

THE PATRIOT ACT VOTE: ONE QUARTER OF THE WAY TO A FOURTH AMENDMENT

The final vote in the Senate opposing yet another sunset of the PATRIOT act was 72-23-5, meaning we're almost a quarter of the way to regaining some semblance of a Fourth Amendment.

Heh.

Those voting against the forever PATRIOT?

Akaka (D-HI)	Franken (D-MN)	Murray (D-WA)
Baucus (D-MT)	Harkin (D-IA)	Paul (R-KY)
Begich (D-AK)	Heller (R-NV)	Sanders (I-VT)
Bingaman (D-NM)	Lautenberg (D-NJ)	Tester (D-MT)
Brown (D-OH)	Leahy (D-VT)	Udall (D-CO)
Cantwell (D-WA)	Lee (R-UT)	Udall (D-NM)
Coons (D-DE)	Merkley (D-OR)	Wyden (D-OR)
Durbin (D-IL)	Murkowski (R-AK)	

Though note we're not really a quarter of the way to a Fourth Amendment. Most of these Dems, I suspect, oppose the passage of another sunset without a debate. Some are particularly pissed about the latest interpretation of Section 215. But most still support the concept of PATRIOT powers.

Which means we're not really making all that much progress.

One aspect of today's vote I did find interesting, however, was that five Republicans voted against tabling Rand Paul's gun amendment (limiting the use of Section 215 to get gun records), but voted in favor of the overall sunset. These five are: Barrasso (WY), DeMint

(SC), Enzi (WY), Moran (KS), and Shelby (AL).

In other words, these men seem to object only to the use of super government powers when it threatens their gun rights, but not their First Amendment, nor their financial privacy, nor their associations.

While I happen to think figuring out what kind of guns suspected terrorists are buying is a reasonable use of a counter-terrorism law, if we have to have one, I am curious whether this vote will make gun nuts realize that their privacy's at stake, too (though Saxby Chambliss got up to make it clear that domestic terrorists—like the right wing terrorists who might most object to using PATRIOT to collect gun purchase records—were not at risk). This vote also has the makings of one that TeaParty politicians might use to distinguish themselves from **other** Republicans.

Because right now, opposition to PATRIOT excesses is still mostly a Democratic issue (though Rand Paul definitely took the leadership role Russ Feingold would have had in the past). Until more Republicans join Paul, Heller, and Lee in opposing PATRIOT, it'll remain on the books, particularly so long as we have a Democratic President whom Democratic Senators are happy to have wielding such power.

Update: After a half hour of debate, the extension passed the House 250-153.