FISA court" for operating on classified interpretations of surveillance laws that define away most of the imposed limitations.

The executive branch and the intelligence community, Amash explained, intentionally keep members of Congress in the dark about national security issues like surveillance.

"They don't want the public to know about it, they don't want Congress to know about it," he said. "They'd rather do what they do behind closed doors."