OMNI BILL OF RIGHTS DAY DECEMBER 15, 2012 NEWSLETTER
#4, Compiled by Dick Bennett for a Culture of Peace and Justice.  (#1 Dec. 15, 2008; #2 Dec. 15, 2009; #3 Dec. 15, 2011)

OMNI NATIONAL/INTERNATIONAL DAYS PROJECT

My blog:  War Department/Peace Department
http://jamesrichardbennett.blogspot.com/
My Newsletters:
http://www.omnicenter.org/newsletter-archive/
Index:
http://www.omnicenter.org/omni-newsletter-general-index/
See: Constitution Day Newsletters, Human Rights Day December 10 Newsletters, and newsletters on detainees, torture, War on Terror, and others;

Contents #1 Dec. 15, 2008
Celebrate December 15
Free Materials
Patriot Act vs. Civil Liberties
Bill of Rights Day 2008 and ACLU
Related Protections of Liberty:
Habeas Corpus
Posse Comitatus vs. Militarism

Contents #2 Dec. 15, 2009
President’s Proclamation
   ACLU and Civil Liberties
   BORDC
   Civil Liberties and Civil Rights
For Students
   Several links on Bill of Rights and the Patriot Act

Contents #3 Dec. 15, 2011
   Assaults on Bill of Rights
   Habeas Corpus
   2011 Patriot Act
If Homeland Battlefield: End of Bill of Rights

Fascist Police State?
Military Detention USA
Defending the Bill of Rights
Jefferson and Madison
4th Amendment Victory
Electronic Privacy
Susan Herman
Tom Engelhardt
FDR: Economic Bill of Rights

Contents of #4 Dec. 15, 2012
Bill of Rights Day 2012
FISA, NDAA, and Other Anti-Democratic Regressions
BORDC vs. Decline of Liberties
ACLU vs. SB1867
PRA vs. Right Wing
Patriot Act
Bradley Manning
BORDC Newsletter

Here is the link to all OMNI newsletters:

http://www.omnicenter.org/newsletter-archive/

1. News for Bill of Rights Day 2012
   Bill of Rights Day

Northwest Herald - 4 hours ago
15, 1941, “Bill of Rights Day,” was signed into practice as a U.S. civil holiday, exactly 150 years after the Bill of Rights – the first 10 amendments ...

2. Today Is Bill Of Rights Day

NJ TODAY - 12 hours ago

3. Ariz. to dedicate first Bill of Rights monument in U.S.

USA TODAY - 19 hours ago

2. Presidential Proclamation -- Bill of Rights Day, 2012 | The White ...

www.whitehouse.gov › Briefing Room › Presidential ActionsCached
You +1’d this publicly. Undo
1 day ago – BILL OF RIGHTS DAY, 2012. - - - - - - - - - - - - - - - - - - - BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. A PROCLAMATION. When President ... festivities.
3. **Bill of Rights Day, December 15th 2012**
www.ammoland.com/2012/12/13/bill-of-rights-day-2012/Cached
You +1’d this publicly. Undo
1 day ago – Washington, DC --(Ammoland.com)- Celebrate this coming important day by reminding all your friends and family about the vital importance of ... [Dick: This message is from Jews for the Preservation of the Bill of Rights, whose mission is to defend the 2nd Amendment as they understand it as prohibiting gun control.]

4. **Bill of Rights Day 2012 | Facebook**
www.facebook.com/events/327640394000467/Cached
You +1’d this publicly. Undo
Sat, Dec 15 - Nationwide
Our government was formed was to protect the rights of the people. The Bill of Rights, for the first time in history, established a set of principles and guidelines to ... 
Get more results from the past 24 hours
Get more results from the past 24 hours

5. **Petition | People Against the NDAA (PANDA): Bill of Rights Day**
https://www.change.org/.../people-against-the-ndaa-panda-bill-of-rig.. Cached
You +1’d this publicly. Undo
The Bill of Rights is important, and I'll be waking up America on December 15th, 2012 to help celebrate it. Our government was formed to protect the...

6. **News | Video: Bill Of Rights Day 2012 Fast Approaching**
connect.freedomworks.org/news/view/334901?destination.. Cached
You +1’d this publicly. Undo
... on this articleBack to FreedomConnector. Your browser does not support iFrames. We were trying to show you Video: Bill Of Rights Day 2012 Fast Approaching.

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5 reasons to keep your eye on the ball after election 2012
Shahid Buttar, Bill of Rights Defense Committee
bordc@mail.democracyinaction.org
Dear Dick,
Many Americans are relieved today. Some are outraged. Regardless of which camp you're part of, very few Americans today are inspired. After 2 years and billions of dollars spent in the course of the presidential campaign, the challenges we confront - including the constitutional crisis connecting the wars on terror, drugs, and immigration - continue unabated. Americans from all walks of life remain subject to arbitrary policing and surveillance practices, and executive power to disregard constitutional limits has rarely been more extreme in America than it is today.
The Bill of Rights Defense Committee is here to face - and overcome - these enduring challenges together with you. As we conclude our 10th
year, BORDC continues to stand for liberty when our government won’t. Today, and over the next 10 years, we will continue to initiate, guide and support grassroots coalitions working to secure the rights and liberties of all Americans. This month, two disturbing bills will appear before the Senate:

1) FISA (the Foreign Intelligence Surveillance Act) authorizes the NSA (National Security Agency) to monitor, record and store your emails and phone calls, even without any suspicion that you’ve ever done anything wrong. Members of Congress have asked tough questions that no one has answered, yet the House recently voted to extend the NSA's unconstitutional dragnet wiretapping scheme for another five years – even beyond Obama's second term.

2) The NDAA (the National Defense Authorization Act) could allow arbitrary and indefinite military detention without trial within the US, even of citizens, ethnic minorities, or political dissidents. Cities and states both red and blue have rejected the NDAA's domestic military detention powers, but they still have never even been the subject of a congressional hearing. Even FISA and the NDAA are just the tip of the iceberg:

3) The looming fiscal cliff presents a chance to finally shrink the bloated intelligence budget. Will our nation's police and intelligence agencies face the same cuts as other government agencies, or continue receiving blank checks for wasteful and constitutionally abusive policing strategies?

4) President Obama has reportedly suggested comprehensive immigration reform as a goal of his second term. Will the administration end the FBI's biometric data collection programs, or allow the secret creation of a trackable national ID system on the political backs of immigrants?

5) Will the Senate's recent concerns about fusion centers spark more cities to restrict their local police from domestic spying?

Each of these issues will continue to be a problem in the next administration.

Presidential elections happen every four years. Fighting to defend the Constitution and restore our rights, however, is a struggle we at BORDC remain committed to every day. While Washington remains in the grip of a bipartisan consensus for increasing government powers in the face of dwindling protections for civil rights and liberties, transpartisan grassroots voices around the country are pushing back. It will take a movement of millions to maintain the principles that have so successfully served our nation over the past 200 years. Together with Americans from all parts of our great nation, and all parts of our diverse melting pot and ideological spectrum, BORDC will continue working – into the next administration, and beyond – to
build a movement capable of reclaiming the constitutional rights & liberties that have long inspired the world.
Thanks for keeping YOUR eye on the ball,
Shahid Buttar
Executive Director
Bill of Rights Defense Committee
8 Bridge Street, Suite A, Northampton, MA 01060
www.bordc.org
info@bordc.org
Telephone: 413-582-0110
Fax: 413-582-0116

Add SUSAN HERMAN’S BOOK AND OTHER RECENT BOOKS Manning Denied Fair Trial

“Military Madness and PFC Manning” by Lynn Feinerman

From Tikkun, 7-2-12

Webs of blinding irony are being spun around Private First Class Manning, obscuring the military’s methodical denial of Manning’s constitutionally guaranteed right to a fair trial. Read More http://www.tikkun.org/nextgen/military-madness-and-pfc-manning

“Things could be different”
Shahid Buttar, Bill of Rights Defense Committee (BORDC)
bordc@mail.democracyinaction.org 4-11-12
Dear Dick,
Dragnet surveillance has expanded beyond the FBI and NSA into your neighborhood police department. Law enforcement agencies are monitoring law-abiding Americans without any criminal suspicion, based solely on their religion, skin color, or political ideology. President Obama has signed a law that could allow indefinite military detention without trial for anyone in the US accused of certain crimes—including charges based on First Amendment-protected free speech and association. And despite promises for unprecedented transparency, our federal government continues to prosecute more national security whistleblowers than every prior administration in our country’s history—combined.
Is this the America you know and love? Are these the values that legions of military service members have died to defend? Do we live in the land of the free, or is that just an empty slogan that we sing at sports events? Whatever your answers to those questions, consider
how things could be different.
If you want the answers to change, invest in your principles by donating to the Bill of Rights Defense Committee today.
You may see a lot of emails about online petitions and news articles about lawsuits. As much difference as they might make, they won’t be enough to lift America out of our constitutional crisis. Only a movement of millions can restore the rule of law.
Please help the Bill of Rights Defense Committee build that movement by making a tax-deductible contribution now.

The Bill of Rights Defense Committee helps concerned Americans raise their voices all across our great country. We work with grassroots voices from across the political spectrum, bringing together Americans from all walks of life, from students and lawyers to beauticians and carpenters, to defend the constitutional rights that have long made our country a beacon of freedom to the rest of the world.
Together, we can keep America free.
With gratitude,
Shahid Buttar
Executive Director
Bill of Rights Defense Committee
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www.bordc.org
info@bordc.org
Telephone: 413-582-0110
Fax: 413-582-0116

DID S 1867 BECOME LAW???
“S 1867,” Z MAGAZINE (Dec. 2011)

Maybe you spent the last weekend shopping for gifts, writing out holiday cards or studying for final exams. For most of America, the end of the year is a busy time. In Congress, this is a season usually spent trying to jam through bad bills while they hope no one is looking.

In early December, the Senate voted to pass S 1867, the National Defense Authorization Act (NDAA), which would authorize the president to send the military almost anywhere in the world to imprison civilians without charge or trial—based on suspicion alone. The power is so sweeping that the president would be able to direct the military to use its powers within the United States itself, and even lock up American citizens without charge or trial.

No corner of the world, not even your own home, would be off-limits to the military. And there is no exception for American citizens. Section 1031—one of the indefinite detention provisions—of the Senate-approved version of the NDAA has no limitations based on geography, duration or citizenship. And the entire Senate bill was drafted in secret, with no hearing, and with committee votes behind closed doors.

I’m not sure which was more surprising—that the majority of senators ignored the pleas of countless constituents, or that they also ignored every top national security official opposed to the provisions, including Secretary of Defense Leon Panetta, CIA Director David Petraeus, FBI Director Robert
Mueller, Director of National Intelligence James Clapper, White House Advisor for Counterterrorism John Brennan, and DOJ National Security Division head Lisa Monaco. The Senate ignored them all.

Back in May, the House of Representatives passed its own version of the NDAA, which had a provision authorizing war wherever any terrorism suspect resides, even if there is no threat to the U.S. Buried in the bill is a sentence that lets the president order the military to lock up without charge or trial U.S. citizens and anyone else he decides is a suspect, even if the person is in the U.S. or in such friendly countries as Canada, Great Britain, or France.

The two bills are now in conference committee. The chairpeople and ranking members of the Armed Services Committee—known as “the Big Four”—have had one secret meeting after another to quickly write a final bill. Who are the Big Four? From the Senate, it is Carl Levin (D-MI) and John McCain (R-AZ), who had secretly written the Senate indefinite detention provisions. The third member is the House Armed Services Committee Chair Buck McKeon (R-CA), who is the person who wrote the House indefinite detention provisions. And the fourth member is the House Armed Services Committee Ranking Member Adam Smith (D-WA), who fought the indefinite detention provisions on the House floor.

That’s three to one for indefinite military imprisonment without charge or trial. There’s good reason to worry about what the Big Four do in their secret meetings.

The American Civil Liberties Union (ACLU) is a non-profit organization whose mission is to defend and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States.

FELLOW DEFENDERS OF CIVIL LIBERTIES: PRA
Political Research Associates PRA is a leading US opponent of right wing subversion of liberties. Join up and receive their newsletter, PRAccess. PRA has been around 30 years, founded and led most of those years by Jean Hardisty, one of our Constitutional heroes. Their studies are significant reports on civil liberties abuses. For example, 2010 by Thom Cincotta: Platform for Prejudice: How the Nationwide Suspicious Activity Reporting Initiative Invites Racial Profiling, Erodes Civil Liberties, and Undermines Security. (D)

2012 IS THE FOLLOWING STILL RELEVANT?

The War on Civil Liberties

As the US scales back the war in Afghanistan, shouldn't we be scaling back the sacrifices of civil liberties we've made here at home?
The killing of Osama bin Laden and other high-level Al Qaeda leaders has helped persuade President Obama to withdraw 30,000 troops from Afghanistan by next summer. According to the president, the “tide of war is receding”—at least in Afghanistan. But what about here at home? It’s been almost ten years since Al Qaeda’s attacks on the World Trade Center and the Pentagon. The government responded by adopting, in short order, extraordinary measures to prevent another attack. But if the tide of war is receding, shouldn’t we be reconsidering the sacrifices in our liberties that we made to fight that war?

In fact, there seems to be little recognition that, on the home front, the tide of war is receding. In May Congress reauthorized, for four more years, three controversial provisions of the Patriot Act, rejecting all proposals to add safeguards. The provisions permit the government to obtain “roving” wiretaps without identifying the person or the phones to be tapped; demand records from libraries and businesses without establishing any reason to believe the target is involved in criminal, much less terrorist, activity; and use surveillance powers initially restricted to agents of foreign governments or terrorist organizations against “lone wolves” not affiliated with any such group or government.

Lost in the muted debate over these three provisions was any discussion of still more troubling Patriot Act authorizations, which were initially enacted without “sunset” clauses and have therefore never been reconsidered. These include ideological grounds for excluding or deporting foreign nationals for association with terrorist groups, expansively defined to encompass virtually any group of two or more that has ever used or threatened to use a weapon against person or property. They also include a provision that makes it a felony to advocate for human rights and peace if you do so with a “foreign terrorist organization.” (The Supreme Court upheld that statute against a First Amendment challenge last summer, in a
And they include the authority to rely on secret evidence to freeze the assets of American charities simply by claiming they are “under investigation,” without any finding of wrongdoing. (In another case I am litigating, a federal court has declared that procedure unconstitutional, but the Obama administration continues to defend it.)

In June the New York Times reported that the FBI is about to relax yet again the rules that govern its national security investigations. Those guidelines, promulgated in 1976 in response to widespread abuses in spying on civil rights and peace groups, have been watered down numerous times, before and after 9/11. Now, according to the Times, Attorney General Eric Holder is set to loosen the reins even further. The new rules will allow FBI agents to rummage through citizens’ trash, conduct searches of computer databases and repeatedly use surveillance squads to track people without any suspicion of individual wrongdoing or court approval.

These “reforms” come on the heels of evidence that even under the old rules, the FBI overstepped its bounds. According to documents released in response to a Freedom of Information Act request, the bureau spent at least three years intensively investigating Scott Crow, an activist in East Austin, Texas, who has never been convicted of anything more significant than trespassing. The FBI’s 440-page file on Crow, despite being heavily redacted, revealed that agents recorded the license plates of his guests, monitored his phone calls and e-mails, fished through his trash, infiltrated political meetings he attended, subpoenaed his bank records and even asked the IRS to investigate him for tax evasion (the IRS declined). The investigation seems to have been closed in 2008. Why it was opened remains a mystery. Yet news of the Crow investigation appears to have prompted no reforms. Instead, the attorney general is ready to relax the rules on FBI spying still further.
Meanwhile, an ongoing investigation of peace activists and labor organizers in the Midwest, run by US Attorney Patrick Fitzgerald, has raised concerns that the government is once again confusing activism with terrorism, a problem it has long had. A 2010 inspector general report found, for example, that the FBI had, under the rubric of counterterrorism, investigated a social justice center in Pittsburgh, a Quaker activist, and members of Greenpeace and People for the Ethical Treatment of Animals.

These and other abuses are a predictable result of the mandate that the FBI “prevent” all terrorist acts. That unrealistic goal impels the agency to sweep broadly and to investigate intrusively even when it has no credible evidence that a person is engaged in, or planning, wrongdoing. The guidelines have been relaxed to permit just that. In the name of the “war on terror,” FBI agents have been freed to investigate any of us, “proactively.” The bureau doesn’t have the resources to investigate us all, of course. But the relaxed rules allow agents to focus on whomever they consider suspect—activists, leftists, outspoken or devout Muslims, and the like.

If history is any guide, at some point the accumulated record of misguided investigations, abusive and wasteful infiltrations, and overly aggressive deployment of informants will spur reform in the opposite direction, as Americans insist that the sacrifices in our liberties have gone too far. As yet, however, the public response has been to look the other way. In the United States the tide of war may or may not be receding, but the tide of civil liberties is still out.

**Related Content**

*No More Excuses, Rape is Rape!*
*How the Obama Administration Can End the War on Terror*
*Robert Mueller's Questionable Extension as FBI Director*
*100% Scared: How the National Security Complex Grows on Terrorism Fears*
Manning Denied Fair Trial

“Military Madness and PFC Manning” by Lynn Feinerman

From Tikkun, 7-2-12

Webs of blinding irony are being spun around Private First Class Manning, obscuring the military’s methodical denial of Manning’s constitutionally guaranteed right to a fair trial. Read More http://www.tikkun.org/nextgen/military-madness-and-pfc-manning

BORDC NEWSLETTER

Constitution in Crisis ::November 2012

Bill of Rights Defense Committee bordc@mail.democracyinaction.org

Will President Obama's second term finally fulfill his 2008 promises?

President Obama’s reelection has sparked an onslaught of analysis attempting to define the agenda for his second term. Will it reflect the vision of restoring liberty and security on which the president ran in 2008, or the disappointing passivity towards the national

November 2012, Vol. 11 No. 11

Read the latest news & analysis from the People’s Blog for the Constitution

Have you read BORDC’s blog lately? The People’s Blog for the Constitution has attracted a growing audience that has tripled
over the past year. Featuring news & analysis beyond the headlines on a daily basis, it offers a great way to stay up-to-date and informed.

- Whistleblower sentenced for exposing torture during Bush Administration by Annette Macaluso
- Seattle grand jury: guilt by association? by Nadia Kayyali
- Michigan county passes resolution against NDAA by Yiqian Wang
- Communities come together to stop collective criminalization by Michael Figura
- Will Obama’s second term finally fulfill his 2008 promises? (Part II) by Shahid Buttar

**Grassroots News**

**Patriot Award: Arthur Persyko**

Every month, BORDC honors an individual who has done outstanding work in support of civil liberties and the rule of law in his or her community. This month, the Patriot Award goes to Arthur Persyko for his unwavering dedication to the labor movement and courageous advocacy in California against indefinite military detention under the NDAA.

**Grassroots updates**

To get involved in any of these efforts, please email the BORDC Organizing Team at organizing@bordc.org. We’re eager to hear from you and help support your activism!
• Albany, NY: Coalition fights racial profiling in policing
• Charlotte, NC: People’s Power Assembly brings communities together
• Cleveland, OH: Building connections between mass incarceration and immigrant rights
• Chicago, IL: Art exhibit addresses torture
• Los Angeles, CA: Collecting their own data in the fight against LAPD spying
• Alameda County, CA: Coalition forms in response to Sheriff’s efforts to purchase drones
• Berkeley, CA: Coalition challenges Sheriff’s efforts to purchase drones
• Seattle, WA: Rights Working Group holds conference to unite coalitions in protecting civil liberties

Upcoming events
• Oak Brook, IL: MLFA Legal Fellow Michael Figura to address conference outside Chicago
• New Britain, CT: December 8 statewide convening, “An Injury to One is an Injury to All”
• San Francisco, CA: NLG Legal Fellow Nadia Kayyali to speak at conference in Bay Area

Law and Policy

Drones and the Obama Administration
The Obama administration has taken further steps toward the institutionalization of extrajudicial assassination, drawing continued concerns about a lack of transparency, accountability, and due process. The secrecy administration has even denied the very existence of the CIA’s drone program. Meanwhile, the drone program will outlast the CIA Director who helped pioneer their expansion, and may soon come soon to a city near you.

All is fair in love and e-mail: the Petraeus scandal’s case for electronic privacy reform

As news media gossips on a sex scandal that transformed Pentagon corridors into high school hallways, their chatter belies a critical discourse surrounding the investigation of former CIA director David Petraeus. Besides gratifying a cultural fixation with the salacious, the Petraeus scandal invokes inquiry into how the FBI could observe his correspondence with Paula Broadwell.

CO and WA take steps to fight mass incarceration by legalizing marijuana

In the November 2012 election, Colorado and Washington became the first states to legalize marijuana for recreational use, responding to prevailing trends in public opinion. While the end of prohibition in these two states will benefit many constituencies, minority communities adversely affected by the war on drugs will be among its primary beneficiaries.
What will the lameduck session hold for the 2013 NDAA amendments?

The 2013 National Defense Authorization Act (NDAA) will be debated in the Senate during the lameduck congressional session, likely after Senators return from their Thanksgiving break. Last year's NDAA contained provisions that could authorize indefinite detention, and will remain in place unless the Senate specifically removes them.

Senate prepares to extend FISA amendments during the lameduck session

Unlike the USA PATRIOT Act, the 2008 amendments to the Foreign Intelligence Surveillance Act (FISA) now before the US Senate have received relatively little public attention, despite authorizing the National Security Agency (NSA) to monitor everyone’s email and phone calls in secret, and without any basis for suspicion. No federal statute pending before the Senate (with the possible exception of the NDAA) presents equally grave constitutional risks. Will you raise your voice today?

New Resources and Opportunities

Raise your voice now to stop FISA and the NDAA

In the wake of the 2012 presidential election, Congress and the Obama administration enjoy several opportunities to advance civil rights and civil liberties. Constitutional
rights and principles are important to all Americans, yet leaders from each of the major political parties, in spite of their oaths of office, remain committed to assaulting them. Sign BORDC’s online petition and tell your Congress people that you’re concerned about warrantless wiretapping, indefinite detention, and outdated protections for electronic privacy.

Inspire students in conversations about civil liberties

Are you a teacher near New York, Washington DC, Hartford, Chicago, San Francisco, or Los Angeles? If so, we may have a compelling guest speaker for your classroom!

Help BORDC restore the rule of law

- **Get involved!** Volunteer, organize, raise your voice—we have an opportunity that’s right for everyone.
- **Read our blog.** We publish the latest civil liberties news, plus analysis beyond the headlines.
- **Support our work!** Donate online or mail a check or money order to:  
  Bill of Rights Defense Committee  
  8 Bridge Street, Suite A  
  Northampton, MA 01060

- **Follow BORDC** on Facebook and Twitter. Connect with other
supporters and help build the movement.

- Spread the word! Forward this email newsletter to your friends and family.

END BILL OF RIGHTS DAY 2012

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Dick Bennett
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http://jamesrichardbennett.blogspot.com/
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See INMOtion
jbennet@uark.edu
(479) 442-4600
2582 Jimmie Ave.
Fayetteville, AR 72703