Obama signs extension of Patriot Act spy powers

Andre Damon
28 May 2011

US President Barack Obama signed a renewal of three of the most notorious provisions of the USA PATRIOT Act Friday, meaning that the whole of the act will remain in effect without modification through 2015.

The move reinforces once again the wholehearted support by the Democratic Party for the policies of domestic spying, torture, and violation of democratic rights, adopted during the Bush administration and continued by Obama.

The provisions were set to expire Thursday, compelling Obama, who is currently making a tour of Europe, to sign the bill electronically from France in order to avoid any lapse of the legal authority for US intelligence agencies to spy on the American people.

Such a gap would have no effect on ongoing investigations, but would have called into question additional authorization of spying under the act's provisions. Regardless, Obama took extraordinary measures to make sure the bill was signed before midnight, getting up at 5:45 a.m. French time to sign the bill electronically with an autopen.

Obama signed the bill only hours after the Senate voted to approve it on a vote of 72 to 23, following a vote earlier in the day in the House of Representatives, where it passed by 250 to 153. In Thursday's Senate vote, 30 out of 51 Senate Democrats voted for the bill, along with 41 Republicans and independent Joseph Lieberman, who caucuses with the Democrats.

For the past few days, Obama had a member of his staff on call to fly a copy of the bill to Europe, but the signing was held up by vocal opposition on the Senate floor from Senator Rand Paul, a Republican from Kentucky, who opposed the bill on libertarian grounds.

The first of the three provisions allows "roving wiretaps," which are authorizations to intercept all the communications of a suspect, not just specific phone numbers or Internet addresses. Another portion, the so called "library provision," or section 215, allows the government nearly unlimited access to business, purchase, and travel records of suspects. A third component, called the "lone wolf" provision, authorizes surveillance of individuals who are not suspected of connections with foreign organizations.

The USA PATRIOT Act was signed into law on October 26, 2001, as a key component of the assault on democratic rights initiated by the Bush Administration following the September 11, 2001 terrorist attacks. The bill broadened the powers of police and intelligence agencies to monitor communications and obtain medical, financial and business records.

Although most of the hundreds of provisions in the bill were made permanent on its passage, certain of the most invasive provisions were set to expire, or "sunset," within four years. At the time, a number of Democrats feigned opposition to some of the bill's proposal, but the inclusion of sunset provisions enabled them to accept the bill while claiming it was a temporary measure.

With the renewal of the three key provisions—among the most sweeping powers granted by the bill—the entire content of the act is still in place, nearly ten years later.

The initial renewal was made in two parts, first in 2005 and then in 2006, with the latter bill extending the authorizations for roving wiretaps and warrantless access to business records.

These controversial provisions were set to expire in 2010, but were reauthorized by the Democratic-controlled Congress for one year. At the time, a section of Democratic lawmakers were calling for cosmetic modifications to the law.

Now, following the 2010 elections, Obama has a

© World Socialist Web Site

more secure political base from which to extend the provisions for a longer period, and the Democrats have dropped nearly all pretenses to supporting even minor changes to the bill.

The Patriot Act was one of the most hated emblems of the Bush Administration, and contributed to the widespread popular hostility that enabled the Democrats to win congressional victories in 2006 and 2008, and propelled Obama to the presidency.

Prior to his election, Obama styled himself as an opponent of the very provisions he has now renewed for a second time. Speaking from the Senate floor on December 15, 2005, Obama condemned the so-called “gag orders” authorized by the Patriot Act, saying, “if someone wants to know why their own government has decided to go on a fishing expedition through every personal record or private document—through library books they've read and phone calls they've made—this legislation gives people no rights to appeal the need for such a search in a court of law. No judge will hear their plea, no jury will hear their case. This is just plain wrong.”

In 2007, in the run-up to his presidential campaign, Obama called for removing the most egregious sections of Patriot Act, saying, “No more illegal wire-tapping of American citizens. No more national security letters to spy on citizens who are not suspected of a crime.”

But according to a report released by the Department of Justice earlier this month, the use of the National Security Letters that Obama claimed to oppose doubled last year, from 6,114 individuals to 14,212 individuals.

The renewal of the Patriot Act provision, this time for four years, and with the enthusiastic support of the Obama Administration, refutes once more the claims that Obama and the Democrats represent any sort of political alternative to the policies of the Bush presidency. It was particularly notable that it was left to Paul, one of the most right-wing members of the Senate, to posture as the defender of civil liberties against the Democrats and Obama.

The Patriot Act was a cornerstone of the Bush Administration's policies, which, based on the claims it was engaged in a “war on terror,” laid the foundation for perpetual war, and the essentially unlimited dominion of the state over civil liberties. This entire framework, from the war on terror, to the policy of torture, to illegal detention and wiretapping, was appropriated completely by the Obama Administration.

The extension of the bill is an expression of the ongoing political attack on the working class. While pursuing policies deliberately calculated to create high unemployment, the closures of schools, the layoff of hundreds of thousands of government workers, the Obama administration is laying the foundations to combat political opposition through police state measures.

When a mass movement against the Obama administration's policies develops, there can be no doubt that the repressive machinery reauthorized in the Patriot Act will be set into motion against the danger of mass political opposition from working people.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site