

U.S. ELITE NEWSPAPERS' COVERAGE OF THE REAUTHORIZATION OF THE  
USA PATRIOT ACT, DECEMBER 1, 2005 - MARCH 10, 2006

A thesis presented to  
the faculty of  
the College of Communication of Ohio University

In partial fulfillment  
of the requirements for the degree  
Master of Science

Fang Cheng

August 2006

This thesis entitled

U.S. ELITE NEWSPAPERS' COVERAGE OF THE REAUTHORIZATION OF THE  
USA PATRIOT ACT, DECEMBER 1, 2005 - MARCH 10, 2006

by

FANG CHENG

has been approved for

the E.W. Scripps School of Journalism

and the College of Communication by

Anne M. Cooper-Chen

Professor of Journalism

Gregory J. Shepherd

Dean, College of Communication

## **Abstract**

CHENG, FANG, M.S., August 2006, Journalism

U.S. ELITE NEWSPAPERS' COVERAGE OF THE REAUTHORIZATION OF THE  
USA PATRIOT ACT, DECEMBER 1, 2005 - MARCH 10, 2006 (80 pp.)

Director of Thesis: Anne M. Cooper-Chen

This study examines sourcing and framing of U.S. elite newspapers' coverage of the reauthorization of the USA PATRIOT Act. A content analysis of stories in three U.S. newspapers between December 1, 2005 and March 10, 2006 indicates that a majority of news stories relied heavily on government sources and that the press failed to do its job of including a variety of sources and viewpoints. Regarding topics, counterterrorism, government powers, civil liberties concerns and privacy concerns are the aspects stressed in the media coverage of the renewal. Additionally, the study found that the three newspapers have standardized their own style and wording to cue their readers about what the law is. An examination of the tone in editorials and Op-Ed pieces shows that a majority of those articles are critical of the Act or express mixed feelings towards it. The only supportive voice was from supporters of Bush administration policies.

Approved:

Anne M. Cooper-Chen

Professor of Journalism

## **Acknowledgments**

Thanks are especially due to Dr. Anne Cooper-Chen, the Chair of my thesis committee, who schooled me in mass communication theories and inspired me to research the USA PATRIOT Act from the perspective of mass communication. A million thanks to Anne for her insight, suggestions, energy, efficiency, and the hours she poured into critiquing my thesis.

Many thanks to Professor Mark Leff, my academic advisor, for his wit, insight, advice, encouragement and support throughout my two years of study in the E. W. Scripps School of Journalism. Much of his assistance went well beyond the call of duty. Thank you!

Special thanks also to Professor Mary Keifer, my business law professor, for her wisdom, enthusiasm, kindness, warm-heartedness, and for expanding my knowledge in and furthering my understanding of the U.S. legal system.

I also want to give many thanks to Professor Hugh Culbertson, our Godfather of Mafia Lunch, for having been so nice, helpful, encouraging and supportive, for all the phone calls and emails, for all the kind suggestions whenever I was in trouble, and for teaching me camping basics!! Many thanks to his wife Mrs. Culbertson, too.

Thanks go also to Jerry and Melissa for patiently coding all the reliability samples, and to all the Mafia members, all my Chinese and American friends for their generous help and support.

## Table of Contents

	Page
Abstract .....	3
Acknowledgments .....	4
List of Tables .....	6
List of Figures .....	7
Chapter 1: Introduction .....	8
Purpose of Study .....	9
The USA PATRIOT Act of 2001 .....	10
Reauthorization of the USA PATRIOT Act of 2001 .....	13
Chapter 2: Literature Review .....	19
Sourcing .....	19
Official Sources .....	21
The PATRIOT Act .....	22
Framing .....	24
Media-Government Relationship .....	27
Chapter 3: Research Methods .....	31
Chapter 4: Results and Discussion .....	41
Chapter 5: Conclusion .....	62
Limitations of This Study .....	63
Future Research .....	64
Works Cited .....	65
Appendix I: Expiring provisions and contentious elements in the USA PATRIOT Act .....	72
Appendix II: Legislative action for the authorization and reauthorization of the USA PATRIOT Act of 2001 .....	74
Appendix III: Coding Sheet .....	77

## List of Tables

	Page
Table 1: Front page and inside page stories about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 .....	42
Table 2: Sources in news articles about the reauthorization of the USA PATRIOT Act in three U.S. newspapers, December 1, 2005—March 10, 2006.....	43
Table 3: Executive sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97) .....	45
Table 4: Legislative sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97) .....	47
Table 5: Judicial sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97) .....	48
Table 6: Non-governmental sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97) .....	49
Table 7: Frame phrases used in covering the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=137) .....	60
Table 8: Editorial treatment of the USA PATRIOT Act in three U.S. newspapers December 1, 2005—March 10, 2006 (N=25).....	61

## List of Figures

	Page
Figure 1: Aspects of the USA PATRIOT Act covered in three U.S. newspapers, December 1, 2005—March 10, 2006.....	53

# CHAPTER 1

## INTRODUCTION

Six weeks after the September 11 terrorist attacks, President George W. Bush signed into law the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act on October 26, 2001. The 342-page PATRIOT Act—“whose name signifies an opportune rhetoric” (Moro, 2005, p.143)—was rushed through the Congress by an overwhelming majority in record time. The Senate version of the bill was approved by a vote of 98 to 1 on October 11, and the House version by a vote of 357 to 66 the next day. The compromise version of the legislation reconciling the House and Senate bills was passed on October 25, 2001.

The new anti-terrorism legislation broadly expands the federal government’s powers in the fight against terrorism, including “enhanced intelligence surveillance procedures, limited judicial oversight of telephone and Internet surveillance, and the ability of law enforcement to delay notice of search warrants” (Evans, 2002, p. 968). However, concerns about the intrusion of this Act into the civil liberties of U.S. citizens led lawmakers to include 16 sunset provisions—although not necessarily the most controversial ones—in the law. The PATRIOT Act itself does not sunset, but those 16 provisions were to expire by December 31, 2005, if not renewed by the Congress by then. Indeed, the PATRIOT Act has sparked the most vehement debate about liberty and security in recent years in the United States, “pitching civil libertarians against conservatives with a fervor seldom seen in America’s relatively liberal polity” (Moro, 2005, p.143).



Congressional debate about the expiring provisions started as early as April 2005.

This time, the passage of those expiring provisions was full of twists and turns, not as rapid and smooth as that of the original version. The House and Senate passed their versions of the reauthorization bill on July 21 and July 29, 2005, respectively, but disputes over differences between the two versions were not resolved until March 7, 2006, after two five-week extensions of the 2001 anti-terrorism law. The secret domestic eavesdropping order signed by President Bush, which was first disclosed in a *New York Times* online article on December 15, 2005, only added more drama to the debate about the renewal of the USA PATRIOT Act.

Congress eventually passed a compromise bill on March 7, 2006 and President George W. Bush signed the legislation renewing the USA PATRIOT Act on March 9, 2006, which marked the end of the nearly yearlong fight over the reauthorization of the 2001 anti-terrorism law. However, the debate over how to balance national security and civil liberties is far from over. Two of the most contentious expiring provisions have been sunsetted again and will need to be reexamined and debated in another four years. Many critics remain concerned about many provisions of the PATRIOT Act and want more improvements to it.

### **Purpose of Study**

The USA PATRIOT Act gives the federal government broad and sweeping powers to collect information of all kinds on citizens and foreign nationals in the United States, so it potentially affects everybody. Ideally, according to social responsibility theory (Siebert et al., 1956), the news media should pay adequate attention to the various issues arising from the legislation and educate the public about the Act's implications and

consequences through healthy debate about its pros and cons. However, previous studies about the media coverage of the PATRIOT Act have shown otherwise.

Based on Ravimandalam's (2004) research, which found scant media coverage in 2001, this study is intended to examine elite print media coverage of the reauthorization of the USA PATRIOT Act between December 1, 2005, one month before those 16 provisions were set to expire, and March 10, 2006, the next day after President Bush signed the legislation renewing the USA PATRIOT Act. It will examine sourcing and framing of the print media's reporting of the renewal of the legislation.

### **The USA PATRIOT Act of 2001**

In response to the September 11 terrorist attacks on American soil, the USA PATRIOT Act was passed hurriedly by the Congress and signed into law by President Bush on October 26, 2001. The Act consists of 10 titles and more than 150 sections. It covers a wide array of areas, including intelligence gathering, criminal justice, money laundering and immigration, and "creates new crimes, new penalties, and new procedural efficiencies for use against domestic and international terrorists" (Doyle, 2002).

The new law introduced a plethora of changes to the U.S. law that have greatly enhanced the search and surveillance powers of the federal government, with the checks and balances inherent in the American political system seriously reduced. Under the new legislation, the wall that formerly separated criminal investigation and foreign intelligence investigation was broken down, and "any information gathered by any branch of the federal government may be shared with any other branch without court order and without the knowledge of the person whose information it is" (Abele, 2005, p. 25). Under the PATRIOT Act, law enforcement officials can easily use the expanded

powers to obtain email and electronic evidence without having to prove probable cause as required by previous legislation (Abele, 2005, p. 23). Also, the law allows the federal government to collect all kinds of information on citizens and foreign nationals in the United States and grants the attorney general the power to detain immigrants for up to seven days without charges being filed (Abele, 2005 & “Proceed with caution,” 2001).

However, due to some legislators’ concerns about the intrusion of this Act into the civil liberties of U.S. citizens, some safeguards were built into the Act. The Act has “sunset provisions of some—but not all—of the controversial wiretapping and foreign intelligence amendments in the legislation” (Ball, 2004, p. 50). Also, the Act contains “a requirement, added at the last minute by House Majority Leader Dick Armey, R-Texas, that a judge monitor the FBI’s use of the controversial Carnivore e-mail surveillance system” (“Proceed with caution,” 2001).

Concerns about the Act’s potential infringement of civil liberties and civil rights have been raised by various groups. Former vice-president Al Gore strongly condemned the PATRIOT Act of 2001, declaring that “it makes no more sense to launch an assault on civil liberties in order to get at terrorists, than it did to launch an invasion of Iraq in order to get Osama bin Laden” (quoted in Ball, 2004, p. 69). Bob Barr, the former conservative Republican congressman from Georgia who voted for the Act in October 2001, later admitted that his vote was a mistake (Ball, 2004, p. 71). He even joined an ACLU director in persuading the conservative editorial board of the *Houston Chronicle* to see the potential dangers of the PATRIOT Act and run an editorial on July 11, 2003, criticizing the Act (Ball, 2004, p. 71).

Kelly Patricia O'Meara, an investigative reporter for *Insight on the News*, argued that the Act sacrifices civil liberties in the name of national security, but contributes little to the war on terrorism (Balkin, 2005). In September 2004, a federal court in New York ruled that a key provision of the USA PATRIOT Act was unconstitutional. The American Civil Liberties Union (ACLU), a leading advocate of individual rights and liberties guaranteed by the U.S. Constitution, has issued many press releases criticizing the PATRIOT Act for threatening individual rights and freedoms (ACLU, 2006).

In response to the vitriolic criticism of the USA PATRIOT Act, both the White House and the Department of Justice spared no effort in defending the legislation by claiming the law has played a critical role in countering terrorism and keeping Americans safe. President Bush repeated on different occasions the rhetoric that the PATRIOT Act was "vital" to the war on terrorism and changes to the legislation would thwart the country's ability to counter terrorism. In summer 2003, then Attorney General John Ashcroft conducted a month-long cross-country trip to defend and emphasize the value of the PATRIOT Act in the fight against terrorism. The Department of Justice has even launched a Web site, Preserving Life and Liberty, to promote and defend the legislation. A series of articles was posted on the Web, emphasizing the role the PATRIOT Act has been playing in combating terrorism while trying to debunk the critics. "Since its passage following the September 11, 2001 attacks, the Patriot Act has played a key part - and often the leading role - in a number of successful operations to protect innocent Americans from the deadly plans of terrorists dedicated to destroying America and our way of life" ([http://www.lifeandliberty.gov/subs/h\\_patact.htm](http://www.lifeandliberty.gov/subs/h_patact.htm)).

The year 2005 was when some of the sunset provisions of the USA PATRIOT Act were slated to expire, so how to make those provisions permanent and further expand the powers of law enforcement agencies in terrorism investigations became one of the top priorities for the Bush administration (see Appendix I). Bush urged the Congress on many occasions to quickly extend the sweeping law enforcement powers under the USA PATRIOT Act, claiming that “to protect the American people, Congress must promptly renew all provisions of the Patriot Act this year” (Lichtblau, 2005, p. A12). In 2005, the newly appointed Attorney General Alberto Gonzales claimed that the Act “has helped prevent additional terrorist attacks” and fulfilled the goal of “giving law enforcement the tools they need to keep America safe while honoring our values” (Smith, 2005).

### **Reauthorization of the USA PATRIOT Act of 2001**

As early as April 2005, the Congress kicked off what would be a nearly yearlong debate over the reauthorization of the expiring provisions of the USA PATRIOT Act of 2001. The congressional effort largely centered on how to “balance civil liberties against the need to pursue suspected terrorists” (Sandler, July 2005, p. 1970). Among a handful of issues, two provisions that permit roving wiretaps of terrorist suspects and grant the FBI the power to demand a broad array of business records with court approval drew the widest attention and the most intense debate in the Congress. Some congressmen also tried to amend a non-expiring “sneak and peak” provision that allows law enforcement agencies to conduct a search warrant secretly and indefinitely delay notifying the targets (Sandler, July 2005).

At the same time, the White House and Justice Department were actively campaigning for the renewal of all expiring provisions of the USA PATRIOT Act and

lobbying for additional legal tools for the fight against terrorism. The Bush administration proposed granting the FBI the power to issue administrative subpoenas without prior approval from a judge or grand jury (Perine, April 2005). Another Bush administration initiative was to seek to lengthen the time investigators may conduct surveillance, like wiretaps, before being required to apply for a renewal of the authority (Perine, April 2005). At an April hearing, Attorney General Alberto R. Gonzales told the Senate Judiciary Committee, “The tools contained in the USA PATRIOT Act have proven to be essential weapons in our arsenal to combat the terrorists, and now is not the time for us to be engaging in unilateral disarmament” (Perine, July 2005, p. 1902).

While the congressional debate over liberty and security was heatedly going on, the rush hour bombings in London on July 7, 2005, provided proponents of the USA PATRIOT Act with “further justifications to push for strengthening the law” while making it more difficult for critics to oppose reauthorizing all 16 provisions permanently (Perine, July 2005, p. 1902). Congressman F. James Sensenbrenner Jr. (R-WI), chairman of the House Judiciary Committee and “a strong advocate of giving federal agents greater powers,” said in a statement after the London bombings, “It is not by luck that the United States has not been attacked since Sept. 11, 2001. It is through increased cooperation and information sharing among law enforcement and intelligence agencies as well as the enhanced domestic security and investigative tools contained in legislation such as the Patriot Act” (Perine, July 2005, p. 1902). Sensenbrenner’s remarks clearly echoed the rhetoric of the Bush administration.

On July 21, 2005, the House passed its version of the bill by a vote of 257 to 171. It would make 14 of the expiring provisions permanent and place a 10-year expiration

date on roving wiretaps and business records provisions (Sandler, September 2005). The bill would also require the FBI director to approve any requests for library or bookstore records and place new notification requirements on the roving wiretaps sections (Sandler, September 2005). The House bill would also allow recipients of national security letters to consult an attorney and challenge those letters in court (Sandler, September 2005).

The Senate version of the bill was passed unanimously on July 29, 2005. It would also cement those same 14 provisions into permanent law, but would only extend the roving wiretaps and business records sections for four years (Sandler, September 2005). The bill would also put a four-year expiration date on a “lone wolf” provision in the 2004 intelligence overhaul law allowing law enforcement agencies to seek warrants against “lone wolf” terrorists not connected to a foreign power, on which the House did not put a sunset provision (Sandler, September 2005). The Senate bill would also require a higher standard of proof for the government in demanding library and business records; require the FBI director or deputy director to approve any request for library or bookseller records, medical records or gun sales records; and require the subjects of “sneak and peak” searches to be notified within seven days (Sandler, September 2005).

The House and Senate versions of the bill were “similar in broad strokes,” but the Senate legislation placed more restrictions on government powers and included stronger civil liberties protections in some areas than the House bill (“A Clean Patriot Act,” 2005, p. B06). Apparently, the White House preferred the House version of the measure while the Senate bill was favored by civil libertarian groups, doctors and business interests (Sandler, November 11, 2005).

To reconcile the differences in both bills, House-Senate conference committee negotiations were held in November and a tentative agreement was reached on November 16. However, three Democratic senators, Dick Durbin of Illinois, Russell Feingold of Wisconsin, and Ken Salazar of Colorado, and three Republican senators, Larry Craig of Idaho, John Sununu of New Hampshire, and Lisa Murkowski of Alaska, challenged the conference report and described the compromise bill as unacceptable in a joint letter sent to the Senate Judiciary and Intelligence committees (Gaouette, 2005). They raised concerns about business records, national security letters, roving wiretaps and sneak and peak search provisions, and threatened to block the bill if no further changes were made to it (Sandler, November 18, 2005).

After further negotiations in the Congress, a conference report was filed on December 8, which would make 14 provisions permanent and set a four-year expiration date on the roving wiretaps and business records provisions, the two most contentious sections. The House adopted the conference report on December 14 by a vote of 251 to 174, but the conference report encountered a bipartisan filibuster in the Senate on December 16; five Republicans joined 41 Democrats and Vermont Independent James M. Jeffords in voting against limiting further debate on the conference report (Sandler, December 22, 2005).

Adding to the melodrama of the congressional debate over the 2001 anti-terrorism law was a *New York Times* online article on December 15, which disclosed that President Bush had ordered the National Security Agency to eavesdrop on Americans and others in the United States without first obtaining court permission (Risen and Lichtblau, 2005). The *New York Times* ran a front-page story about the secret domestic spying program the



next day. President Bush was forced to come forward to deliver a live radio address from the White House on December 17, one day before his scheduled national address to celebrate the Iraqi elections. In his address, President Bush confirmed the existence of the domestic spying program, but defended his action as “fully consistent with my constitutional responsibilities and authorities” (Sanger, 2005, p. A01). He also pressed for the renewal of the USA PATRIOT Act in his speech by stating, “Key provisions of this law are set to expire in two weeks. The terrorist threat to our country will not expire in two weeks” (“Bush on the Patriot Act and eavesdropping,” 2005, p. A43).

Incensed by the illegal domestic spying program, some senators cited it as a reason for their vote on December 16. Many members of the Senate campaigned for a six-month extension of the current law to allow for further scrutiny and negotiations. On December 22, the Congress cleared a five-week extension to allow further negotiations over the current law. Although the Bush administration insisted it would not support a short-term extension, it eventually backed down. The new deadline for reauthorizing the 16 expiring provisions was February 3, 2006. However, the Congress failed to resolve disputes over provisions dealing with national security letters, court-approved seizure of business records and delayed-notification search warrants before the new deadline, and another five-week extension was added to the law on February 2, which would allow more time for Senate Republicans and the White House to work out a compromise before the law expired on March 10 (Sandler, February 2006).

Eventually, the Senate passed the legislation on March 1 by a vote of 95 to 4, and the House cleared the bill by a vote of 280 to 138 on March 7. President Bush signed into law the legislation renewing all 16 provisions on March 9, 2006. The reauthorization

would make 14 provisions permanent and place a four-year expiration date on the roving wiretaps and business records provisions (Sandler, March 2006). The bill would allow recipients of a business records request to challenge a gag order, but they would have to wait for one year and prove the government acted in “bad faith” (Sandler, March 2006). It would also prevent FBI from demanding the names of lawyers consulted by recipients of National Security Letters, which do not require court approval (Sandler, March 2006). Libraries operating in traditional roles would no longer be subject to National Security Letters, but those operating as Internet service providers would still have to comply with them (Sandler, March 2006). The bill would also require federal officials to notify the targets of “sneak and peak” searches within 30 days (Babington, 2006).

Additionally, the renewal of the USA PATRIOT Act was viewed by both the House and Senate as a good opportunity to enact other law enforcement measures that had little to do with counterterrorism. These add-ons include provisions dealing with methamphetamine, the death penalty, port security, presidential succession, ATF (Alcohol, Tobacco, Firearms and Explosives), secret service expansion and terrorist financing (Stern, 2006).

## **CHAPTER 2**

### **LITERATURE REVIEW**

#### **Sourcing**

Journalists cannot witness every event directly. They need sources to feed them with information and sift through all the information they are given in order to write accurate and complete news reports, so “sources have a tremendous effect on mass media content” (Shoemaker and Reese, 1996, p. 178). Shoemaker and Reese (1996), who developed a hierarchical model of influences to explain the various factors that shape media content, locate sources of information on the extramedia level (fourth level)—forces that play a significant role in influencing the final products of reporters.

Gans (1979) defines sources as “the actors whom journalists observe or interview, including interviewees who appear on the air or who are quoted in...articles, and those who only supply background information or story suggestions” (p. 80). Gieber (1964) pointed out that there were three possible relationships between the reporters and their sources: “(a) the reporters remain independent of the sources; (b) the reporters and the sources find areas of collaboration for their mutual benefit; (c) the sources ‘absorb’ and dominate the reporters, or vice versa” (quoted in Tumber, 1999, p. 222).

Shoemaker and Reese (1996) noted how the power balance game was played between the reporters and sources. On the one hand, they argued that sources not only can directly influence the content of mass media by withholding information or lying, but may also exert influence on the news in more subtle ways by providing easier and cheaper information to use or through ways that make it impossible for reporters to “seek

out sources with alternative views” (p. 178). However, they also pointed out that the power imbalance between journalists and sources can shift in the journalists’ favor through selective quoting, quoting the sources out of context or making a point that the sources never intended by quoting what they have said.

Regarding the selection of sources, that is, which sources are used in covering an issue or event, Shoemaker and Reese (1996) noted that although there are a lot of possible sources, they are not likely to be treated equally. Sources with economic or political power have always had an advantage in influencing media content over those lacking power (Gans, 1979). Shoemaker and Reese reasoned that sources with economic or political power are favored by journalists because they “understand the rhythms of media coverage and can time the release of information just before a media deadline” (p. 180). Most importantly, they have the time and resources to “get their side of the story out” (p. 180), while those poorly funded and politically inexperienced individuals rarely have enough of either to compete for media attention.

However, Shoemaker and Reese (1996) also noted that the nature of the news event may be a factor that can influence the journalists’ choice of sources. For example, Atwater and Green (1988) studied the ABC, CBS, and NBC coverage of a June 1985 TWA hijacking and found that more than half of the sound bites in the three networks’ programs were interviews with individuals, while interviews with officials only accounted for 30 percent. Shoemaker and Reese (1996) reasoned that for a strong human interest story like a hijacking, individual sources seemed to be more appropriate to the reporters. In contrast, they pointed out that in stories about issues like legislation, official

sources may get more play “because of their vested interest in the debate’s outcome” (p. 181).

Shoemaker and Reese (1996) noticed that media content can also be affected directly or indirectly by interest groups, which were defined by Shoemaker and Reese as “composed of individuals who want to communicate their stance on one or more issues to the public” (p. 184). Some interest groups seek to influence the media content by providing press guidelines while some attempt to draw media attention by lobbying other interest groups or criticizing the media through the media (Shoemaker and Reese, 1996). Sometimes, interest groups will take the initiative to conduct public relations campaigns to call for media attention to their problems (Shoemaker and Reese, 1996).

### **Official Sources**

As many scholars have found, another frequent and important influence on media content comes from the government. Official sources are often preferred by the media, because they are readily available and they are believed by journalists and editors to include more important information and can save the journalists’ time to do fact-checking (Paletz and Entman, 1981; Gandy, 1982; & Hackett, 1985).

In a pioneering study on the politics of news making in Washington, Sigal (1973) examined the national and international news coverage by the *New York Times* and the *Washington Post* and found that officials of the U.S. government were relied heavily on by journalists in their production of news stories. In this 1973 study, results showed that officials of the U.S. government accounted for “nearly one-half of all the sources cited in the samples of *Times* and *Post* page-one stories” (p. 123-124) and that American official sources were dominant in stories with only one source and among primary sources (Sigal,

1973). Additionally, Sigal (1973) pointed out that officials from the executive branch predominated as news sources while officials from the federal judiciary and the Congress contributed only a small percentage of all sources, nearly all in stories about judicial and legislative proceedings.

As an important official source for the media, U.S. presidents have been found by many scholars to play a significant role in setting the terms of public discourse by influencing the media content (Gannett Center for Media Studies, 1989). After carefully studying the Washington agenda, Kingdon (1995) found that “no other single actor in the political system has quite the ability of the president to set agenda” (p. 23). In a study about presidential agenda-building in respect to the media and Congress, Edwards and Wood (1999) found that under special circumstances presidents can “act in an entrepreneurial fashion” (p. 342) and move issues onto the agenda of other institutions.

### **The PATRIOT Act**

Graham et al. (2003) conducted a content analysis in 2003 on the media’s role in the passage of the USA PATRIOT Act. They studied the themes and timing of the public communications made by President Bush and the Attorney General John Ashcroft that dealt with the anti-terrorism legislation between September 11 and October 25, 2001, and were aimed at making the public believe that the government had an effective strategy for combating terrorism. They also studied articles and editorials in 20 newspapers across the country and television news transcripts from CBS, NBC and CNN during this period. The researchers found that the Bush administration set the media’s agenda and the media coverage of the legislation basically echoed the Bush administration’s communications in themes and timing. They also found that the frequency of Bush administration quotes in

the news coverage of the legislation prior to its introduction into the Congress was much higher than that of the Congress as a source, which showed that the Bush administration dominated the public discourse about the anti-terrorism legislation.

In a similar study about the print media coverage of the passage of the USA PATRIOT Act, Ravimandalam (2004) content analyzed 14 top-circulation U.S. newspapers and three news magazines between September 11, 2001, and October 26, 2001. She studied the use of sources, the most frequently used frames, the aspects of the legislation that were highlighted in the coverage, and editorial treatment of the USA PATRIOT Act. Her findings concurred by and large with Graham et al. and indicated the scant media coverage of the anti-terrorism law before its passage. “The coverage lacked depth and scope, was biased in its sourcing, and failed to inform the public about the content, provisions, and possible consequences of the anti-terrorism legislation” (Ravimandalam, 2004, p. 111).

In her study, Ravimandalam (2004) also found that official sources received preferential treatment in the press. “Government sources were quoted.....more than twice as many times as non-governmental sources,” she wrote (p. 64). Although she noticed that the quotes the legislative branch received outnumbered those of the executive branch, she found that Attorney General John Ashcroft was the single most frequently quoted source. Her study also indicated that government sources were quoted directly more often and were placed in a prominent position more frequently than non-governmental sources throughout the entire period of coverage.

## Framing

The concept of framing has become increasingly popular in understanding mass communication (Norris et al., 2003). A frame is “a central organizing idea for news content that supplies a context and suggests what the issue is through the use of selection, emphasis, exclusion, and elaboration” (Tankard et al., 1991). Nelson et al. (1997) define framing as “the process by which a communication source, such a news organization, defines and constructs a political issue or public controversy” (p. 567).

Communication scholar Entman (1993) believes media frames perform four functions to let readers develop the individual frames that help them understand the world. He writes:

“Frames, then, *define problems*—determine what a causal agent is doing with what costs and benefits, usually measured in terms of common cultural values; *diagnose causes*—identify the forces creating the problem; *make moral judgments*—evaluate causal agents and their effects; and *suggest remedies*—offer and justify treatments for the problems and predict their likely effects.” (Entman, 1993, p. 52)

Norris et al. (2003) contend that frames can serve different functions for different actors: political leaders can prioritize their policies simply and effectively by streamlining and simplifying the message; editors use headlines to cue readers; and readers use frames to understand unfamiliar events and issues.

Norris et al. (2003) insist that the essence of framing is to “prioritize some facts, images, or developments over others, thereby unconsciously promoting one particular interpretation of events” through selecting and packaging news events in a certain way (p. 11). For instance, poverty can be framed in a way that emphasizes social, economic or



political causes or in a way that indicates that the poor themselves are to blame for their disadvantaged status (Iyengar, 1991).

“Frames are sometimes defined by those in power and then picked up and transmitted by the news media” (Severin and Tankard, 2001, p. 278). Research has repeatedly shown that journalists always rely heavily on government sources for quotes, insight, analysis and information. Nelson et al. (1997) argue that this makes media “often serve as conduits for individuals eager to promote a certain perspective to a broader public audience” (p. 568). The scholars further contend that a well-placed quote can “ultimately benefit a particular interest” through the way the issue is constructed (p. 568). However, Nelson et al. note that news organizations also readily construct frames and framing devices on their own “in order to summarize concisely the kernel of a story” (Nelson et al., 1997, p. 568).

McCombs and Shaw (1993) note that the emphasis of news stories on a particular issue and the way the issue is framed in the stories are strongly correlated with the public perception and salience of that issue. Entman (1993) argues that the salience of an issue could be provided even by merely acknowledging the presence of that issue across stories: “even a single unillustrated appearance of a notion in an obscure part of the text can be highly salient, if it comports with the existing schemata in a receiver’s belief systems” (p. 53).

Nelson et al. (1997) contend that frames can influence individual judgments and opinions concerning an issue “by stressing specific elements or features of the broader controversy, reducing a usually complex issue down to one or two central aspects” (p. 568). In their study about the effect of news frames on tolerance for the Ku Klux Klan,

Nelson et al. (1997) found that participants who viewed the story that framed a Klan rally as a free speech issue were more tolerant of the Klan than participants who watched the story that framed the rally as a disruption of public order. They suggest that “frames affect opinions simply by making certain considerations seem more important than others; these considerations, in turn, carry greater weight for the final attitude” (Nelson et al., 1997, p. 569).

Previous studies have shown that when important values, such as civil liberties, are brought into conflict by a public controversy, the general public often shows ambivalent and unstable opinions about it (Alvarez and Brehm, 1995; Chong, 1993; Feldman and Zaller, 1992; & Thompson, Zanna and Griffin, 1995). Chong (1993) conducted a qualitative study about how certain individuals reason about civil liberties. He found that many people can readily switch their positions on issues like wiretapping, search and seizure, and censorship. Nelson et al. (1997) reason that these people are aware of the competing values exposed by such controversies, but have difficulty in asserting firmly which one value or consideration can dominate over another. They assert that “when opinions are ambivalent, the framing of an issue by the mass media or other communication agent may have an uncommon influence on opinion by shaping the values and other considerations individuals draw on when formulating their own views on the subject” (Nelson et al., 1997, p. 570).

In a content analysis study about news stories mentioning the USA PATRIOT Act in *USA Today*, the *Wall Street Journal*, the *New York Times*, the *Los Angeles Times* and the *Washington Post* between September 12 and the end of December 2001, Matthews (2003) found that the number of stories that mentioned the name of the Act was far

greater than the number of stories that gave detailed coverage of the Act. She also found that on average, those stories that mentioned civil liberties tended to refer to the Act more than stories that did not mention civil liberties issues. Here, Matthews (2003) suggested that civil liberties was an issue involved in the PATRIOT Act, but she also noted that civil liberties were not the main frame in media coverage of the USA PATRIOT Act. She indicated that “newspaper coverage of this legislation represents press patterns for policy coverage in the post-9-11 news media environment and sets a precedent for government and media interaction during the ‘War on Terror’” (p. 2).

### **Media-Government Relationship**

Scholars found that in times of crisis, political leaders excel at manipulating the media to evoke feelings of nationalism and patriotism and to justify their curtailing of civil liberties (Chiasson, 1991; Avery and Forsythe, 1979). In their study about the public communications of the Bush administration and news media coverage of the USA PATRIOT Act before it was passed into law, Graham et al. (2003) found that the media coverage of the legislation echoed the Bush administration’s communications in themes and timing and helped create an environment in which the Congress had no choice but to quickly pass the Act, as the researchers noted in the study that “dissent from government was equated with anti-Americanism” (Graham et al., 2003, p. 24).

Why would the media behave like lapdogs? A look into the ideological influences on media content in Shoemaker and Reese’s hierarchical model, in which they gave society’s ideology the most pervasive power over the other four levels of influence, might help explain the media behavior in times of crisis. According to Shoemaker and Reese (1996), ideology is “a symbolic mechanism that serves as a cohesive and integrating

force in society” (p. 221). Samuel Becker (1984) contended that ideology “governs the way we perceive our world and ourselves; it controls what we see as ‘natural’ or ‘obvious’” (p. 69). Stuart Hall (1989) argued that the ideological power of the media lies in their ability to “define” the situation. Shoemaker and Reese (1996) noted that “one of the key functions performed by media is to maintain boundaries in a culture. To integrate societal interests, some views and values must be defined as within the bounds of acceptability, whereas others are read out of legitimacy” (p. 225).

In his 1986 book *The “Uncensored War,”* media scholar Daniel Hallin introduced a useful model to understand how the news media maintained ideological boundaries. He divided journalistic content and issues into three regions: the sphere of consensus, the sphere of legitimate controversy and the sphere of deviance. At the core is the *sphere of consensus*, where the journalists and the majority of the society share the consensus values of some social objects: “Within this region journalists do not feel compelled either to present opposing views or to remain disinterested observers. On the contrary, the journalist’s role is to serve as an advocate or celebrant of consensus values” (p. 116-117). In the middle of the region is the *sphere of legitimate controversy* where objectivity and balance are treated as the supreme journalistic virtues: “This is the region of electoral contests and legislative debates, of issues recognized as such by the major established actors of the American political process” (p. 116). The decision-making process in the bureaucracies of the executive branch and the debates between and within the Democratic and Republican parties define the boundaries of the sphere of legitimate controversy (p. 116). Beyond the sphere of legitimate controversy is the *sphere of deviance*, the realm of people and ideas regarded by journalists and the political mainstream of the society as

unworthy of being heard. In this sphere, Hallin argued that journalism abandons neutrality again: “It plays the role of exposing, condemning, or excluding from the public agenda those who violate or challenge the political consensus. It marks out and defends the limits of acceptable political conflict” (p. 117).

However, Hallin also noted that the boundaries between them are often not clear-cut and that internal gradations can be observed in each sphere. He pointed out that “which of these various models of journalism prevails depends on the political climate in the country as a whole” (p. 118). In times of crisis, when national interests or national security are threatened, the news media frequently subordinate themselves to the government and closely follow the government’s policy (Chiasson, 1991; Brookes, 1999). In a climate of national security crisis, the media are sometimes coerced to impose self-censorship and keep in line with the wishes of public officials, out of fear that “criticism of government policy is castigated as unpatriotic, flirting with treason” (Graber, 2003, p. 28).

Scholars also observed that although the domestic media always tended to rally around the flag in times of crises, this support could only last for some time before stories appeared questioning the government’s policy (Vickers, 2000, p. 59; Chiasson, 1991). Chiasson (1991) compared the editorial positions on internment camps of 27 West Coast newspapers in the six months following the Pearl Harbor attack with the editorial positions of the same 27 newspapers across a 45-day span between the two weeks immediately before and the four weeks immediately after the announcement of the closure of the camps where Japanese were interned. He found that in the first period many newspapers blindly followed the government policy without doing any evaluation,

but when the crises were perceived to have abated, the news media began to display far more breadth in commentary and stance, with some of them questioning the government actions in hindsight.

Patriotism and nationalism prevailed in the United States right after the September 11 attacks, which might explain why such complicated and controversial legislation like the USA PATRIOT Act would be almost ignored in the press coverage, or when it was reported in the media, why the themes of the Bush administration would dominate the news stories. Four years later, when the initial fear has gradually faded away and the Congress has started to heatedly debate the renewal of those contentious provisions in the USA PATRIOT Act, this study poses the following questions about the media coverage of the reauthorization of the legislation based on previous study of the media coverage of the initial version:

1. In news articles, what sources did the media choose to include in the coverage of the reauthorization?
2. Which aspects of the Act were discussed in the print media and what topics did the media stress?
3. How was the USA PATRIOT Act framed in the media coverage of the reauthorization?
4. What was the editorial treatment of the USA PATRIOT Act?

## CHAPTER 3

### RESEARCH METHODS

Recent studies conducted by opinion research groups like the Pew Research Center for the People and the Press (2004) show that while television is still the major source where Americans go for news, the percentage of Americans who read newspapers has remained relatively stable in recent years. The survival of newspapers might suggest that the print media can still fulfill the public need for information in ways that other media cannot. For example, the need for pictures would limit stories that can be aired in a television news program. Furthermore, most television news stories have an active and conversational style in order to cater to the shorter attention span of viewers, which makes it more difficult for television news to provide an in-depth and detailed discussion about the USA PATRIOT Act due to the complexity of the legislative procedure and language.

Therefore, this study chose to examine print news media coverage of the reauthorization of the USA PATRIOT Act, and was intended to determine the following basic attributes of the coverage: the use of sources, aspects of the legislation discussed in the coverage, how the PATRIOT Act was framed in the coverage, and editorial treatment of the Act. Since the study focused on exploring the intensity of media coverage of this Act, only articles that covered aspects of or issues involved in the Act were selected. And the unit of analysis for this study was an article.

The *New York Times*, the *Washington Post*, and the *Christian Science Monitor* were singled out for examination. There are several reasons for this selection. First, all

three are top quality elite newspapers of the United States that are widely read across the country and have been continuously identified as among the world's global-elite dailies by John Merrill based on his surveying the opinions of leaders in many fields across the world (Merrill, 1968; Merrill and Fisher, 1980; & Merrill, 1999). Although *USA Today* can be chosen as a representative of the national daily newspapers in the United States, it is generally considered to appeal to a more popular audience (Vincent, et al., 2002), and thus lacks the elite quality of the *Christian Science Monitor*.

Second, all three papers are world-renowned for offering serious, responsible and in-depth content, and keep a close eye on developments in Washington, D.C. The *New York Times* is famous for its thoroughness in covering Washington politics and national issues. "For an important event, its accurate and comprehensive coverage may extend to several pages, include all the main texts and offer numerous sidebar stories" (Merrill and Fisher, 1980, p. 222). As an arch-rival of the *New York Times*, the *Washington Post* dedicates itself to "the people's right to know the truth," insists on editorial excellence and has an "appeal to the nation's decision-makers" (Merrill and Fisher, 1980, p. 342). Taking advantage of its proximity to national decision-making, it keeps "a watchful eye on all aspects of federal government" (Merrill and Fisher, 1980, p. 350). Despite its religious roots, the *Christian Science Monitor* is "designed to appeal to the literate, concerned and moral citizen" and is "more interested in presenting in depth a selection of the significant news which shape its readers' lives" (Merrill and Fisher, 1980, p. 96). Politically independent, the *Monitor* also pays great attention to developments in Washington, D.C., but only selects and details stories that are of "special relevance and import to its readers" (Merrill and Fisher, 1980, p. 99).



Third, all three newspapers have often acted as a powerful “agenda-setter” for other daily newspapers and media in reporting domestic politics and social issues. For example, the secret domestic eavesdropping program authorized by President Bush was first disclosed by the *New York Times* on December 15, 2005, and then the story was picked up by other media somewhat later. In a study about media coverage of cocaine in 1986, Reese and Danielian (1989) also found that the *New York Times* set the agenda in covering the cocaine issue in early 1986 for other newspapers. An overwhelming majority of the government officials in Washington, including virtually all U.S. senators and congressmen, are the reader clientele of the *Washington Post* (Merrill and Fisher, 1980). The *Post* also does not fail the claim of being the “nation’s journalistic trend-setter” (Merrill and Fisher, 1980, p. 352) as evidenced by its crusading reporting in revealing the Watergate scandal and the recent disclosure of the existence of secret CIA prisons in Eastern Europe. The *Christian Science Monitor* also “holds disproportionate influence in high places of the government,” (Merrill and Fisher, 1980, p. 102) and extends its high quality influence to other newspapers and news services by providing two syndication services worldwide.

The chosen period for this study is from December 1, 2005, one month before those 16 provisions were originally set to expire on December 31, 2005, to March 10, 2006, the day after the renewal of the USA PATRIOT Act was signed into law by President Bush. The author reasoned that since the Act was originally slated to expire on December 31, 2005, the media would keep a close eye on the result of the congressional debate about the reauthorization and a higher volume of stories about this legislation was expected during the one month period. However, due to the differences in the House and

Senate versions of the bill, the Congress had to approve two five-week extensions to allow further negotiations, which made the law expire on March 10, 2006. This also meant the author had to extend the period for this study. Eventually, Congress passed the legislation and President Bush signed the renewal of the USA PATRIOT Act on March 9, 2006. The author chose to include coverage on March 10, because the publications under review are newspapers, which usually publish stories about events happening the previous day.

### **Data Collection**

The Lexis/Nexis Academic database was the main source of sample data collection in previous studies (Matthew, 2003; Graham et al., 2003; & Ravimandalam, 2004) about the media coverage of the USA PATRIOT Act. The previous research used a variety of search terms to avoid accidental exclusion as a number of references to the legislation had been used by the media before the USA PATRIOT Act was passed into law on October 26, 2001. For example, such search terms as “anti-terrorism legislation,” “terrorism bill,” “proposed legislation,” “terrorist statute,” “the bill,” “the act,” and “terrorism regulations” were used in Matthew’s (2003) study. Graham et al. (2003) used the search string of “terror,” “anti-terror,” or “Ashcroft” and “legislation,” “law,” or “bill.” Ravimandalam’s (2004) search keywords include “Patriot Act,” “USA PATRIOT Act,” “Terrorism,” “National Security,” “Federal legislation,” “Law enforcement,” “Ashcroft,” “Surveillance,” “Privacy,” “Civil Rights,” and “Immigration.” Moro (2005) used search phrases like “Patriot Act AND Editorial,” “U.S.A. Patriot Act,” and “civil liberties AND Patriot Act” to collect data for his study.

The author acknowledges that the previous researchers were very creative in developing keyword and phrase searches for their study. However, since the USA PATRIOT Act was signed into law on October 26, 2001, the term “Patriot Act” or “the USA PATRIOT Act” was thereafter always used when it was discussed in the media. On the assumption that if a story detailed the 2001 anti-terrorism legislation, it should mention the term “Patriot Act” or “USA PATRIOT Act” at least once in the report, the author decided to use only “patriot act” as the search keyword.

Full text searches of Lexis/Nexis Academic with a search term of “patriot act” found 108 stories in the *New York Times*, 117 stories in the *Washington Post*, and 25 stories in the *Christian Science Monitor*. After the initial screening, duplicates were removed, and stories that only briefly mentioned the name of the USA PATRIOT Act without discussing provisions of it or issues involved in it were treated as accidental references and were thus eliminated from sample data. As a result, 62 of the *New York Times* stories, 60 in the *Washington Post*, and 15 in the *Christian Science Monitor* (totaling 137) were coded.

### **Coding Categories and Definitions**

Ravimandalam (2004) studied the sources and angles of the 2001 media coverage of the passage of the USA PATRIOT Act. Based on her study, 11 categories were created for this study: date, publication, headline, page, article type, news article author, news article sources, angles, editorial tone and frame phrase. Through an examination of the above characteristics of each article about the reauthorization of the USA PATRIOT Act, the study intended to examine sourcing and framing of the print media’s reporting of the renewal of the legislation.

The number of sources in news articles from the three branches of the government, the number of nongovernmental sources, and the number of non-specific sources were tallied and compared. For example, “Senate Democrats” and “Rosalynn Mauskopf, the US attorney for the Eastern District of New York” would fall under the category of government sources, while “ACLU” and “American Library Association” would be coded as nongovernmental sources. Non-specific sources were defined as those “unidentified and generic sources” (Ravimandalam, 2004, p. 47). For instance, “critics” or “proponents” might fall under the category of non-specific sources if readers could not tell from the context of the story whether they were from the U.S. government or from nongovernmental sources, or they might include people from both groups.

One good way to perceive the depth and range of the media coverage of the reauthorization of the USA PATRIOT Act is to investigate the various issues and aspects of the Act discussed in the media. Ravimandalam (2004) grouped the angles of the 2001 media coverage of the Act into six categories: “counterterrorism,” “government powers,” “civil liberties,” “privacy,” “non-citizen issues,” and “other.” She also defined some specific angles under the categories of “civil liberties,” and “privacy.”

Based on Ravimandalam’s study, the author created six categories, and also defined some slightly different subcategories for specific angles under some of these main categories, as new issues and problems arose in the process of applying the 2001 anti-terrorism law and the House and Senate both took advantage of the renewal of the USA PATRIOT Act to carry other law enforcement measures. Each angle was counted only once for every article in which it occurred, no matter how many times it was mentioned in the article. The main categories were coded to include both general

reference and specific reference to any of the subcategories under the main categories.

For example, if “lone wolf” was mentioned in one article, it would be counted both under “Counterterrorism” and “Lone Wolf Provision”. Below is the list of categories and subcategories:

1. **Counterterrorism:** all references to the tools the government has been equipped with to fight terrorism and efforts the government has made in the war on terror under the law, changes in the Foreign Intelligence Surveillance Act, reference to the law as anti-terrorism legislation, and reference to national security when talking about the legislation.
  - (i) *Lone Wolf Provision:* a terrorist suspect not connected to a foreign power or agent.
  - (ii) *National Security Funds:* reference to the allocation of emergency funds to all the states under the PATRIOT Act.
2. **Government Powers:** no specific references to the aspects of government powers that have been enhanced by the law or upon which new restrictions would be put by the Congress, and general reference to the lowering of the standards for judicial review.
  - (i) *Information-sharing Powers:* the exchange of information between law enforcement and intelligence agencies.
  - (ii) *National Security Letters:* issuance of national security letters by the FBI to obtain records, and the repercussions the national security letters have on US citizens.
  - (iii) *Administrative Subpoenas:* the effort made by the federal government to be granted subpoena powers without having to get court approval first.

3. **Civil Liberties Concerns:** general reference to the fundamental rights the citizens enjoy under the Constitution, like civil liberties and freedoms.
  - (i) *First Amendment:* demonstrations at major events like political conventions and the Olympics (right to protest), freedom of speech, and “gag orders” (public and private entities must turn over records and other private data on Americans, but have to remain silent about it)
  - (ii) *Due Process:* recipients of subpoenas to challenge them in court, recipients of national security letters to consult an attorney, and delayed notification of targeted subjects of the “sneak and peak” provision.
  - (iii) *Search and Seizure:* the ability of federal agents to secretly search the offices or homes of suspected terrorists, reference to the “sneak and peak” provision, a mention of the Fourth Amendment, and the issuance of search warrants.
4. **Privacy Concerns:** all references to privacy concerns like privacy rights and invasion of privacy.
  - (i) *Business Records Provision:* customer records from telephone companies and Internet service providers, FBI access to business records like bank records, library records, medical records and purchasing habits.
  - (ii) *Roving Wiretaps Provision:* roving wiretaps provision, to tap telephone, pen registers, and trap and trace devices.
5. **Immigration Issues:** the trial of immigrants in terrorism cases, immigration violations, the issuance of visas, and other non-citizen issues involved in the law.
6. **Miscellaneous:** all add-ons not in the original law, but introduced in the renewal of the USA PATRIOT Act, and other issues involved in the law.

(i) *Add-ons: methamphetamine, death penalty, port security, presidential succession, ATF (Alcohol, Tobacco, Firearms and Explosives), secret service expansion, terrorist financing*

(ii) *Other: issues not covered by the above categories*

Furthermore, the study examined the frame phrase the three newspapers used in their coverage of the reauthorization to cue their readers, that is, the newspapers' brief explanation of the PATRIOT Act, so that their readers could get an idea about what the law is, besides mentions of various issues or aspects of the legislation in their report. For example, the following frame phrases were used in the *New York Times* articles: "the anti-terrorism law known as the USA PATRIOT Act," (Lichtblau, 2005, p. A20) and "Passed after the Sept. 11, 2001, the Patriot Act greatly expanded the authority to investigate terror suspects." (Stolberg, 2006, p. A20).

For a separate question, the tone and angles of the editorial and Op-Ed pieces were recorded to study the editorial treatment of the USA PATRIOT Act.

### **Inter-coder Reliability**

The author randomly selected 10% (14 articles) of all the stories collected from the *New York Times*, the *Washington Post*, and the *Christian Science Monitor* to test percentage congruence among three coders. The author and two American graduate students from a Mid-western university coded the sample data. Since disagreement over variables like date, name of newspaper, headline, page, article type, news article author rarely occurred, they were excluded from the check of inter-coder reliability. The inter-coder reliability for sources, angles, editorial treatment and frame phrase was 95.8%,

91.3%, 83.4% and 88.1%, respectively, and the overall level of percentage agreement among three coders was 89.7%



## CHAPTER 4

### RESULTS AND DISCUSSION

A total of 137 articles from three U.S. elite newspapers between December 1, 2005, and March 10, 2006, were analyzed. The *New York Times* produced 62 (45.3%) articles on the topic of the USA PATRIOT Act, the *Washington Post* published 60 (43.8%) stories, and the *Christian Science Monitor* only 15 stories.

Of the 137 stories, news articles (including news stories with feature elements) made up 70.8% (97), of which the *Times* published 42 stories, the *Post* 42, and the *Monitor* 13. Editorials made up 8.8% (12), Op-Ed pieces constituted 6.6% (9), and newspaper staff columnists contributed 4 (2.9%) stories on the topic of the USA PATRIOT Act. There was also one photo story on the renewal of the legislation, and 14 (10.2%) articles fell under the category of “other article”. Of the 97 news articles, 92.8% (90) were written by the newspapers’ own staff writers; and the remaining seven (7.2%) articles were attributed to wire services.

“The placement of a story on page 1 [conveys] judgments about its news values” (Cooper-Chen, 2001, p. 9). Table 1 shows that the three U.S. elite newspapers published 35 (25.5% of all articles collected from the three newspapers) front-page stories that covered aspects of, or issues involved in, the PATRIOT Act, of which the *Times* contributed 17 stories, the *Post* 11, and the *Monitor* 7. Although the PATRIOT Act might not be the only topic in the front page articles collected for this study, the statistics did demonstrate that all three newspapers were congruent, to some extent, about the newsworthiness of the reauthorization of the 2001 anti-terrorism law.

**Table 1: Front page and inside page stories about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006**

	Front Page	Inside Page	Total
The New York Times	17(27.4%)	45(72.6%)	62(100%)
The Washington Post	11(18.3%)	49(81.7%)	60(100%)
The Christian Science Monitor	7(46.7%)	8(53.3%)	15(100%)
Total	35(25.5%)	102(74.5%)	137(100%)

**RQ 1: In news articles, what sources did the media choose to include in the coverage of the reauthorization of the USA PATRIOT Act?**

A total of 97 news articles from the *New York Times*, the *Washington Post* and the *Christian Science Monitor* were studied to see whether any sources received preferential treatment in the press coverage of the reauthorization of the USA PATRIOT Act.

Table 2 shows that government sources are the most important sources of information on the topic of the USA PATRIOT Act and that the number of articles that cited government sources is more than twice as many as that of articles that used non-governmental sources. Of the 97 stories, 74 (76.3%) articles cited government sources; 32 (33%) articles used non-governmental sources; and 20 (20.6%) stories cited non-specific sources.

**Table 2: Sources in news articles about the reauthorization of the USA PATRIOT Act in three U.S. newspapers, December 1, 2005—March 10, 2006**

	No. of Total Sources*
<b>Government Sources</b>	<b>74 (76.3%)</b>
<b>Executive Branch</b>	<b>55 (56.7%)</b>
--President Bush	31 (32%)
<b>Legislative Branch</b>	<b>53 (54.6%)</b>
--Sen. John Sununu (R)	11 (11.3%)
--Sen. Arlen Specter (R)	16 (16.5%)
--Sen. Bill Frist (R)	14 (14.4%)
--Sen. Russell Feingold (D)	11 (11.3%)
<b>Judicial Branch</b>	<b>5 (5.2%)</b>
<b>Non-Governmental Sources</b>	<b>32 (33%)</b>
--American Civil Liberties Union	4 (4.1%)
--Individuals	16 (16.5%)
<b>Non-Specific Sources</b>	<b>20 (20.6%)</b>
<b>Grand Total</b>	<b>126(129.9%)#</b>

\* The count was based on the number of stories that used each type of source, not on the number of times each type of source was used in each article. For example, if sources from the executive and legislative branches were both used in one article, the article was regarded as including **government source** and the count was **one**.

\* Also, as sources from all three branches of government could be cited in one article, the number of sources from three branches added together ( $55 + 53 + 5 = 113$ ) is larger than the number of government sources (74).

\* Percentage for each category in the table is based on total number of news articles ( $N=97$ ). For example, “executive branch” =  $55/97$  (56.7%), “President Bush” =  $31/97$  (32%).

# Many articles include more than one type of source, so the grand total is bigger than 100%.

Government sources subsume sources from all three branches of government.

Although the reauthorization of the USA PATRIOT Act was mainly associated with legislative proceedings and congressional debate, the number of articles that quoted

sources from the executive branch outnumbered the articles that used sources from the legislative branch. When the aspects of the PATRIOT Act were discussed, 55 articles quoted sources from the executive branch, while the Congress was used as a source in 53 articles.

President Bush predominated as a news source in the media coverage of the renewal of the anti-terrorism law. He was quoted in 31 stories, the single most frequently quoted of all sources in terms of the number of articles that various sources appeared in. However, Attorney General Alberto Gonzales was cited in only two articles as Table 3 shows. In her study about the passage of the original law, Ravimandalam (2004) found that former Attorney General John Ashcroft was the dominant source in 354 newspaper and news magazine articles. This might not be a surprising result in light of the fact that John Ashcroft presented to the Congress the blueprint of the USA PATRIOT Act and played a pivotal role in pushing for the swift passage of the original law.

**Table 3: Executive sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97)**

Sources	NYT	WP	Monitor	Total
President Bush	13	14	4	<b>31</b>
Other Govt. Source	11	6	2	<b>19</b>
Govt. Agency	8	3	1	<b>12</b>
White House Spokesperson	1	3	0	<b>4</b>
Justice Dept. Spokesperson	1	3	0	<b>4</b>
Alberto Gonzales	1	1	0	<b>2</b>
Dick Cheney	0	1	0	<b>1</b>
Cheney Spokesperson	0	1	0	<b>1</b>

The data also show that in the process of reauthorizing the PATRIOT Act, several congressmen seemed to have received more media attention due to the positions they held in the Congress and/or the stance they had towards the 2001 anti-terrorism law (see Table 2). Arlen Specter of Pennsylvania (R), chairman of the Senate Judiciary Committee, who was responsible for shepherding the House-Senate conference measure through the Senate, was quoted in 16 (16.5%) articles; 14 (14.4%) stories cited Bill Frist (R), the Senate majority leader who initially opposed a short-term extension of the USA PATRIOT Act. Senator Frist also played a crucial role in the debate about the renewal of the law. Senator John E. Sununu of New Hampshire (R), one of four GOP Senators (the other three: Larry Craig of Idaho, Lisa Murkowski of Alaska, and Chuck Hagel of Nebraska), who joined the Democrats in blocking the House-passed version of the bill for

further negotiations, was cited in 11 (11.3%) articles. Eleven (11.3%) stories quoted Senator Russell Feingold, a Democrat who cast the lone dissenting vote on the passage of the original law and led the filibuster in the Senate against the reauthorization of those 16 expiring provisions.

Table 4 gives a detailed description of the legislative sources quoted in the three newspapers. For example, Harry Reid, the Senate Democratic leader who declared at a rally that the Democrats had “killed the Patriot Act” after a successful bipartisan filibuster against the renewal, was quoted in six news articles. Representative F. James Sensenbrenner (R), chairman of the House Judiciary Committee and a staunch supporter of Bush policies, was also used as a source in six articles. Besides those specific senators or representatives, other Democratic and Republican congressmen were quoted in 29 and 23 articles, respectively. Examples include Republican Senator Jon Kyl, House Speaker J. Dennis Hastert (R), Democratic Senator Edward M. Kennedy, and generic terms like “Democrats” and “Republicans”. Also, 25 articles included legislative sources for which no sufficient information was provided to allow specification. Examples include “lawmakers”, “legislators”, “several senators”, the letter signed by four Republican and some Democratic Senators, and so on.

**Table 4: Legislative sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97)**

Sources	NYT	WP	Monitor	Total
Other Democratic Congressmen	12	15	2	<b>29</b>
Other Legislative Sources	10	13	2	<b>25</b>
Other Republican Congressmen	12	10	1	<b>23</b>
Sen. Arlen Specter (R)	6	8	2	<b>16</b>
Sen. Bill Frist (R)	7	6	1	<b>14</b>
Sen. John Sununu (R)	3	7	1	<b>11</b>
Sen. Russell Feingold (D)	5	4	2	<b>11</b>
Sen. Patrick J. Leahy (D)	5	4	0	<b>9</b>
Rep. F. James Sensenbrenner (R)	2	4	0	<b>6</b>
Sen. Richard Durbin (D)	1	2	3	<b>6</b>
Sen. Harry M. Reid (D)	2	4	0	<b>6</b>
Sen. Larry Craig (R)	3	2	0	<b>5</b>
Sen. Lisa Murkowski (R)	2	1	0	<b>3</b>
Sen. Chuck Hagel (R)	2	1	0	<b>3</b>
Republican Legislative Spokesperson	0	3	0	<b>3</b>
Democratic Legislative Spokesperson	0	1	0	<b>1</b>

Table 2 also shows that the judicial branch only contributed about 5.2% of all news stories. In other words, only five news articles used sources from the federal judiciary. Table 5 gives details of the use of judicial sources in the 97 news articles.

**Table 5: Judicial sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97)**

Sources	NYT	WP	Monitor	<b>Total</b>
Individual Judicial Sources	2	2	1	<b>5</b>
Federal/State Court	1	0	0	<b>1</b>
Other Judicial Sources	0	0	0	<b>0</b>

Table 2 shows that non-governmental sources were quoted in 32 (33%) articles. Of these 32 stories, the American Civil Liberties Union (ACLU), a leading advocate of civil liberties that had pushed hard for the reform of the USA PATRIOT Act, was able to transmit its viewpoints through the media in only four articles. In contrast, the ACLU was the most frequently quoted non-governmental source in Ravimandalam's (2004) study.

Table 6 shows that other civil libertarian groups were cited in seven articles of all three newspapers; two conservative think tank groups, the Center for Strategic and International Studies and Brookings Institution, were cited in the *Christian Science Monitor*; and 16 stories included non-affiliated individual sources.



**Table 6: Non-governmental sources in news articles about the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=97)**

Sources	NYT	WP	Monitor	Total
Individuals (suspect, lawyer, etc.)	10	4	2	<b>16</b>
Other Non-governmental Sources	4	5	1	<b>10</b>
Other Civil Libertarian Group(s)	1	4	2	<b>7</b>
American Civil Liberties Union	2	2	0	<b>4</b>
Conservative Think Tank	0	0	2	<b>2</b>
American Booksellers Association	1	0	0	<b>1</b>
Association of American Publishers	1	0	0	<b>1</b>
PEN American Center	1	0	0	<b>1</b>
Corporations/Businesses	1	0	0	<b>1</b>
American Library Association	0	0	0	<b>0</b>
Campaign for Reader Privacy	0	0	0	<b>0</b>

The use of non-governmental sources is a surprising result, since so many groups have issued press releases or published books to discuss the pros and cons of the USA PATRIOT Act. They are readily available as potential sources, but they were almost ignored in the press coverage of the law's renewal.

#### **Sources: Implications of Findings**

In an effort to discover the diversity of news sources and newsgathering channels, Sigal (1973) conducted a content analysis of the front page stories in the *New York Times*

and the *Washington Post* over a 20-year span. He found that the majority of news stories came from routine channels like official proceedings, press releases, and press conferences. He also found that government officials were the most important sources of information in both newspapers. Furthermore, he noted that officials in the Executive Branch “predominate as news sources” while the Congress and the federal judiciary contributed only a small percentage of information (Sigal, 1973, p. 124).

In a follow-up study, Brown et al. (1987) content analyzed the front page news stories during 1979 and 1980 in the *New York Times*, the *Washington Post* and four local newspapers in North Carolina. The researchers had findings similar to those of Sigal. Front page news stories in both the elite and local press relied heavily on routine channels, such as press releases and press conferences, and a disproportionate share of news was from government sources who were primarily male executives.

The media’s heavy reliance on the official sources was also reflected in a recent study conducted by Ravimandalam (2004) on the U.S. newspaper and newsmagazine coverage of the passage of the USA PATRIOT Act in 2001. She found that “government sources were used more frequently, placed more prominently, and quoted directly more often than non-government sources” (Ravimandalam, 2004, p. 78). She asserted that government sources received preferential treatment in the press coverage of the legislation.

Clearly, the results of this study mirrored the findings of previous studies, showing that government sources, especially the U.S. president, received heavy representation in news articles about the renewal of the USA PATRIOT Act and that the press did not do its job of including a variety of sources and viewpoints. The findings,

which parallel those of Sigal (1973), Brown et al. (1987), and Ravimandalam (2004), suggested that little has changed in the selection and use of news sources in the past decades, despite substantial political, organizational, commercial, and technological changes in the media industry.

Why are official sources preferred by the media in the reporting of the reauthorization of the USA PATRIOT Act? One explanation might be that they fit journalistic routines (Shoemaker and Reese, 1996); they are readily available and they are more likely to meet the standards of reliability, authoritativeness and trustworthiness. As Gandy (1982) pointed out, journalists favor official sources, because they can “provide a regular, credible and ultimately usable flow of information, insight and imagery with which to construct the news” (p. 13). Herman and Chomsky (1988) noted that government sources could make the media appear objective and reliable and save the journalists’ time and expense to do research and fact-checking.

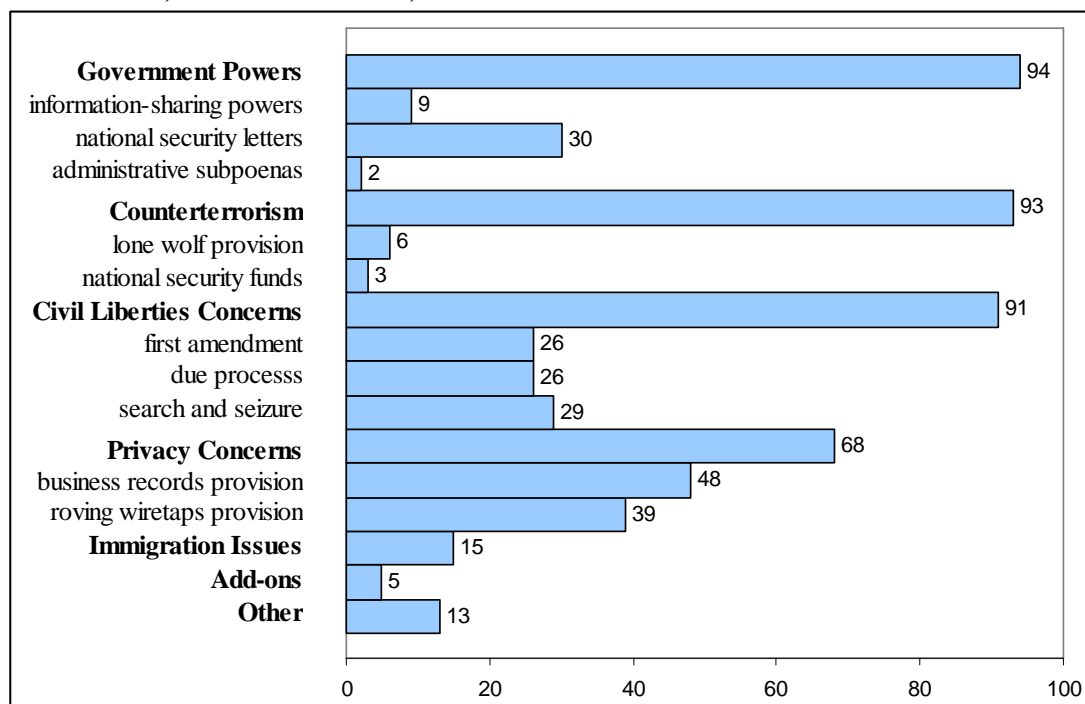
Another explanation for the news media’s heavy reliance on government sources might be due to the nature of the topic. The renewal of the USA PATRIOT Act was mainly about legislative proceedings, which made reporters more likely to turn to routine channels like legislative hearings and press conferences to gather information rather than do more enterprise reporting. In his 1973 study, Sigal found that U.S. officials were the sources of information 10 times more frequently than non-governmental sources in routine channels of newsgathering. Shoemaker and Reese (1996) also pointed out that in stories about issues like legislation, official sources could dominate news coverage because they had a vested interest in the debate’s outcome.

Additionally, one noteworthy thing is that non-specific or veiled sources were used in more than one fifth of stories in the media coverage of the reauthorization of the PATRIOT Act. Brown et al. (1987) argued that in a pluralistic society, the media should ideally be expected to identify news sources. Lemert (1981) also suggested that the identification of news sources could let readers know who specifically agrees or disagrees with them on any given issue. However, the veiling of news sources in many stories about the renewal of the 2001 anti-terrorism legislation made the viewpoints of many groups invisible to the public.

**RQ2: Which aspects of the Act were discussed in the print media and what topics did the media stress?**

The study examined the various aspects and issues of the USA PATRIOT Act discussed in the elite newspapers by developing six main categories: counterterrorism, government powers, civil liberties concerns, privacy concerns, immigration issues and add-ons. Figure 1 shows that of the 137 articles, government powers were discussed in 94 (68.6%) stories, counterterrorism 93 (67.9%), civil liberties concerns 91 (66.4%), privacy concerns 68 (49.6%), immigration issues 15 (10.9%), add-ons 5 (3.6%) and other issues 13 (9.5%). The references to some specific issues under the main categories also caught adequate media attention. For example, the business records provision was covered in 48 (35%) stories; roving wiretaps, 39 (28.5%); national security letters, 30 (21.9%), and search and seizure, 29 (21.2%).

**Figure 1: Aspects of the USA PATRIOT Act covered in three U.S. newspapers, December 1, 2005—March 10, 2006**



\*The main categories were coded to include both general reference and specific reference to any of the subcategories under the main categories. For example, if “national security letters” was mentioned in one article, it was counted both under the main category “Government Powers” and the subcategory “national security letters”. So the count of main categories is larger than each subcategory under them.

### Topics: Implications

The angle of **government powers** was discussed in 94 (68.6%) stories, the single most frequently discussed aspect of the USA PATRIOT Act. Congressional debate about the reauthorization of the 2001 anti-terrorism legislation centered by and large on the balance between national security and civil liberties. The Bush administration has been using national security and counterterrorism to justify the expansion of government powers. However, more government powers always mean the curtailment of civil liberties. So when some congressmen called for more safeguards to be built into the bill,

they would definitely raise concerns about sweeping government powers, which might also contribute the bulk of information on government powers. For example, the four Republican Senators' concerns were quoted in a *Washington Post* article as follows: "They say the bill is slanted too heavily in the government's favor when it comes to letting targeted people challenge national security letters and special subpoenas that give the FBI substantial latitude in deciding what records should be surrendered" (Babington, 2005, p. A04).

In regard to the subcategories under government powers, information-sharing powers were reported in 6.6% of stories. In most cases, this specific reference was raised by supporters of the PATRIOT Act to justify the importance of granting the federal government broad powers. For example, in an Op-Ed piece in the *Washington Post*, Attorney General Alberto Gonzales wrote that, "a lack of information-sharing and coordination in our government before the attacks of Sept. 11 compromised our ability to connect the dots about what our enemies were doing" (Gonzales, 2005, p. A29).

Another subcategory, national security letters, was covered in 21.9% of stories. National security letters are a form of administrative subpoena that allows the FBI to order private and public entities to turn over business records without court approval; the recipients of the letters must remain silent about the FBI requests. Media reports disclosed that since the law was enacted in 2001, the FBI had issued as many as 30,000 national security letters. Many people, including lawmakers, raised civil liberties concerns about the national security letters and eventually wrote changes to such letters into the law.

When the Bush administration campaigned for the permanent renewal of the PATRIOT Act, it also pushed for additional powers. One of its initiatives was to grant the FBI the power to issue administrative subpoenas. However, this subcategory was mentioned in only two articles.

Graham et al. (2003) and Ravimandalam (2004) found that **counterterrorism** was the theme that was most frequently discussed in the media coverage of the original law in 2001. Not surprisingly, the theme was still stressed by the media in their coverage of the reauthorization, although more than four years had passed since the horrific 9/11 terrorist attacks and the initial panic had gradually faded away. The result might have a lot to do with the fact that President Bush was the single most frequent source in the print media coverage of the renewal of the 2001 anti-terrorism law. Counterterrorism was the core argument articulated by the Bush administration to justify and push for the permanent renewal of the law, so the theme had been addressed on different occasions by President Bush. For example, in a December 22, 2005, article, the *New York Times* quoted President Bush as saying, “The terrorists still want to hit us again. There is an enemy that lurks, a dangerous group of people that want to do harm to the American people, and we must have the tools necessary to protect the American people” (Stolberg, 2005, p. A30). In a national radio address to defend the secret domestic spying order he had signed, President Bush was quoted in a *Washington Post* story as saying, “The terrorist threat to our country will not expire in two weeks,” referring to the deadline when key provisions of the PATRIOT Act would expire (Baker, 2005, p. A01).

However, the two subcategories under counterterrorism were only briefly mentioned in the three newspapers. The lone wolf provision was covered in 4.4% of

stories and national security funds in only 2.2% of articles. The reason might be that the two provisions have little to do with civil liberties or privacy concerns, thus being regarded as less controversial by the media.

The balance between **civil liberties concerns** and government powers in time of war and in time of peace has been a recurring theme of human history. They are like the two sides of the same coin. This also seems to be true with the civil liberties issues involved in the PATRIOT Act in the congressional debate about how many government powers and how many safeguards should be written into the 2001 anti-terrorism law. The data show that civil liberties concern was reported in 66.4% of stories, receiving roughly the same amount of media attention, compared to 68.6% of articles discussing government powers.

Specific civil liberties issues received roughly the same amount of media coverage: the First Amendment 19%, due process 19%, and search and seizure 21.2%. The First Amendment issues in the media coverage were mainly about the concerns raised by activist groups that the law could be used by the government against activists in the name of counterterrorism, and also the “gag orders” accompanying the FBI subpoenas that require the recipients to remain silent about those requests. For due process, the media reports were mainly about adding more safeguards to let recipients of subpoenas and national security letters consult an attorney and challenge them in court and let the targets of “sneak and peak” provision be notified within certain time limits; the original law did not set time limits for notification. Although no expiration date was placed on the “sneak and peak” provision, there has been a lot of talk given to it, as Figure 1 shows. The “sneak and peak” provision grants the FBI the power to secretly



search homes and offices of terrorism suspects without letting them know until later.

Many critics of the PATRIOT Act and lawmakers considered it a grievous assault on the Fourth Amendment in which the knock-and-announce principle was codified.

**Privacy concerns** were discussed in 49.6% of stories. This result may be due to the fact that its subcategories, business records and roving wiretaps, were the two most contentious provisions. The business records (some also refer to it as library records) provision and roving wiretaps provision were reported in 35% and 28.5% of stories, respectively. However, the media coverage of these two provisions was mainly about the House and Senate fight over a four-year sunset or a seven-year sunset without going into why people should raise concerns about them.

**Immigration issues** were sparsely addressed in the three newspapers. They only appeared in 15 (10.9%) articles; most of them were about the trial of former Florida professor Sami al-Arian, who was accused of providing money, strategy and advice to a Palestinian group on killing Israelis through suicide bombings.

The **add-ons**, measures enacted by congressmen under the PATRIOT Act that have little to do with counterterrorism, were covered in 5 (3.6%) articles. **Other aspects** of the law discussed in the media constituted 9.5%.

### **RQ3: How was the USA PATRIOT Act framed in the media coverage of the reauthorization?**

When reading the media coverage of the reauthorization of the USA PATRIOT Act, the author noticed an interesting phenomenon: the media have increasingly used some standardized frame phrases to cue their readers about what the law is. For example, “antiterror USA Patriot Act” was used in some *Christian Science Monitor* articles, and

the PATRIOT Act was referred to as a “domestic surveillance law” in some *Washington Post* articles. The author created four frame phrases—anti-terrorism law, the law that grants the federal government sweeping powers, domestic surveillance law, and other—to find out the frequency each frame phrase was used in three elite newspapers.

Table 7 shows that of the 137 articles, 19% of stories framed the USA PATRIOT Act as an anti-terrorism law. For example, “The mixed messages underscored the often tense negotiations surrounding renewal of **the anti-terrorism law**, which was approved after the Sept. 11, 2001, attacks,” wrote *Washington Post* staff writers (Babington & Eggen, 2005, p. A11). The way the *New York Times* framed the law was like this: “The House passed revisions to **the broad antiterrorism law known as the USA Patriot Act** on Tuesday.” (Stolberg, 2006, p. A20) The *Christian Science Monitor* liked to frame the law this way: “In a press conference Monday, the president reserved his sharpest comments for critics of a recently revealed secret domestic eavesdropping program and for senators who are blocking extension of **the antiterror USA Patriot Act.**”

Another standardized frame phrase is that the law has greatly expanded the federal government powers; 16.1% of articles under study framed the law this way. For example, the following frame phrase was used in 13 *Washington Post* articles with almost identical wording: “**The Patriot Act, approved after the Sept. 11, 2001, terrorist attacks, has made it easier for the FBI to conduct secret searches, monitor phone calls and e-mail, and obtain bank records and other personal documents in connection with terrorism investigations**” (Babington, 2005, p. A09); “A major test of Republican mettle will come today when the Senate attempts to renew the Patriot Act, which Congress enacted after the 2001 terrorist attacks on the World Trade Center and

the Pentagon. **The law makes it easier for the FBI to conduct secret searches, monitor telephone calls and e-mail, and obtain bank records and other personal documents in terrorism investigations**” (Murray & Weisman, 2005, p. A10). The *New York Times* liked to do this way: **“The Patriot Act, which greatly expanded the government's surveillance and investigative powers in the wake of the Sept. 11 attacks, has provoked intense debate about the proper balance between protecting national security and civil liberties”** (Stolberg, 2005, p. A30). **“The bill, which greatly expanded the government's surveillance and investigative powers, has since its passage provoked intense debate about the balance between protecting national security and civil liberties”** (Stolberg, 2006, p. A14).

The *Washington Post* also liked to frame the law as a “domestic surveillance law”. However, only one article under study framed the law solely this way. The majority of articles, 64.2%, used no frame or used frames that were a combination of any of the above three frames.

The result shows that the three newspapers have standardized their own style and wording to define what the law is. However, dominant approach is mixed in the U.S. elite media coverage of the reauthorization of the PATRIOT Act and no one-note position is maintained throughout the entire period of the coverage of the law’s renewal.

**Table 7: Frame phrases used in covering the reauthorization of the USA PATRIOT Act, December 1, 2005—March 10, 2006 (N=137)**

	antiterrorism law	sweeping govt. powers	surveillance law	mixed/none	total
NYT	19(13.9%)	3(2.2%)	0(0%)	40(29.2%)	62(45.3%)
WP	5(3.6%)	18(13.1%)	1(0.7%)	36(26.3%)	60(43.8%)
Monitor	2(1.5%)	1(0.7%)	0(0%)	12(8.8%)	15(10.9%)
Total	26(19%)	22(16.1%)	1(0.7%)	88(64.2%)	137(100%)

df = 6,  $X^2 = 23.26$ ,  $p \leq .001$

\*Percentage is based on the total number of articles (137).

#### **RQ4: What was the editorial treatment of the USA PATRIOT Act?**

“The editorial is the voice of the newspaper, with which the paper asserts itself on issues facing the community” (Moro, 2005, p. 149). In a content analysis of editorial positions on the USA PATRIOT Act, Moro (2005) found that “a majority of the editorials were supportive of civil liberties in the PATRIOT Act-inspired debate between national security and civil liberties” (p. 157).

In her study about the print media coverage of the passage of the original law between September 11, 2001, and October 26, 2001, Ravimandalam (2004) found that there were more critical voices in editorials and Op-Ed pieces during the first half of the period, but the critical, supportive, and mixed tones were equally divided during the second half of the period.

The result for this study, by contrast, shows that the editorial tone was markedly critical of the USA PATRIOT Act (see Table 8). The five articles written by staff columnists of the *New York Times* and the *Washington Post* were all critical of the

legislation. None of the newspapers expressed editorial support for the PATRIOT Act: five articles were critical, four mixed, and two neutral. A majority of the Op-Ed pieces were also critical of the Act. The only two Op-Ed pieces that expressed support for the legislation were both from supporters of the Bush administration policies. One was written by Attorney General Alberto Gonzales and the other by former New York City mayor Rudolph W. Giuliani.

**Table 8: Editorial treatment of the USA PATRIOT Act in three U.S. newspapers December 1, 2005—March 10, 2006 (N=25)**

	neutral	supportive	critical	mixed	total
Staff Columnist	0(0%)	0(0%)	5(20%)	0(0%)	5(20%)
Editorials	2(8%)	0(0%)	5(20%)	4(16%)	11(44%)
Op-Ed	1(4%)	2(8%)	6(24%)	0(0%)	9(36%)
Total	3(12%)	2(8%)	16(64%)	4(16%)	25(100%)

df = 6,  $X^2 = 11.22$ ,  $p > .05$

\*Percentage is based on the total number of editorials and Op-Ed pieces (25).

## **CHAPTER 5**

### **CONCLUSIONS**

Pushed through the Congress almost unanimously after the September 11 terrorist attacks in 2001 but winding up with a very tortuous journey in the reauthorization, the controversial and complicated USA PATRIOT Act provides a fascinating case study of press and government relations.

The study discovered that a majority of news stories relied heavily on government sources, especially President Bush, in the U.S. elite newspapers' coverage of the reauthorization of the USA PATRIOT Act. The number of news stories that quoted government sources was more than twice as many as those including non-governmental sources, which made it hard for civil libertarian groups and individuals to transmit their stance on the issue through the media. On the whole, the press failed to do its job of including a variety of sources and viewpoints. The findings, parallel to those of Sigal (1973), Brown et al. (1987) and Ravimandalam 2004), suggested that little has changed in the selection and use of news sources in the past decades, despite substantial political, organizational, commercial and technological changes in the media industry.

The debate over renewing the PATRIOT Act centered by and large on the balance between national security and civil liberties. To justify the importance of sweeping government powers, the Bush administration had repeatedly used the rhetoric of counterterrorism, while critics of the PATRIOT Act raised civil liberties concerns and privacy concerns to call for adding more safeguards to the original law. Not surprisingly, counterterrorism, government powers, civil liberties concerns and privacy concerns were

the aspects stressed in the media coverage of the renewal. Due to the contentious nature of business records, roving wiretaps and “sneak and peak” provisions, they also received much media attention. However, media reporting of the reauthorization focused more on the fight between the Congress and the White House and the tug-of-war between the House and the Senate than on the content, provisions and possible consequences of the 2001 anti-terrorism law.

Regarding how the newspapers framed the USA PATRIOT Act to cue their readers about what the law is, an interesting observation is that the three newspapers have standardized their own style and wording to define what the law is. Different as they are from newspaper to newspaper, the frame phrases can be generally grouped into three categories: an anti-terrorism law, the law that greatly expands the federal government powers and a domestic surveillance law.

An examination of the tone in editorials and Op-Ed pieces showed that a majority of those articles were critical of the USA PATRIOT Act or expressed mixed feelings towards it. The only supportive voice was from supporters of Bush policies.

### **Limitations of This Study**

The full text search of Lexis/Nexis using only “patriot act” as a search term could possibly have excluded some stories that are related to the topic under review. Thus, the result of this study should be interpreted with caution.

Another drawback of this study is that in examining the sources of elite print media coverage of the reauthorization of the USA PATRIOT Act, it only counted how many articles used a certain source, but could not provide further details about the use of sources in each article. For example, the study did not tell whether a source was quoted

directly or indirectly in an article, how many times the source was cited in one article, and whether the source was placed in the first three paragraphs or at the very end of an article.

Furthermore, in investigating the use of specific sources, like President Bush, Representative F. James Sensenbrenner, the study created too many variables, which made it rather difficult to test whether certain sources were more likely to be put in the front page stories or inside page stories. The same is also true with the study of angles. Too many variables made it hard to test whether certain aspects of the USA PATRIOT Act were more likely to be stressed in news articles or in editorials and Op-Ed pieces.

### **Future Research**

Future research could study national and local media coverage of the reauthorization to detect any similarities and differences. It might also be interesting to do a comparative study of the media report pattern of the passage of the original law with that of the reauthorization.

In the coverage of the law's renewal, the three newspapers used the same frame phrases from article to article almost without any changes in explaining to their readers what the PATRIOT Act is. It would be interesting to call the copy desks to see whether these are examples of copy-and-paste editing and find out why they did this.



## Works Cited

- A clean Patriot Act. (2005, August 28). The Washington Post. p. B06.
- Abele, R. P. (2005). A user's guide to the USA Patriot Act and beyond. Lanham, MD: University Press of America.
- Alvarez, R. M., & Brehm, J. (1995). American ambivalence towards abortion policy: development of a heteroskedastic probit model of competing values. American Journal of Political Science, 39, 1055-1082.
- American Civil Liberties Union. (2006). Keep America safe and free. American Civil Liberties Union. Retrieved April 28, 2006 from the World Wide Web: <http://www.aclu.org/safefree/resources/17343res20031114.html>.
- Atwater, T., & Green, N. F. (1988). News sources in network coverage of international terrorism. Journalism Quarterly, 65, 967-971.
- Avery, W. P. & Forsythe, D. P. (1979). Human rights, national security, and the U.S. senate: who votes for what, and why. International Studies Quarterly, 23, 303-320.
- Babington, C. (2006, March 8). Congress votes to renew Patriot Act, with changes. The Washington Post, A03
- Babington, C. (2005, December 21). 4 GOP senators hold firm against Patriot Act renewal; more safeguards needed, they say. The Washington Post, A04
- Babington, C. & Eggen, D. (2005, December 8). Mixed messages from Hill on Patriot Act talks. The Washington Post, A11.
- Babington, C. (2005, December 18). Domestic spying issue inflames debate over Patriot Act renewal. The Washington Post, A09.
- Baker, P. (2005, December, 18). President says he ordered NSA domestic spying; in radio address, he rebukes Democrats for opposing renewal of the Patriot Act. The Washington Post, A01.
- Balkin, K. F. (2005). The war on terrorism: opposing viewpoints. Detroit: Greenhaven Press.
- Ball, H. (2004). The USA PATRIOT Act of 2001: balancing civil liberties and national security: a reference handbook. Santa Barbara, Calif: ABC-CLIO.
- Becker, S. (1984). Marxist approaches to media studies: the British experience. Critical Studies in Mass Communication, 1, 66-80.

- Brookes, R. (1999). Newspapers and national identity: the BSE/CJD crisis and the British press. Media, Culture & Society, 21 (2), 247-263.
- Brown, J. D., Bybee, C. R., Wearden, S. T. & Straughan, D. M. (1987). Invisible power: newspaper news sources and the limits of diversity. Journalism Quarterly, 64, 45-54.
- Bush on the Patriot Act and eavesdropping. (December 18, 2005). The New York Times. Section 1, Pg. 43.
- The Center for Democracy & Technology. (2004). PATRIOT Act sunsets. Retrieved April 5, 2006 from the World Wide Web:  
<http://www.cdt.org/security/20040507sunsets.pdf>.
- Chiasson, L. E. (1991). The Japanese-American encampment: an editorial analysis of 27 west coast newspapers. Newspaper Research Journal, 12 (2), 92-107.
- Chong, D. (1993). How people think, reason and feel about rights and liberties. American Journal of Political Science, 37 (3), 867-899.
- Cooper-Chen, A. (2001). The death of Diana: a multi-nation study of news values and practices. International Communication Bulletin, 36 (3-4): 2-15.
- Doyle, C. (2001). Terrorism: section by section analysis of the USA PATRIOT Act. Retrieved April 1, 2006 from the World Wide Web:  
<http://www.epic.org/privacy/terrorism/usapatriot/RL31200.pdf>.
- Doyle, C. (2002). The USA PATRIOT Act: a sketch, CRS report for congress. Retrieved March 1, 2005 from the World Wide Web:  
<http://www.fas.org/irp/crs/RS21203.pdf>.
- Doyle, C. (2004). The USA PATRIOT Act sunset: a sketch, CRS report for congress. Retrieved April 1, 2006 from the World Wide Web:  
<http://www.au.af.mil/au/awc/awcgate/crs/rs21704.pdf>.
- Edwards, G. C. & Wood, B. D. (1999). Who influence whom? The president, Congress and the media. American Political Science Review, 93 (2), 327-344.
- Electronic Frontier Foundation. (2001). USAPA sunset provisions could leave Congress in the dark. Retrieved April 5, 2006 from the World Wide Web:  
<http://www.cdt.org/security/usapatriot/011212usapasunset5.htm>.
- Entman, R. M. (1993). Framing: Toward clarification of a fractured paradigm. Journal of Communication, 43 (4), 51-58.

- Evans, J. C. (2002). Hijacking civil liberties: the USA PATRIOT Act of 2001. Loyola University Chicago School of Law.
- Feldmann, L. (December 20, 2005). Bush acts to rally public on Iraq war. The Christian Science Monitor, USA, Pg. 1.
- Feldman, S., & Zaller, J. (1992). The political culture of ambivalence: ideological responses to the welfare state. American Journal of Political Science, 36 (1), 268-307.
- Gandy, O. H. (1982). Beyond agenda setting: Information subsidies and public policy. Norwood, NJ: Ablex Publishers.
- Gannett Center for Media Studies. (1989). The press, the presidency and the first hundred days. New York: Gannett Center for Media Studies at Columbia University.
- Gans, H. J. (1979). Deciding what's news: a study of CBS evening news, NBC nightly news, Newsweek and Time. New York: Pantheon Books.
- Gaouette, N. (2005, November 15). Senators oppose extending Patriot Act; a bipartisan group calls for more changes, saying the latest version doesn't protect the innocent. Los Angeles Time, Part A, Pg. 20.
- Gieber, W. (1964). News is what newspapermen make it. In H. Tumber (Eds.), News: a reader. New York: Oxford University Press.
- Gonzales, A. R. (2005, December 14). Reauthorize the Patriot Act; Congress should reauthorize the Patriot Act and further strengthen homeland security. The Washington Post, Editorial, A29.
- Graber, D. A. (2003). Terrorism, censorship and the 1<sup>st</sup> amendment: in search of policy guideline. In P. Norris, M. Kern and M. Just (Ed.), Framing terrorism: the news media, the government and the public. New York: Routledge.
- Graham, E. S., Domke, D., Coe, K. & John, S. L. (2003). Follow the leader: the Bush administration, news media, and passage of the U.S.A. Patriot Act. Paper presented at the Association for Education in Journalism and Mass Communication conference, Kansas City, MO.
- Hackett, R. A. (1985). A hierarchy of access: aspects of source bias on Canadian TV news. Journalism Quarterly, 62, 256-265 & 277.
- Hall, S. (1989). Ideology. In E. Barnouw (Ed.), International encyclopedia of communication (Vol. 2, p. 307-311). New York: Oxford University Press.
- Hallin, D. C. (1986). The "Uncensored War". New York: Oxford University Press.

- Herman, E.S. and Chomsky, N. (1988). Manufacturing consent: the political economy of the mass media. New York: Pantheon Books.
- Iyengar, S. (1991). Is anyone responsible?. Chicago: University of Chicago Press.
- Kingdon, J. (1995). Agendas, alternatives, and public policies. 2<sup>nd</sup> ed. Boston: Little, Brown.
- Lemert, J. B. (1981). Does mass communication change public opinion after all? A new approach to effects analysis. Chicago: Nelson-Hall.
- Lichtblau, E. (2005, December 9). Compromise reached on renewing Patriot Act. The New York Times, Section A. Pg. 20.
- Lichtblau, E. (2005, February 14). Bush renews call to extend Patriot Act. The New York Times, Section A. Pg. 12.
- Lichtblau, E. (2003, September 27). U.S. uses terror law to pursue crimes from drugs to swindling. The New York Times, Section 1, Pg. 1.
- Matthews, J. (2003). Civil liberties and mobilization information in press coverage of the USA Patriot Act. Paper presented to the Association for Education in Journalism and Mass Communication 2003 Convention. Retrieved March 6, 2005 from the World Wide Web:  
<http://list.msu.edu/cgi-bin/wa?A2=ind0310a&L=aejmc&F=&S=&P=3966>.
- McCombs, M. E. & Shaw, D. L. (1993). The evolution of agenda-setting research: twenty-five years in the marketplace of ideas. Journal of Communication, 43 (2), 58-67.
- Merrill, J. C. (1968). The elite press: great newspapers of the world. New York: Pitman Publishing Corporation.
- Merrill, J. C. & Fisher, H. A. (1980). The world's great dailies: profiles of fifty newspapers. New York: Hastings House.
- Merrill, J. C. (1999). The global elite. IPI Report, 4, 13-15.
- Moro, N. (2005). National security v. civil liberties: newspapers and U.S.A. Patriot Act. In Elinor Kelley Grusin and Sandra H. Utt (Eds.), Media in an American crisis: studies of September 11, 2001. Lanham: University Press of America.
- Murray, S. & Weisman, J. (2005, December 16). GOP battles to save legislation on Patriot Act, Arctic drilling. The Washington Post, A10.

- Nelson, T. E., Clawson, R. A., & Oxley, Z. M. (1997). Media framing of a civil liberties conflict and its effect on tolerance. The American Political Science Review, 91 (3), 567-583.
- Norris, P., Kern, M., & Just, M. (2003). Framing terrorism. In P. Norris, M. Kern and M. Just (Eds.), Framing terrorism: the news media, the government and the public. New York: Routledge.
- Paletz, D. L. & Entman, R. M. (1981). Media, power, politics. New York: Free Press.
- Perine, K. (2005, April 8). Patriot Act provisions get another look. CQ Weekly, p. 933.
- Perine, K. (2005, July 8). Attacks loom over anti-terrorism law. CQ Weekly, p. 1902.
- The Pew Research Center for the People and the Press. (2004, June 8). News audiences increasingly politicized. Retrieved April 29, 2006 from the World Wide Web: <http://people-press.org/reports/display.php3?PageID=833>.
- Preserving Life & Liberty. (2005). Highlights of the USA PATRIOT Act. Preserving Life & Liberty. Retrieved May 1, 2005 from the World Wide Web: [http://www.lifeandliberty.gov/subs/h\\_patact.htm](http://www.lifeandliberty.gov/subs/h_patact.htm).
- Proceed with caution. (2001, October 26). The Denver Post, p. B-06.
- Ravimandalam, S. (2004). Newspaper and news magazine coverage of the USA PATRIOT Act before it was passed into law, September 11, 2001—October 26, 2001. Thesis presented to the faculty of the College of Communication of Ohio University, November 2004.
- Risen J. & Lichtblau, E. (2005, December 16). Bush lets U.S. spy on callers without courts. The New York Times, Section A.
- Reese, S. D., & Danielian, L. H. (1989). Intermedia influence and the drug issue: covering on cocaine. In Pamela J. Shoemaker (Eds.), Communication campaigns about drugs: government, media, and the public. Hillsdale, NJ: Lawrence Erlbaum.
- Sandler, M. (2005, July 15). Anti-terrorism bill advances in house. CQ Weekly, p. 1970.
- Sandler, M. (2005, September 2). Fall agenda: anti-terrorism law reauthorization. CQ Weekly, p. 2316
- Sandler, M. (2005, November 11). Guarded optimism for new draft of anti-terrorism law extension. CQ Weekly, p. 3071.

- Sandler, M. (2005, November 18). Senators take a stand for civil liberties. CQ Weekly, p. 3132.
- Sandler, M. (2005, December 22). Only brief extensions of anti-terrorism law. CQ Weekly, p. 3394.
- Sandler, M. (2006, February 3). Anti-terror act renewal inches along. CQ Weekly, p. 349.
- Sandler, M. (2006, March 10). Deal clears way for anti-terrorism law. CQ Weekly, p. 703.
- Sanger, D. E. (2005, December 18). In address, Bush says the ordered domestic spying. The New York Times. Section 1, Pg. 1.
- Severin, W. J., & Tankard, J. W. (2001). Communication theories: origins, methods, and uses in the mass media. New York: Longman.
- Shoemaker, P. J., & Reese, S. D. (1996). Mediating the message: theories of influences on mass media content. White Plains, N.Y.: Longman.
- Sigal, L. V. (1973). Reporters and officials: the organization and politics of newsmaking. Lexington, Mass.: D.C. Heath.
- Siebert, F., Peterson, T., & Schramm, W. (1956). Four theories of the press. Urbana, University of Illinois Press.
- Smith, R. J. (2005, March 1). Attorney general urges renewal of Patriot Act; Gonzales gives first policy speech. The Washington Post, A02.
- Stern, S. (2006, March 3). Additional provisions of the Patriot Act extension bill. CQ Weekly, p. 601.
- Stolberg, S. G. (2006, March 8). Patriot Act revisions pass house, sending measure to president. The New York Times, Section A, Pg. 20.
- Stolberg, S. G. (2006, February 10). Key senators reach accord on extending the Patriot Act. The New York Times, Section A, Pg. 14.
- Stolberg, S. G. (2005, December 22). Senate agrees to a six-month extension of the Patriot Act. The New York Times, Section A, Pg. 30.
- Tankard, J. W., Henderickson, L., Silberman, J., Bliss, K., & Ghanem, S. (1991). Media frames: approaches to conceptualization and measurement, paper presented at the annual meeting of the Communication Theory and Methodology Division of the Association for Education in Journalism and Mass Communication, Boston, August.

- Thompson, M. M., Zanna, M. P., & Griffin, D. W. (1995). Let's not be indifferent about (attitudinal) ambivalence. In R. E. Petty and J. A. Krosnick (Eds.), Attitude strength: antecedents and consequences. Hillsdale, N.J.: Erlbaum.
- Vickers, R. (2000). Blair's Kosovo Campaign Political Communications, the Battle for Public Opinion and Foreign Policy. *Civil Wars*, 3 (1), 55-70.
- Vincent, J., Imwold, C., Maseman, V., & Johnson, J. T. (2002). A comparison of selected "serious" and "popular" British, Canadian, and United States newspaper coverage of female and male athletes competing in the centennial Olympic games. *International Review for the Sociology of Sports*, 37 (3), 319-335.

## **Appendix I: Expiring Provisions and Contentious Elements in the USA PATRIOT Act**

### Expiring Provisions at the End of 2005

Section 201: Authority to Intercept Wire, Oral, and Electronic Communications Relating to Terrorism.

Section 202: Authority to Intercept Wire, Oral, and Electronic Communications Relating to Computer Fraud and Abuse Offenses.

**Section 203 (b):** Authority to share electronic, wire, and oral interception information.

**Section 203 (d):** General Authority to Share Foreign Intelligence Information

Section 204: Clarification of Intelligence Exceptions From Limitations on Interception and Disclosure of Wire, Oral and Electronic Communications.

**Section 206: Roving Surveillance Authority Under the Foreign Intelligence Surveillance Act of 1978.**

Section 207: Duration of FISA Surveillance of Non-United States Persons Who are Agents of a Foreign Power.

Section 209: Seizure of Voice-Mail Messages Pursuant to Warrants.

**Section 212:** Emergency Disclosure of Electronic Communications to Protect Life and Limb.

**Section 214:** Pen Register and Trap and Trace Authority Under FISA.

**Section 215: Access to Records and Other Items Under the Foreign Intelligence Surveillance Act.**

**Section 217:** Interception of Computer Trespasser Communications.

**Section 218:** Foreign Intelligence Information.

**Section 220:** Nationwide Service of Search Warrants for Electronic Evidence.

Section 223: Civil Liability of Certain Unauthorized Disclosures.

Section 225: Immunity for Compliance with FISA Wiretap.

***Note:** Bold indicates those provisions that are controversial to most critics.*



*Section 206 and Section 215 are the two most contentious provisions among the 16 expiring sections.*

**Source:** *Center for Democracy & Technology: PATRIOT Act Sunsets;*  
*Electronic Frontier Foundation: USAPA Sunset Provisions Could Leave*  
*Congress in the Dark;*

*Charles Doyle: Terrorism: Section by Section Analysis of the USA PATRIOT Act;*  
*and USA PATRIOT Act Sunset: A Sketch;*

*CQ Weekly: Patriot Act Provisions Get Another Look (By Keith Perine).*

### Other Contentious Elements of the USA PATRIOT Act

According to the viewpoint of the Center for Democracy & Technology, the following provisions that are not covered by the sunset are also highly contentious:

*Section 203 (a): Authority to Share Grand Jury Information.*

*Section 213: Authority for Delaying Notice of the Execution of a Warrant.*

*Section 216: Modifications of Authorities Relating to Use of Pen Registers and*  
*Trap and Trace Devices.*

*Section 358: Bank Secrecy Provisions and Activities of United States Intelligence*  
*Agencies to Fight International Terrorism.*

*Section 505: Miscellaneous National Security Authorities.*

*Section 802: Definition of Domestic Terrorism.*

## **Appendix II: Legislative Action for the Authorization and Reauthorization of the USA PATRIOT Act of 2001**

### **Authorization of the Original Version**

September 11, 2001	A group of terrorists attacked the twin towers of the World Trade Center in New York and the Pentagon building in Washington, D.C. and President Bush declared the war on terrorism.
September 16, 2001	U.S. Attorney General John Ashcroft had the blueprint for a drastic anti-terrorism bill in place.
September 19, 2001	The Department of Justice sent to the Hill a working draft of the Anti-Terrorism Act of 2001
September 24, 2001	Attorney General John Ashcroft appeared before the House Judiciary Committee and presented the Mobilization Against Terrorism Act to the Congress.
October 2, 2001	The Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act, HR 2975 was introduced in the House of Representatives by Congressman F. James Sensenbrenner, Jr. (R-WI).
October 4, 2001	The Uniting and Strengthening America (USA) Act, S1510, was introduced in the Senate.
October 12, 2001	The Senate bill was passed.
October 12, 2001	The House bill was approved.
October 23, 2001	The compromise version of the legislation, HR 3162, was introduced in the House of Representatives.
October 24, 2001	The compromise bill passed in the House of Representatives with a vote of 357 to 66.
October 25, 2001	The compromise bill was approved in the Senate with a vote of 98 to 1. Senator Russ Feingold (D-WI) cast the lone dissenting vote, and Senator Mary Landrieu (D-LA) was the sole non-voting member.

October 26, 2001 President Bush signed the bill into law. 16 provisions of the bill were to be expired by December 31, 2005.

### Expiration and Reauthorization

April 5, 2005	Congress kicked off the debate about the reauthorization of the USA PATRIOT Act.
July 21, 2005	The House passed HR 3199 with a vote of 257-171. The bill would have made permanent 14 of the 16 expiring provisions and proposed 10-year sunsets for two of the most contentious expiring provisions – roving wiretaps and library provision – and no sunset for the lone-wolf provision.
July 29, 2005	The Senate passed HR 3199, amended (S 1389), by voice vote. The bill proposed four-year sunsets for two of the most contentious provisions and four-year sunset for the lone-wolf provision. The bill also included further restrictions on FBI's threshold for acquiring records and search warrants.
November 16, 2005	After House-Senate conference committee negotiations over the gap in both versions of the bill, a tentative agreement was reached.
December 8, 2005	A conference report on a compromise bill was filed.
December 14, 2005	The House adopted the conference report with a vote of 251 to 174.
December 15, 2005	The secret domestic spying program authorized by President Bush was disclosed in a <i>New York Times</i> online article.
December 16, 2005	The House-passed bill was filibustered in the Senate.
December 17, 2005	President Bush came forward to deliver a live radio national address from the White House to confirm the existence of the secret domestic spying program and defend his action.
December 21, 2005	The Senate passed a six-month extension (S 2167) by voice vote.

December 22, 2005	The House passed S 2167, but reduced it to five weeks by voice vote, which would make those 16 provisions expire by February 3, 2006.
December 22, 2005	The Senate concurred with the House.
February 1, 2006	The House decided on a second five-week extension, which would make the Act expire on March 10, 2006.
February 2, 2006	The Senate concurred with the House again.
March 1, 2006	The Senate approved the modifications of the Act with a vote of 95 to 4.
March 7, 2006	The House approved the Senate-passed measures with a vote of 280 to 138.
March 9, 2006	President Bush signed the reauthorization of the Act.

**Sources:** CQ Weekly, *The New York Times*, *The Washington Post*, The Justice Department website, and Electronic Frontier Foundation website.

2. Vice President Dick Cheney  
4. Attorney General Alberto Gonzales

5. Cheney Spokesperson  
 6. Justice Department Spokesperson  
 7. Govt. Agency (FBI, CIA, NSA, etc.) Specify: \_\_\_\_\_  
 8. Other Government Sources Specify: \_\_\_\_\_

**B. Legislative Branch** \_\_\_\_\_

- |   |   |
|---|---|
| 9. Sen. John Sununu (R)                     | 10. Sen. Lisa Murkowski (R)             |
| 11. Sen. Larry Craig (R)                    | 12. Sen. Chuck Hagel (R)                |
| 13. Sen. Arlen Specter (R)                  | 14. Rep. F. James Sensenbrenner (R)     |
| 15. Sen. Bill Frist (R)                     | 16. Sen. Russ Feingold (D)              |
| 17. Sen. Richard (Dick) Durbin (D)          | 18. Sen. Harry M. Reid (D)              |
| 19. Sen. Patrick J. Leahy (D)               | 20. Other Democratic Congressmen        |
| 21. Other Republican Congressmen            | 22. Democratic Legislative Spokesperson |
| 23. Republican Legislative Spokesperson     |   |
| 24. Other Legislative Source Specify: _____ |   |

**C. Judicial Branch** \_\_\_\_\_

25. Federal/State Court Specify: \_\_\_\_\_  
 26. Individual (juror, judge, etc.) Specify: \_\_\_\_\_  
 27. Other Judicial Source Specify: \_\_\_\_\_

**2) Non-Governmental Sources** \_\_\_\_\_

- |   |                                  |
|---|----------------------------------|
| 28. American Civil Liberties Union                                  | 29. American Library Association |
| 30. American Booksellers Association                                | 31. Campaign for Reader Privacy  |
| 32. Association of American Publishers                              | 33. PEN American Center          |
| 34. Other Civil Libertarian Group (s)<br>Specify: _____             |                                  |
| 35. Individuals (suspect, lawyer, academic, etc.)<br>Specify: _____ |                                  |
| 36. Corporations/Businesses<br>Specify: _____                       |                                  |
| 37. Conservative Think Tank Group (s)<br>Specify: _____             |                                  |
| 38. Other Specify: _____  |                                  |

**3) Non-specific Sources** \_\_\_\_\_

39. Non-specific Sources

**IX. ANGLES (ALL ARTICLES)** \_\_\_\_\_

**1. Counterterrorism**

Examples: foreign intelligence gathering, domestic terrorism, connecting the dots

**2. Lone Wolf Provision**

Example: terrorism suspect not connected to a foreign power

**3. National Security Funds**

Example: reference to the allocation of emergency funds to all the states under the PATRIOT Act

**4. Government Powers**

Examples: sweeping government powers, limited judicial oversight, fishing expeditions, protecting the country

**5. Information-sharing Powers**

Example: exchange of information between law enforcement and intelligence agencies

**6. National Security Letters**

Example: issuance of national security letters by FBI to obtain records

**7. Administrative Subpoenas**

Example: The government can issue subpoenas without court approval

**8. Civil Liberties Concerns**

Examples: civil liberties, Constitution, freedoms, Bill of Rights, individual rights, tougher safeguards

**9. First Amendment**

Examples: freedom of speech, protests, “gag orders” (reference to public and private entities turning over records and other private data on Americans and remaining silent about it)

**10. Due Process**

Examples: to challenge subpoenas in court, to consult attorneys, delayed notification of sneak and peak searches, the right to a speedy and public trial

**11. Search and Seizure**

Examples: “sneak and peak” provision, secretly search home and offices, search and seizure, warrants

**12. Privacy Concerns**

Examples: privacy rights, invasion of privacy

**13. Business Records Provision**

Examples: customer records from telephone companies and Internet service providers, library records, bank records, medical records

**14. Roving Wiretaps Provision**

Examples: roving wiretaps provision, to tap telephone, pen registers, trap and trace devices

**15. Immigration Issues**

Examples: trial of terrorism suspects, visas, immigration violations, deportation

**16. Add-ons**

Examples: methamphetamine, death penalty, port security, presidential succession, ATF (Alcohol, Tobacco, Firearms and Explosives), secret service expansion, terrorist financing.

**17. Other** Specify: \_\_\_\_\_

**X. EDITORIAL TONE:** \_\_\_\_\_

Neutral .....	1	Supportive.....	2
Critical.....	3	Mixed/Ambiguous.....	4

**XI. FRAME PHRASE:** \_\_\_\_\_

Anti-terrorism law.....	1
The legislation that expands federal government powers.....	2
Example: The USA PATRIOT Act lowered barriers that had prevented intelligence agencies from sharing secretly monitored communications with prosecutors.	
Domestic surveillance law.....	3
Other (no frame phrase or other frame phrases) .....	4