

U.S. Federal Court Drops ACLU Case against NSA Snooping



Washington, October 26 (RHC)-- A U.S. federal district court has rejected a case by the American Civil Liberties Union (ACLU) against the National Security Agency (NSA) over the latter's mass surveillance program.

Lawyers for the plaintiffs had argued that the surveillance program was harmful, despite the NSA's silence on it in court. "The NSA's mass surveillance violates our clients' constitutional rights to privacy, freedom of speech, and freedom of association, and it poses a grave threat to a free internet and a free society," said Ashley Gorski, a staff attorney with the ACLU national security project. "The private communications of innocent people don't belong in government hands."

Yet, the judge in the case, TS Ellis III, said the suit relied on "the subjective fear of surveillance", because the NSA did not admit to having collected any of the information it was alleged to have collected by the ACLU, according to the Guardian.

Ellis admitted that acquiring enough information to prove illegal spying was difficult whether or not illegal spying had occurred, but said that difficulty was a feature, not a bug. "Establishing standing to challenge section 702 in a civil case is plainly difficult," he wrote. "But such difficulty comes with the territory."

“The court has wrongly insulated the NSA’s spying from meaningful judicial scrutiny,” said ACLU National Security Project staff attorney Patrick Toomey, who argued the case.

Ellis is a former navy aviator who in 2006 dismissed a suit against the CIA brought by a German man who accused the US spying agency of abducting and torturing him as part of Washington’s “extraordinary rendition” program.

The plaintiffs included Wikipedia, the Nation magazine, Amnesty International and six other organizations, who alleged that the interception and storage of their communications by the NSA violated their constitutional protections against unwarranted search and seizure.

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