Two revelations about government programs designed to sift through the public’s phone calls and social media interaction have raised questions about what the government should be allowed to do in the name of public safety.

This week the Guardian newspaper reported that the National Security Administration (NSA) has been secretly tracking the phone records of millions of Americans using data supplied by Verizon.

The administration defended the surveillance program, saying that it is lawful and is a “critical tool” to protect national security.

But civil liberties advocates say the program goes too far.

“I was astounded, first of all, to learn for the first time that the government thinks the law allows this, and even more astounded to learn that they were doing it,” Kate Martin of the Center for National Security Studies said on the NewsHour.
Government sifts through Facebook and Google

Meanwhile, the Washington Post revealed that the NSA and FBI have two other spying programs that target American citizens, including one that uses the data of Facebook, Google and Apple, and one that uses information from major credit card companies.

Audio, video, photographs, e-mails, documents and connection logs “enable analysts to track a person’s movements and contacts over time,” the article explains. “They quite literally can watch your ideas form as you type,” an unnamed career intelligence officer told the Post.

The classified PRISM program was established in 2007 and become “the most prolific contributor to the President’s Daily Brief,” according to the report.

Spying legal under FISA, says administration

In order to spy on a phone line, the NSA, along with the FBI, CIA and other intelligence agencies, must file a warrant with the Foreign Intelligence Surveillance Court, which reviews the lawfulness of the program. Then, according to Pete Williams of NBC News, the NSA, “goes to the phone companies and says: Every day, pump your data about phone calls into our big government tank — only phone numbers (not names), along with other data about the calls, such as where they came from, how long they lasted, what numbers were dialed, and so on.”

The judge who approved this warrant said it was legal because it tracked only the data around the calls, not necessarily the calls themselves. The administration backed this position, saying that the order, “does not allow the government to listen in on anyone’s telephone calls.”

The country’s most secretive court

The courts were set up by the Federal Intelligence Surveillance Act (FISA), which was signed into law in 1978 in the wake of the Watergate scandal as a way to protect American citizens from government spying.
FISA operated mostly without controversy until September 11, 2001, when the Patriot Act expanded the number of judges on the court from seven to 11, and loosened the legal guidelines on who could be monitored.

When it was first reported in 2006 that the Bush administration was wiretapping e-mails and phone calls worldwide in the hunt for terror suspects, then-Senator Barack Obama said it was a — quote — “slippery slope.” House Speaker Republican John Boehner said it’s now up to President Obama to explain how critical the program is.
READING COMPREHENSION QUESTIONS

1. What does NSA stand for?

2. What is the name of the newspaper that broke the story?

3. What is the name of the spying program that involves tech companies like Facebook and Google?

4. What is the Foreign Intelligence Surveillance Court?

5. Why did the court say that the spying program was legal?

6. When was FISA signed into law?

7. What is the name of the act that expanded the number of judges on the court to 11?
DISCUSSION QUESTIONS (more research might be needed)

1. Do you think the government should be able to sift through data looking for potential terrorists?

2. What happened during Watergate? Why is it relevant to this story?

3. The police in Boston identified the two men who attacked the marathon by looking at surveillance video from stores and traffic cameras. How does that incident and the successful capture of the perpetrators affect your perception of privacy and law enforcement?

4. How will we know when the government is abusing its powers?

5. What would Thomas Jefferson, John Adams, Benjamin Franklin or other early Americans say about the issues raised by this story?

Extension Activity
Have students write a 300-500 word essay on this topic providing clear examples. Send your completed editorial to NewsHour Extra (extra@newshour.org). Exceptional essays might be published on our Web site.
Using NewsHour Extra Feature Stories

Government Surveillance of Citizens Raises Civil Liberty Questions

June 7, 2013


Estimated Time: One 45-minute class period with possible extension

PROCEDURE

1. WARM UP
Use initiating questions to introduce the topic and find out how much your students know.

2. MAIN ACTIVITY
Have students read NewsHour Extra's feature story and answer the reading comprehension and discussion questions on the student handout.

3. DISCUSSION
Use discussion questions to encourage students to think about how the issues outlined in the story affect their lives and express and debate different opinions.

INITIATING QUESTIONS

1. How does the government find and capture potential terrorists?

2. What is the definition of “privacy”?

3. What are some principles outlined in the Constitution that concern privacy rights?

READING COMPREHENSION QUESTIONS

1. What does NSA stand for?
   National Security Administration

2. What is the name of the newspaper that broke the story?
   The Guardian

3. What is the name of the spying program that involves tech companies like Facebook and Google?
   PRISM

4. What is the Foreign Intelligence Surveillance Court?
   The court that reviews all spying warrants

5. Why did the court say that the spying program was legal?
   The judge who approved this warrant said it was legal because it tracked only the data around the calls, not necessarily the calls themselves.

6. When was FISA signed into law?
   1978
7. What is the name of the act that expanded the number of judges on the court to 11?
The Patriot Act

DISCUSSION QUESTIONS (more research might be needed)
1. Do you think the government should be able to sift through data looking for potential terrorists?

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