

# **Spying on Americans: Senate Intelligence Authorization Act, Would Allow Arrest of Journalists, Anti-war Activists, Academics and Students**

By [Stephen Lendman](#)

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Region: [USA](#)

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

*Freedom in America is being systematically destroyed: one police state law at a time – with most people ignorant and/or indifferent about what happening.*

*Washington's criminal class is bipartisan – in lockstep against government representing everyone equitably and fairly, serving privileged interests only.*

*S. Res. 1705: Intelligence Authorization Act for Fiscal Year 2016 compromises free expression and privacy rights already gravely eroded.*

If enacted, Section 603 will require online companies to inform Washington of any “actual knowledge” of “facts and circumstances” related to undefined “terrorist activity” – meaning warrantless searches and seizures of personal electronic content will be authorized, potentially subjecting countless numbers of innocent people to unjustifiable scrutiny.

Vague language makes independent journalists, political, anti-war, and social justice activists, academics and students doing legitimate research, as well as others vulnerable to being called suspected terrorists.

The possibility could encourage self-censorship. Service providers may over-report to show compliance with the law. Online users could be flagged for using suspect words or phrases.

One definition of terrorist activity can be another's way of describing freedom fighting. Legitimate government criticism could be misinterpreted and misused.

Anyone ideologically opposed to US policies could become vulnerable to arrest, prosecution, conviction and imprisonment for expressing their views online. Police states operate this way.

Provisions like Section 603 violate fundamental constitutional and international law guaranteed rights. At stake is further erosion of First and Fourth Amendment freedoms.

Senate members overwhelmingly support S. 1705. Before recessing until September, they were set to pass it by voice vote until Senator Ron Wyden objected.

He wants normal debate procedure followed. He noted valid concerns raised by Internet companies about Section 603.

The Internet Association representing dozens of technology companies said vague language about what constitutes terrorism creates “an impossible compliance problem.”

It’ll result in “massive reporting of items that are not likely to be of material concern to public safety.” Wyden said “Internet companies should not be subject to broad requirements to police the speech of their users.”

He knows of no law enforcement or intelligence agencies suggesting Section 603 will help identify terrorists. He urges revision or elimination of this section altogether.

Thirty-one civil liberties organizations and trade associations expressed opposition to Section 603 in a [letter sent Senate leaders](#).

They include Project Censored, the Media Freedom Foundation, the ACLU, National Association of Criminal Defense Lawyers, Electronic Frontier Foundation, Consumer Federation of America, Bill of Rights Defense Committee, and American Library Association among others.

They warned of concerns raised above. Innocent people committing no crimes would be at risk. “Complying with Section 603 would create a chilling effect on constitutionally protected speech and would impermissibly burden individuals’ First and Fourth Amendment rights,” they said.

“Whether a given comment is a true threat of violence, an expression of a sincerely held religious belief, or a simple joke among friends is a determination that providers are ill-suited to make, particularly when the consequence is reporting a person to the government under the suspicion of involvement in terrorist activities.”

Section 603 is unconstitutional. It way oversteps. Under the Electronic Communications Privacy Act, Internet companies may report any content they believe relates to criminality.

“Section 603’s reporting requirement threatens individuals’ constitutional rights to privacy and freedom of expression and would burden US-based providers without providing a clear benefit to law enforcement. For these reasons, we urge you to reject this flawed provision and to remove it from the Intelligence Authorization Act,” the signatories said.

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*His new book as editor and contributor is titled “Flashpoint in Ukraine: US Drive for Hegemony Risks WW III.”*

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