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J.Z.: But was the oversight and the openness of the law intended for this purpose?

R.W.: I can't get into any of the details about that. But when the plain text of a law talks about relevance to a terror investigation, and it's secretly interpreted by the government to allow the bulk collection of phone records, that's a pretty big departure.

Reform number two, this change is made to the FISA Court, which meets in secret. And the FISA Court hands down the opinion, and there's nobody there to make the counter argument. So I and Sen. Richard Blumenthal (D-Conn.) and others have introduced legislation providing for an independent advocate. And I think that's very important.

The third part, is Congressman (Jason) Chaffetz, from Utah, has introduced legislation that makes sure the government has a warrant to track somebody on their cell phone unless there are reasonable grounds that there is terrorist involvement.

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R.W.: Ten weeks ago we wouldn't have been having this debate. We wouldn't have had 200 votes; we wouldn't have the intelligence community taking down fact sheets that we saw had false information in them. Our side's on the march.

J.Z.: And you hope to have this move forward in September or October?

R.W.: That's our hope.

J.Z.: What is your position on Edward Snowden?

R.W.: A long time ago when I said that changing these laws was gong to be a priority of mine, I made a judgment, and if I start commenting on every possible development, particularly when someone is charged criminally, I'll never be able to keep the focus on the reform agenda. There's a charge of criminal espionage. I'll leave it at that.

This is a debate that should have been started by elected officials. I'll leave it at that.

J.Z.: The Patriot Act and its manifestations were born out of the Bush administration, and some people are dismayed to see this level of surveillance and classified activities continue, and perhaps enhanced, under the Obama administration.

R.W.: The administration has been very good on some issues that I and our

community care a lot about, like torture, which he came right out of the blocks and talked about. This is an area where more has to be done. The president invited myself and others to the Oval Office on Aug. 1. I made a number of the points we've talked about here. We talked about the backdoor loophole and PRISM and how important it is to close that.

I won't say what he said in the Oval Office, only what I did, but he was fair. He said I want suggestions and the facts, and I said, "Mr. President, you're going to get them from me." And he smiled.

J.Z.: What do you say to those who would argue that this is the kind of security we need in this time: that this is making us safer.

R.W.: We need protection, but there needs to be a clear recognition. There's a difference between secret law and secret operations. Americans understand that when our men and women are out there in harms way in operations like trying to capture Osama Bin Laden, those operations have got to be kept secret. Otherwise you put people at risk. The law, however, and the interpretation by the executive branch of how our law is carried out, should never be secret. That's why I developed this concept of secret law. Laws are supposed to be public. And that's always been our tradition. Sources and methods, how you carry out an operation, those are classified. But the laws have to be public. It's a bedrock principal. Our side is not gong to rest until we've reformed secret law.

J.Z.: We have two fusion centers in Oregon. One in Salem and one in Portland. I believe there is one in every state. These are the sites where federal and local law enforcement agencies, including the NSA and the FBI, are collecting intelligence on people. What is your opinion of them?

R.W.: I can't talk about that.

J.Z.: But we have two here in Oregon and these centers are the hubs for all of this, what we're talking about here.

R.W.: I can't go there. It's a classified thing.

J.Z.: What implication does this kind of surveillance and data-mining have on community organizing, the work of nonprofits and advocacy groups?

R.W.: There is a long history of abuses in this field. It's been well documented. It drives how important it is when the omnipresent, ever-expanding surveillance state, and the bureaucracy, seems to be unchecked going far beyond people's privacy and what most of the people are doing — that there is reform.



Street Biography

PHOTO BY KENDALL

Elden
BY KENDALL

"In a book you can go anywhere. Nobody rules you. You can put the book down. You're in control, but you can get swept away. It's perfect."

Elden has been unhoused for twelve years. He's an Iraq veteran, and he suffered from PTSD, anger management problems and alcoholism. He quit drinking nearly three years ago because he felt he'd become a slave to alcohol, and he doesn't want to be anybody's slave. He's been seriously looking for work for several years now, and so far, no luck. "If you have no address and no work record, they're afraid to hire you," he explains. "I've had people rip my application up right in front of me. 'You're homeless,' one guy said. 'Forget it.' I left there thinking I'd like to kill that guy if I could get away with it."

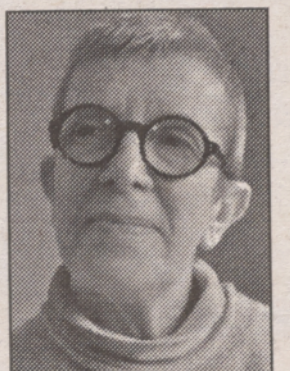
The various agencies in town that are supposed to help homeless people find work have been useless to Elden, but he recently got what he calls an Obama Phone (through a program of the Obama administration to provide cell phones to poor Americans), and since he got the phone he's been getting odd jobs: yard work, small construction, handyman projects. He puts up a sign on bulletin boards. He'd like to get housing before winter starts with its endless rain.

What he likes best is reading. Today he was reading a mystery he found in a trash bin, and he says it's worth what he paid for it. He prefers fantasy to mysteries, and he loves talking about his favorite authors. "Patrick Rothfuss is number one for me

these days. He's got a way with a story like nobody else. I really dig that guy." He rattles off a list of other favorites: Neil Gaiman, Terry Pratchett, Margaret Weiss.

"I've read everything Ursula LeGuin ever wrote!" He slapped his leg and pointed to the sidewalk. "She stood right there one day. She saw me reading her book, and she said, 'Good afternoon young man. I wrote that book.' I said, 'Oh yeah?' It was a paperback, and I flipped it over and there was a picture of her on the back. Sure enough, it was her. I stood up. She said she'd sign the book for me, maybe I could get a little more money for it when I sold it back to Powell's, but I told her no, it was a library book. She liked that. She said she'd like my honest opinion on her work. I figured nothing to lose, so I told her, honestly, sometimes I think she gives a little too much description, like I don't want to know everything she knows about herbs. She was great about it, didn't take it personally, just thanked me and went on. At that point I hadn't read all her books. Now I have."

Kendall is a photographer, writer, listener, and retired college professor. Her work includes stories of people on the margins of society who prevail.



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