

# Government's "Secret Interpretation" of Patriot Act: "EVERYTHING" Is Relevant ... So Spy on EVERYONE

Government's Interpretation of Spying Turns 200 Years of American Law On Its Head

By [Washington's Blog](#)

Global Research, July 11, 2013

[Washington's Blog](#)

Region: [USA](#)

Theme: [Intelligence](#), [Police State & Civil Rights](#)

Image: [Surveillance 2010](#), artwork by [Will Varner](#)

Senators Wyden and Udall – both on the Senate Intelligence Committee, with full access to information on the spying program – have said that for at least 2 years that [the government was using a "secret interpretation" of the Patriot Act](#) which would shock Americans, because it provides a breathtakingly wide program of spying. And [see this](#).

Wyden and Udall said that they couldn't reveal to the public – or even other members of Congress who lack top security clearance – what the secret interpretation is ... and that most Congress members were *totally ignorant about it*.

The author of the Patriot Act and chairman on the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations – Congressman Jim Sensenbrenner – [says](#) that the government has gone *far beyond* what the Patriot Act intended, and that the Act "was originally drafted to *prevent* data mining" on the scale that's occurred.

A top NSA whistleblower told us that the secret interpretation is that [the government spies on everyone](#).

The Wall Street Journal has just [disclosed](#) the specifics of the "secret interpretation":

In classified orders starting in the mid-2000s, the court accepted that "relevant" could be broadened to permit an entire database of records on millions of people, in contrast to a more conservative interpretation widely applied in criminal cases, in which only some of those records would likely be allowed, according to people familiar with the ruling.

"Relevant" has long been a broad standard, but the way the court is interpreting it, to mean, in effect, "everything," is new, says Mark Eckenwiler, a senior counsel at Perkins Coie LLP who, until December, was the Justice Department's primary authority on federal criminal surveillance law.

\*\*\*

Two senators on the Intelligence Committee, Ron Wyden (D., Ore.) and Mark Udall (D., Colo.), have argued repeatedly that there was a "secret

interpretation” of the Patriot Act. The senators’ offices tell the Journal that this new interpretation of the word “relevant” is what they meant.

Interpreting “relevant” as meaning “everything” throws more than 200 years of American law on its head ... plus a couple hundred *additional* years of British common law on which early American law was based. The most *basic* principle of evidence law is that only information [actually relevant to the case](#) can be admitted.

Moreover, top national security experts say that pretending that “everything” is “relevant” means that intelligence agencies will be swamped with useless information ... [which will make them less able to prevent terrorist attacks](#).

And the courts are providing [no checks and balances](#) on the spying program.

The original source of this article is [Washington's Blog](#)  
Copyright © [Washington's Blog](#), [Washington's Blog](#), 2013

---

**[Comment on Global Research Articles on our Facebook page](#)**

**[Become a Member of Global Research](#)**

Articles by: [Washington's Blog](#)

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)

[www.globalresearch.ca](http://www.globalresearch.ca) contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: [publications@globalresearch.ca](mailto:publications@globalresearch.ca)