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# Owens still concerned over Patriot Act provisions

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Rep. William L. Owens, a Plattsburgh Democrat who has come under withering tea party criticism during his two successful runs for office, found an ideological link with one of the movement's standard-bearers when Congress reauthorized post-Sept. 11 spying powers Thursday.



"I have a lot of concerns, and interestingly enough, many of them were mirrored in Senator (Rand) Paul's speech on the Senate floor," Mr. Owens said Friday. "I think the bill was necessary right after 9-11. But I have a lot of concerns about civil liberties and our ability to make sure our records aren't subject to fishing expeditions."

Mr. Paul, a freshman Republican senator from Kentucky, held forth in a speech Monday decrying the four-year extension of the USA Patriot Act without modifications. The legislation authorizes "roving" wiretaps, which allow the government to listen in on a particular person, rather than a particular line or device. It also authorizes searches of business records.

"It goes to the issue of individual liberties," Mr. Owens said of his opposition to the reauthorization. "It goes to the reason we put the bill of rights in place, was for the protection of government overreaching. And that is something you always have to be vigilant about."

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Because of a family emergency, Mr. Owens was not able to cast a vote Thursday on the matter, when it passed the House 250-153. He voted against short-term extensions in February. Early last year, he voted in favor of a yearlong extension.

Given the recent killing of al-Qaida founder Osama bin Laden, supporters are loath to dismantle the nation's spy capabilities, saying the measures have kept America safe since the Sept. 11 attacks.

Mr. Owens agrees that the new surveillance tools are helpful in combating terrorism. But the law should be amended to increase oversight, he said.

"Right now, a business or a library can receive a subpoena, and they have no way in which to contest or know about that subpoena," he said. "I do not think that's appropriate. There needs to be a vehicle to contest the issue of that type of subpoena."

Mr. Owens's position puts him at one of the strangest crossroads of American politics. In one corner: President Barack Obama, Senate Majority Leader Harry Reid, Senate Minority Leader Mitch McConnell and House Speaker John Boehner, pushing for the law's approval.

In the other corner: Mr. Owens, Mr. Paul, the libertarian Cato Institute and the American Civil Liberties Union, a group often reviled by conservatives, calling for changes in the law.

"We're incredibly disappointed that it will be another four years before they reevaluate the specific spying tools," said Michelle L. Richardson, legislative counsel for the ACLU in Washington.

The ACLU pressured Congress to rethink the laws, to no avail, Ms. Richardson said.

They'll have another crack at changes to the country's surveillance apparatus in December 2012, when another, separate measure, portions of the Foreign Intelligence Surveillance Act that broadened and legalized spy tactics deployed by President George W. Bush after Sept. 11, comes up for reauthorization.

"We would like to see it sunset altogether," Ms. Richardson said.

Mr. Owens has similar constitutional concerns about the FISA legislation, his staff said in a follow-up email.

"Congressman Owens would have to see the final text of the extending legislation before committing one way or the other," his staff said.

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