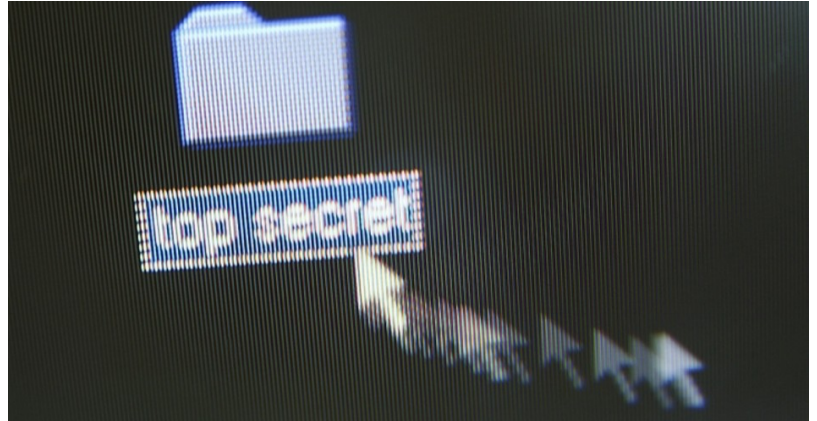




Written by [C. Mitchell Shaw](#) on March 12, 2015

## NSA Spying Gets Another Extension From Federal Court

Almost two years after Edward Snowden revealed the scope of NSA spying on American citizens, a federal court has issued another extension to keep the domestic surveillance program going until June, when Congress will vote on whether to reauthorize section 215 of the PATRIOT Act. Section 215 allows the NSA to vacuum up phone records, e-mails, texts, and other communications from nearly all American citizens.



The Foreign Intelligence Surveillance Court has now issued the fifth extension since President Obama promised to end the controversial program over a year ago. It appears that reform of the NSA is not coming any time soon if it is up to the current administration.

The NSA creates its own rules, which permit surveillance of any American within “three hops” of a suspected terrorist. That means that if a person has had any communication with anyone who has any communication with anyone who has had any communication with anyone the NSA even *suspects* of being a terrorist, he is fair game for wholesale snooping. E-mailing someone about a car for sale on Craigslist could be the “first hop” that puts a person on the NSA’s radar. So, while it is not likely that the Amish are being spied on, the rest of Americans surely are.

In the wake of Snowden’s courageous revelations, Americans have been putting pressure on Congress to do something about the illegal and unconstitutional actions of the NSA. Last November, that pressure came within striking distance of paying off. After more than a year of effort on the part of privacy advocates to rein in the NSA and other agencies, the Senate failed — by two votes — to overcome a filibuster stalling the USA Freedom Act, which would have begun reforming the NSA. In a move that challenges the paradigm that Republicans favor a lighter hand at home, it was a filibuster on the *Right* side of the aisle that killed the measure. Republican lawmakers said they feared that the limitations the bill would place on the NSA’s activities would help extremist Islamic groups to be more active in pursuing terrorism by preventing federal agencies from keeping close enough tabs on them.

As Thomas Jefferson famously said, “Necessity is the alibi of every tyrant.”

The inaction of the Congress has allowed the Obama administration to continue collecting and storing the private communications of ordinary citizens while claiming to want to end it. “While the administration waits for the Congress to act, it has continued to operate the program,” said White House Press Secretary Josh Earnest in a statement after the court’s ruling. He added, “The administration continues to stand ready to work with the Congress on such legislation and would welcome the opportunity to do so.” Why the president, who has acted on his own on legislative issues where he has no constitutional authority, would wait for Congress to act on this issue is not addressed in the statement. As the executive, the president has the power and the responsibility to direct the NSA to cease spying on citizens.

It seems that it will be up to Congress — responding to pressure from voters — to reintroduce the USA Freedom Act. There are indications that lawmakers will do so, though a new version of the bill has not



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yet seen the light of day.

Of course, Congress could simply refuse to reauthorize Section 215 of the PATRIOT Act; however, that option is unlikely.



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