

HOLDER SIGNALS APPROVAL (PREFERENCE?) FOR SJC BILL

Just days after the House Judiciary Committee passed a PATRIOT Act Reauthorization bill that actually improved on PATRIOT, Eric Holder has decided to write Pat Leahy and DiFi to tell them how much he likes their bill.

Holder spends a lot of time boasting of the “provisions designed to enhance statutory protections for civil liberties and privacy, ” including provisions that the Administration gutted, courtesy of Jeff Sessions: “authorization for court-imposed minimization requirements for information obtained via pen register or trap and trace orders in exceptional cases.” Had the Committee been left to its Democratic majority, those minimization requirements would have been standard, not exceptional.

To this extent, Holder’s letter seems designed to signal his preference for the Senate bill over the House Judiciary bill.

But the Senate’s worse bill is not good enough for Holder. He makes demands for things that—apparently—they didn’t get to Jeff Sessions in time for him to submit.

While we are very please to be able to support the bill, we do have some concerns that we are working with the Committee to address before the measure reaches the floor. In particular, we are working with the Committee on provisions regarding procedures for the collection, use, and storage of information obtained through NSLs; certain public reporting and audit requirements; and provisions to ensure a smooth transition to the new

law.

Which I take to mean there's too much preventing the DOJ from creating a permanent database of material collected pursuant to NSL authority. And DOJ wants to avoid admitting how much of this data collection is actually going on, so they're trying to limit the audits and IG reports.

So apparently, the worse Senate bill isn't bad enough for Eric Holder yet. And it sounds like Pat Leahy continues to work to give Holder and Obama precisely the crappy bill they want.