

# No more NSA collection of U.S. phone records

By KEN DILANIAN  
AP Intelligence Writer

WASHINGTON — However Congress resolves its impasse over government surveillance, this much is clear: The National Security Agency will ultimately be out of the business of collecting and storing Americans' calling records.

night Sunday. The NSA had stopped gathering the records from phone companies hours before the deadline. And other post-9/11 surveillance provisions considered more effective than the phone-call collection program also lapsed, leading intelligence officials to warn of critical gaps.

The legislation now before the Senate, known as the USA Freedom Act, would reauthorize the surveillance but would phase out NSA phone records collection over time. It passed the House overwhelmingly and is backed by President Barack Obama. Sen. Rand Paul, who doesn't believe it goes far enough in

restricting the government, objected and vetoed on Monday, but he can't stop a vote to end debate scheduled for Tuesday morning. If the bill becomes law over the next few days, the NSA will resume gathering the phone records but only for a transition period of six months, in the House version, or a year in the Senate version. If the bill fails amid congressional politics, the collection cannot resume, period.

The turn of events is a victory for Edward Snowden, the former NSA contractor who disclosed the phone records collection in 2013. Senators on the intelligence committee had been issuing veiled and vague warnings about the program for years, saying if Americans only knew how the Patriot Act was being interpreted they would be outraged. But it was Snowden who revealed the details. Because of Snowden, "people have some more insight into exactly how they are being spied upon and how the law has been twisted to authorize mass surveillance of people who have no connection to a crime or terrorism," said Harley Geiger, senior counsel with the Center for Democracy and Technology, an advocacy group that supports the USA Freedom Act.

Still, the current legislation would hardly count as a defeat for the NSA, Snowden's former employer. Agency officials, including former Director Keith Alexander, have long said they had no problem with ending their collection of phone records, as long as they could continue to search the data held by the phone companies, which the legislation allows them to do. The USA Freedom Act doesn't address the vast majority of Snowden revelations, which concern NSA mass surveillance of global Internet traffic that often sweeps in American communication.

# Justices boost workplace religious protections

WASHINGTON (AP) — The Supreme Court strengthened civil rights protections Monday for employees and job applicants who need special treatment in the workplace because of their religious beliefs.

The justices sided with a Muslim woman who did not get hired after she showed up to a job interview with clothing retailer Abercrombie & Fitch wearing a black headscarf. The headscarf, or hijab, violated the company's strict dress code, since changed, for employees who work in its retail stores.

Employers generally have to accommodate job applicants and employees with religious needs if the employer at least has an idea that such accommodation is necessary, Justice Antonin Scalia said in his opinion for the court.

Job applicant Samantha Elauf did not tell her interviewer she was Muslim. But Scalia said that Abercrombie "at least



AP Photo/Pablo Martinez Monsivais, File

In this Feb. 25 file photo, Samantha Elauf stands outside the Supreme Court in Washington. The Supreme Court ruled Monday for a Muslim woman who did not get hired after she showed up to a job interview with clothing retailer Abercrombie & Fitch wearing a black headscarf.

suspected" that Elauf wore a headscarf for religious reasons. "That is enough," Scalia said in an opinion for seven justices. Federal civil rights law gives religious practices "favored treatment" that forbids

employers from firing or not hiring people based on their observance of religion, Scalia said. The federal civil rights law known as Title VII requires employers to make accommodations for employees'

religious beliefs in most instances. Elauf's case turned on how employers are supposed to know when someone has a religious need to be accommodated.

The decision does not, by itself, resolve her case. Instead, it will return to the 10th U.S. Circuit Court of Appeals in Denver, which earlier ruled against her.

Some business groups said Monday's ruling will force employers to make assumptions about applicants' religious beliefs.

"Shifting this burden to employers sets an unclear and confusing standard making business owners extremely vulnerable to inevitable discrimination lawsuits," said Karen Harned, a top lawyer at the National Federation of Independent Business. "Whether employers ask an applicant about religious needs or not, there is a good chance they will be sued."

## Supreme Court Roundup

• The Supreme Court threw out the conviction of a Pennsylvania man prosecuted for making threats on Facebook, but dodged the free-speech issues that had made the case intriguing to First Amendment advocates.

Chief Justice John Roberts said it was not enough for prosecutors to show that the comments of Anthony Elonis about killing his ex-wife and harming others would make a reasonable person feel threatened. But the high court sent the case back to the lower court without clarifying exactly what the standard of proof should be.

The ruling was a narrow victory for civil liberties groups that had urged the court to make it tougher to convict people who make crude comments on social media that might be viewed as threatening.

Yet the high court declined to lay out broad constitutional protections for such comments. "It is not necessary to consider any First Amendment issues," Roberts wrote.

• The court landed the final blow against an Arizona law that denied bail to immigrants who are in the country illegally and are charged with certain felonies, marking the latest in a series of state immigration policies that have since been thrown out by the courts.

The court rejected a bid from metro Phoenix's top prosecutor and sheriff to reinstate the 2006 law after a lower appeals court concluded late last year that it violated civil rights by imposing punishment before trial.

# Clash of priorities defines debate as campaign takes off

By LISA LERER  
and STEVE PEOPLES  
Associated Press

Listen to the Republican candidates for president and they'll tell you the country faces a dire threat from terrorism, and is on the brink of falling victim to Islamic State militants.

"I'm afraid some Americans have grown tired of fighting them," South Carolina Sen. Lindsey Graham said Monday when kicking off his campaign. "I have bad news to share with you: the radical Islamists are not tired of fighting you."

Meanwhile, in a Democratic field topped by the nation's former top diplomat, foreign policy rarely comes up. Instead, Hillary Rodham Clinton and her peers see a nation crippled by economic anxiety, where financial titans grow ever richer and everyday families struggle to keep pace.

"Nobody expects everything to come easy," Clinton said during a recent campaign event in South Carolina. "But it shouldn't be quite so hard to get ahead and stay ahead in America."

As the presidential campaign starts to move past the question of who is and isn't running for the White House, the two parties find themselves setting out on sharply divergent paths to Election Day. While Clinton visits the early voting states, rarely mentioning her experience as a former secretary of state, her would-be Republican challengers fly to Israel and Poland, eager to gain a foreign policy edge in



Sen. Ted Cruz, R-Texas



Sen. Lindsey Graham, R-S.C.



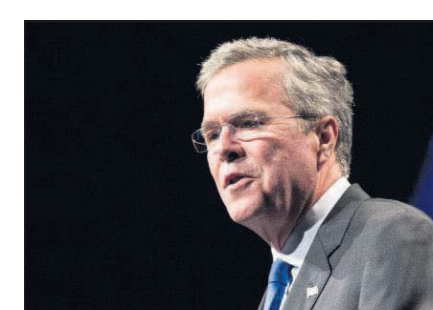
Hillary Rodham Clinton



Lincoln Chafee, former R.I. governor



Sen. Bernie Sanders, I-Vt.

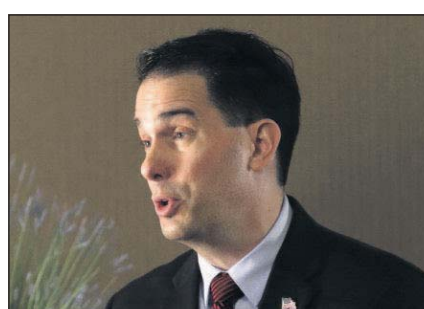


Jeb Bush, former Fla. Governor

a crowded primary contest.

"Hillary Clinton is in a complete box on foreign policy," said Republican National Committee chairman Reince Priebus. "Eventually she's going to have to talk about what she did and didn't do abroad to further the position of our country and improve the safety of our people."

Yet Clinton's Democratic challengers don't see it that way. Rather than talk about foreign affairs as a way to criticize Clinton, they've joined with her to focus on pocketbook issues. Last week, Sen. Bernie Sanders described a "rigged economy" and argued the



Wisconsin Gov. Scott Walker



New Jersey Gov. Chris Christie

country's "grotesque level of inequality is immoral." Former Maryland Gov. Martin O'Malley got into the race last weekend with a message to the "bullies of Wall Street" and promises to "rebuild the truth of the American dream."

The only Democrat driven by foreign policy is former Rhode Island Gov. Lincoln Chafee, and even then, his primary concern is

spoke on condition of anonymity, in order to brief reporters on campaign strategy.

Republicans don't ignore economic issues, but foreign policy has dominated their debate. That's especially true in recent days, as the

Senate considers extending surveillance powers granted to the National Security Agency, prompting the party's candidates lash out at each other (and Clinton).

Republican Sen. Rand Paul has aggressively opposed the 9/11-era anti-terrorism tools and has used his push to end them as a way to raise money for his presidential campaign. New Jersey Gov. Chris Christie said

Both sides are playing to the interests of their party's most passionate voters — and donors. A CBS News/YouGov Times poll conducted in April and May found that 53 percent of Democrats would vote for a candidate who doesn't share their views on handling the Islamic State group, while just 34 percent of Republicans said the same.

Paul and his supporters suffer from 9/11 amnesty, while Wisconsin Gov. Scott Walker said Monday that Paul's efforts won't help him in the Republican primaries.

Beyond their internal divisions over America's place in the world, the GOP's candidates are united in linking Clinton to President Barack Obama's record overseas. They frequently describe the "Obama-Clinton record" on issues such as Syria's civil war and the rise of the Islamic State group.

Former Florida Gov. Jeb Bush, who plans to tour eastern Europe next month said Clinton has been "riding shotgun for four years" as part of the Obama administration. "It's her policies as well. And we will hold her to account," he said while campaigning recently in Michigan.

In a speech Monday in which he raised the prospect of Iran committing genocide with nuclear weapons, Graham was even more direct: "I've got one simple message: I have more experience with our national security than any other candidate in this race. That includes you, Hillary."

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