

Editorial

Lofgren wins a round in privacy fight

No one has worked harder than San Jose Rep. Zoe Lofgren to restore Americans' right to privacy and to protect Silicon Valley companies from the excesses of the National Security Agency.

Lofgren was a driving force Thursday in a major victory for Fourth Amendment supporters. In a stunning, bipartisan turn-about, the House voted 293-123 to effectively block the NSA from conducting warrantless backdoor searches of Americans' communication devices.

It fundamentally alters the NSA debate, which until now has been dominated by California Sen. Dianne Feinstein's view that when it comes to national security, individual rights go out the window. The House's power play affirms the value citizens of all political beliefs place on their right to privacy.

As Kentucky Republican Rep. Thomas Massie told reporters, "The American people are sick of being spied on."

Attempts last month to rein in the NSA were cut off by members of the powerful House and Senate intelligence committees. But Lofgren teamed up with Republicans Massie and Rep. Jim Sensenbrenner, R-Wis., to sponsor an amendment to what they recognized as another opening in the 2015 defense appropriations bill.

Their amendment bars the NSA from spending money to plant devices in hardware and software without a warrant and then accessing private emails, texts and even data on people's whereabouts.

Besides being a personal affront, trashing U.S. tech companies' security systems has seriously undermined their ability to compete in a world market. Asian and European competitors already are using it against Silicon Valley products. The damage to the U.S. economy is estimated to reach nearly \$200 billion by 2016.

This battle is far from over, however. In the Senate, Feinstein will stand up for the NSA. The argument is that limiting the NSA's access to citizens' data makes the United States more vulnerable to terrorists. But no one — not the head of the NSA, Feinstein nor even President Barack Obama — has produced a shred of evidence that the surveillance programs are anything more than fishing expeditions with virtually nothing to show for them.

Critics of the House vote also are carping that this backdoor run at a budget amendment allowed too little time to debate an issue of such magnitude. Point taken. But the leadership had prevented the debate from taking place earlier, so this was the only chance to be heard.

The debate really shouldn't be complicated. Privacy is privacy, and either Americans have a right to it or they don't.

By a ratio of nearly 3-to-1, Republican and Democratic members of the House on Thursday voted their support for the Fourth Amendment right to privacy. Now Silicon Valley — and all Americans — should let their senators know whose side they're on.