



Written by [Thomas R. Eddlem](#) on May 25, 2011

Harry Reid: Rand Paul Can Offer Amendments to Patriot Act, But Only Ones I Approve

Senate Majority Leader Harry Reid (D-Nevada) has essentially told his fellow senators he won't allow amendments to the Patriot Act he disagrees with on the Senate floor. The May 25 statement on the Senate floor has resulted in a heated floor exchange and may require the Patriot Act to lapse for a few days before a final Senate vote is possible.

"The national security is at stake," Senator Reid ranted on the floor of the Senate against Senator Rand Paul (R-Kentucky, left), who has insisted upon offering his amendment to the Patriot Act renewal without success. "The senator from Kentucky has threatened to take away the best tools we have for stopping terrorism."



Reid charged that Paul would be responsible for the likely lapse in three provisions of the Patriot act at midnight at the end of the day May 26. "This is a particularly bad time to shut down electronic surveillance programs," Reid claimed, adding that Rand Paul was fighting for the right - not of citizens - but of terrorists to keep gun purchases private. Reid dumped the four-year Patriot Act extension bill into an unrelated piece of legislation May 23 in order to prevent the vote on an amendment offered by Senator Paul. Senator Paul's amendment would exempt the gun records of American citizens from the warrantless search provisions of the Patriot Act.

Senator Paul called Reid's allegations a "scurrilous accusation." Paul added: "I believe that you would stop terrorism, but do it in a constitutional manner." Paul stressed that his insistence upon holding a debate with open amendments was not support to "help terrorists attack America" but instead to call attention to the fact that undercutting the Fourth Amendment to the U.S. Constitution (which bans warrantless searches) also impinges upon the Second Amendment (which guarantees the right to keep and bear arms). "I am somehow told to believe that because a judge should sign a warrant that I am in favor of terrorists having weapons." (Watch video below.)

Senator Paul has argued in favor of an open debate and open amendment process, but Reid claims he offered Rand Paul up to four amendments (out of six total) so long as the amendment on exempting gun records wasn't one of the four. Reid described his offer for amendments as "one that is more than fair."

Senator Jeff Sessions (R-Alabama), who favors Patriot Act renewal, termed Harry Reid's position on amendments to the Patriot Act this way: "The Majority Leader says you can offer amendments, but only the ones I approve." Sessions suggested in floor debate May 25 that Reid's position "diminishes the great tradition of deliberation in the Senate."

Reid even has encountered opposition from his own party for the process by which he offered the



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Patriot Act renewal.

Many Americans have been demanding reforms to these provisions for years, Senator Mark Udall (D-Colorado) said in a [statement](#). Weve known for months - years, in fact - that this was on our to-do list this Congress. Weve been passing short-term extensions in order to give us time to consider a comprehensive overhaul. Yet were now being pushed to approve a four-year straight reauthorization in just a few days. Trust me, we have time and should take that time for a full debate. The Senate approved a three-month extension for the Patriot Act back in February in large part to allow for a complete debate on the legislation.

The Patriot Act renewal, currently attached to the Small Business Reauthorization bill ([S.990](#)), would renew three provisions of the Patriot Act that violate the particularity and “probable cause” clauses of the [Fourth Amendment](#). The three measures are the “roving wiretap” provision that allows multiple and unspecified wiretaps on suspects, the “business records” provision that allows “any tangible thing” to be searched if it is “relevant” to an investigation and a “lone wolf” provision to spy on non-U.S. citizens without a warrant.

Most political observers believe that renewal of the Patriot Act has more than enough support to pass both houses of Congress, but Senator Paul’s amendment on guns may draw out a significant number of senators and congressmen who have pledged to support the Second Amendment away from the Patriot Act. Paul’s amendment has the [support of Gun Owners of America](#).



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