

STATE SECRETS BILL PASSES HOUSE JUDICIARY, 18-12

The House Judiciary just passed Jerry Nadler's bill reining in state secrets abuse by a vote of 18-12, with Adam Schiff as the sole Democrat voting against the bill. One thing Nadler has added to his bill since it was first introduced are measures to prevent the government from refusing to give plaintiff lawyers clearance to litigate the case (if the govt refuses the first and second choice lawyers for plaintiffs, the govt must give a list of possible lawyers to litigate the case). This would prevent a tactic the government tried to use in both the Horn and the al-Haramain suits.

In addition, the House Judiciary passed its version of PATRIOT Reauthorization. It's a better bill than the Senate bill.

While both of these bills have a long way to go before they get signed into law (and at some point, I would expect the Obama Administration to reveal their opposition—and their support for unfettered executive power). But on the state secrets bill, especially, we have taken a very small step toward reining in the abuse of power of both Bush and Obama.