

BETWEEN THE LINES

Newspaper sues government to reveal 'secret' Patriot Act interpretation

By Zack Whittaker | October 12, 2011, 4:19am PDT

Summary: The New York Times is suing the federal government in a bid to reveal how the Patriot Act is interpreted and used by law enforcement.

The New York Times is suing the U.S. government for refusing to divulge how its law enforcement interprets the Patriot Act.

After a series of Freedom of Information requests were declined to reveal the classified interpretation of the Patriot Act — a description that Senators Ron Wyden (D-Oregon) and Mark Udall (D-Colorado) described as “deeply disturbing” — the newspaper sought to battle it out in the courts.

Some months ago, it was found that the Patriot Act was being interpreted by government departments in a way to aid their ongoing investigations, leading to calls that there was a “classified” element to the counter-terrorism law.

The two senators, members of the Senate intelligence committee, have access to the secret interpretation of the law, but are bound by secrecy laws and cannot disclose it publicly. They believe that how law enforcement interprets the Act greatly differs from how the general public believe the federal government interprets the law; leading to the vast majority of the public not knowing how the law is actually used.

The New York Times is specifically looking for the section of the Act which allows the U.S. law enforcement to order the “production of any tangible things” on “reasonable grounds”, relating to international terrorism or counter-intelligence operations.

The argument stems that the interpretation the government uses is classified; whereas the newspaper believes a law should not be hidden from sight, and the government should not refuse to say how it actions its own laws.

The Patriot Act is a controversial post-9/11 counter-terrorism law, where it was recently discovered also has reach across to Europe and further afield. The European Parliament is investigating the charge that the U.S. government can access cloud-stored data in Europe.

The full suit can be found below. [[PDF](#)]

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