

# MORE ZAZI JUSTIFICATIONS FOR PATRIOT

For the second time today, the WaPo has a very obedient regurgitation of DOJ's efforts to use the Zazi investigation to push for reauthorization of the PATRIOT Act. There's the proclamation that the plot was very serious (which I am not challenging).

Attorney General Eric H. Holder Jr. said Tuesday that an alleged hydrogen peroxide bomb threat was "very serious" and "could have resulted in the loss of American lives."

[snip]

Holder declined comment on the next phase of the investigation, including the timing on possible arrests. He nonetheless expressed confidence that authorities had defused the alleged al-Qaeda-inspired threat, which may have been intended to kill "scores" of Americans.

Tied to the call for Congress to "swiftly" reapprove PATRIOT provisions.

Holder used the occasion to call on Congress to swiftly reauthorize provisions of the USA Patriot Act, including tools that allow the FBI to conduct roving wiretaps of suspects, that have helped the bureau and its law enforcement partners in multiple cases. He nodded to the concerns of civil liberties advocates by acknowledging, "There's certainly a conversation that can be had about, do they need to be reexamined," but Holder went on to assert that "the tools as they exist are valuable and not in a theoretical

sense."

And, as with the WaPo article this morning, this article accepts the Administration's focus on roving wiretaps, when that's not really the focus of any challenge to PATRIOT reauthorization.

Say, Justice press corps ... any chance you might point out that the real questions pertain to Section 215, NSLs, and data mining aspects of the domestic surveillance program?

Update: Oh!! Ask and you shall receive! Apparently a few members of the Justice press corps did ask these questions, though Holder didn't answer them. From Josh Gerstein:

Holder said Foreign Intelligence Surveillance Act orders produced "much of the information" in the case, but he did not offer details on how Patriot Act provisions were used in the case. He also rebuffed questions about why those tools are superior to conventional authorities and why the Justice Department is vigorously opposing attempts in Congress to raise the threshold of proof needed to issue demands for information in connection with terrorism investigations.

"The existence of these tools is of great assistance to us," Holder said.

Update: Josh has put up a post with the explicit detail from today's presser on Section 215. Here's an excerpt, but go read the complete exchange:

Q: Back on the 215 issue, its connection and the extent to which this case should inform that debate: the subtlety of that debate is not whether the authority should exist but how much predicate...before the authority could come into play. And I think that

sometimes that gets lost. In the interest of being clear about this, could you talk at all about how it is that he came to the government's attention as someone who was interesting to look at in the first place [was it] something that happened here or happened overseas...Would 215 as it currently exists or as it's being proposed to be reformed have changed that at all?

HOLDER: I really can't comment on how he popped up on our radar screen. I really can't talk about that. 215 as I said, there are proposals discussions about how it might be modified, looked at, we'll certainly engage in those conversations. The point I was just trying to make is that with regard to those three provisions, they are all extremely useful tools. It doesn't mean that they are perfect as they are presently constructed but I think they are vital in this fight against those who would do us harm.