



PHOTO BY STEPHEN VOSS

# The right of the people to be secure

*Street Roots sits down with Senator Wyden to talk about the security of our country*

**BY JOANNE ZUHL**  
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Like you, I'm angry.

Angry at being spied upon by my own government, and then lied to about it. Not exactly virgin territory for a nation with the COINTELPRO, Iran-Contra and sundry other covert operations under its belt, but this is still fresh, and it effects everyone.

Ron Wyden's angry too. The senior senator from Oregon isn't wasting any time on his summer break in campaigning against the federal government's domestic surveillance program.

The revelations of the bulk collection of emails, phone records and more, along with personal data trails of citizens, with the complicity of telecommunications corporations, has bolstered Wyden's call to reverse what are being described as blanket and indiscriminate powers tapped under the Patriot Act to spy on Americans. He and a growing number of lawmakers — on both sides of the aisle — are calling for reforms to the National Security Agency (NSA), the Foreign Intelligence Surveillance Act (FISA) and its secret court. It's part of what Wyden calls the "secret law," with legal analysis, authorization and operations all considered classified in a "culture of misinformation."

Wyden is back in Portland during the break, and after a town hall meeting about health care, Street Roots sat down with the senator to chat about our government's mission to spy on its citizens.

**Joanne Zuhl:** You've likened PRISM and the government's surveillance operations on citizens to other major covert operations of the U.S. in the past, including the Bush administrations unwarranted surveillance practices. Is this different — worse — than what we've seen in the past?

**Ron Wyden:** This is a unique time in our country's history. The merger of this extraordinary surveillance technology coupled with the executive branch's ability to conjure up legal arguments for using them, and the most bizarre court in America, the FISA court, that really only hears one side of the case, is a prescription for trouble.

It used to be that technological limitations worked to the individual's interest, because there were limits on technology, it was harder to violate people's rights. Now with technological ability to do virtually anything, the real protection is focusing in the rights of the individual under the law.

The technology has advanced to the point where protecting the individual under the law is absolutely essential, because with technology today there are almost no limits. The growth of omnipresent, ever-expanding surveillance is an enormous challenge.

**J.Z.:** You've described the activities NSA and the FBI — in their data mining of citizens' telecommunication records and potential civil liberties violations, as just the tip of the

iceberg. So what is it that you know that we should know?

**R.W.:** I can't get into the details of classified information. But two areas I'm concerned about are when Director (James) Clapper (Director of National Intelligence) wrote to me and 25 other senators, saying that there had been violations of the Patriot Act. And while I can't get into details, I will say those violations are significant. More serious than he said in that public letter.

The reality is that, part of the reform agenda has to roll back this culture of misinformation. You had the head of the NSA go to a public meeting and say we don't hold data on U.S. citizens. That's one of the most false statements ever made about surveillance, and a big reason I had to ask Director Clapper in an open hearing because we couldn't get an adequate response.

**J.Z.:** If you can't get an honest answer, what chance is there for the public?

**R.W.:** First of all, as I said, the last time the Patriot Act came up for a vote, the truth always comes out. We've won a number of substantial victories over the years. We've blocked the overly broad anti-leaks law, and led the fight to roll back total information awareness programs. I did get a good FISA change, passed earlier, that offered privacy protections for Americans traveling abroad. We blocked General (Michael)

Hayden from rolling back the powers of the inspector general when he was head of the CIA.

This is a time when, if we don't take steps to ensure that Americans can have both security and liberty, I think our generation is going to regret it forever.

**J.Z.:** You're spearheading two pieces of legislation heading into the fall session that would reform how the FISA court operates and how the Patriot Act is interpreted. What would these bills do?

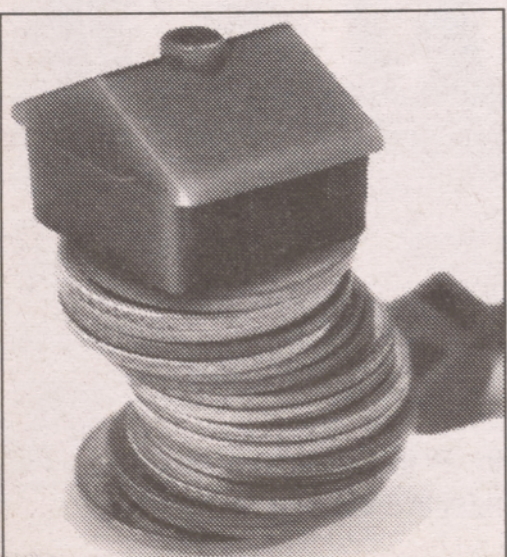
**R.W.:** The big part of the problem with the Patriot Act is that the language that talks about collecting information that's relevant to dealing with terrorists was somehow morphed into a program that allowed the government to collect everybody's phone records, who they called and where they were called from.

The defenders say they're not listening to the calls. When you have this metadata, it can be very intrusive. You can find out if somebody called their psychiatrist several times after midnight and for how long they talked. You don't have to be listening to the call to know a lot about that person. So Sen. Tom Udall (D-N.M.) and I want to roll it back to what people think it is.

**J.Z.:** But were the oversight and the

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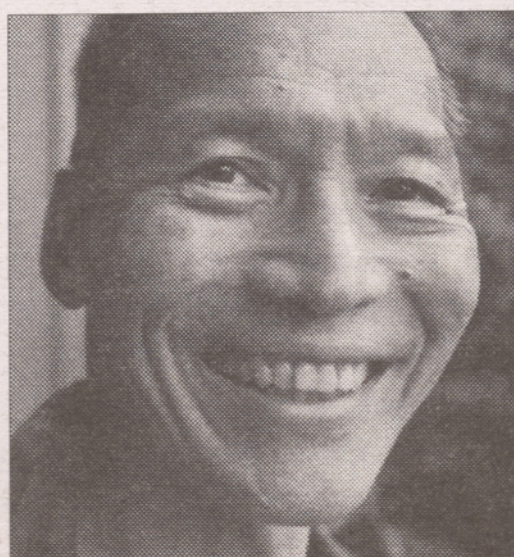
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