

Democrats Prepare Sell-Out on Telecom Immunity: House Leaders to Give White House a Blank Check to Spy on Americans

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As revelations of the Bush administration's illegal surveillance programs continue to expose the criminal nature of the regime in Washington, new reports suggest that House Democrats are preparing to capitulate to the White House on warrantless wiretapping and amnesty for lawbreaking telecoms.

When the Orwellian "Protect America Act" expired in February, Republicans and right-wing Democrats argued that unless the state's covert alliance with giant telecommunications companies were not shielded from congressional oversight or public scrutiny, "Americans would die." Director of National Intelligence (DNI) Mike McConnell made this threat explicit last August when he told the [El Paso Times](#):

Now part of this is a classified world. The fact we're doing it this way means that some Americans are going to die, because we do this mission unknown to the bad guys because they're using a process that we can exploit and the more we talk about it, the more they will go with an alternative means and when they go to an alternative means, remember what I said... (Chris Roberts, "Transcript: Debate on the Foreign Intelligence Surveillance Act," [El Paso Times](#), August 22, 2007)

But as Steven Aftergood, the director of the Project on Government Secrecy for the Federation of American Scientists told [The New York Times](#), "If we're to believe that Americans will die from discussing these things, then he is complicit in that. It's an unseemly argument. He's basically saying that democracy is going to kill Americans."

But with "Blue Dog" Democrats on-board with the Bush administration, it's more a case of Americans killing (their own) democracy.

As [Salon's](#) Glenn Greenwald reports,

Numerous reports — both public and otherwise — suggest that [Steny] Hoyer is negotiating with Jay Rockefeller to write a new FISA bill that would be agreeable to the White House and the Senate. Their strategy is to craft a bill that they can pretend is something short of amnesty for telecoms but which, in every meaningful respect, ensures an end to the telecom lawsuits. It goes without saying that no "compromise" will be acceptable to Rockefeller or the White House unless there is a guaranteed end to those lawsuits, i.e., unless the bill grants amnesty to lawbreaking telecoms. (Glenn Greenwald, "What

backroom conniving Are Steny Hoyer and the Chris Carney Blue Dogs up to on FISA?," Salon, May 2, 2008)

According to Alexander Bolton's article in [The Hill](#), right-wing and freshman congressional Democrats "are growing skittish," and that House Speaker Nancy "impeachment is off the table" Pelosi (D-CA), "has stepped back from the FISA talks and let Hoyer spearhead House talks with the Senate and executive branch." Translation: give the White House what it wants.

And what the White House wants is the ability-and legal cover-to spy at will.

As AT&T whistleblower Mark Klein revealed in 2006, NSA gained access to "massive amounts" of internet data after the company allowed the spy agency to hook into its network in San Francisco and other cities. The retired technician described how the NSA created a system that vacuumed up internet and phone-call data with AT&T executives as the agency's willing accomplices.

Despite administration claims that its so-called "Terrorist Surveillance Program" is aimed solely at overseas terrorists, Klein demonstrated that a vast proportion of the data swept up by AT&T and forwarded to NSA was purely domestic. Klein told [The Washington Post](#),

...the NSA built a special room to receive data streamed through an AT&T Internet room containing "peering links," or major connections to other telecom providers. The largest of the links delivered 2.5 gigabits of data — the equivalent of one-quarter of the Encyclopedia Britannica's text — per second, said Klein, whose documents and eyewitness account form the basis of one of the first lawsuits filed against the telecom giants after the government's warrantless-surveillance program was reported in the New York Times in December 2005. (Ellen Nakashima, "A Story of Surveillance: Former Technician 'Turning In' AT&T Over NSA Program," The Washington Post, November 7, 2007, Page D01)

Klein's story of flagrant lawlessness by the Bush regime and the telecoms was seconded by Babak Pashar, a security consultant and CEO of Bat Blue Corporation, who provided a [signed affidavit](#) to the Government Accountability Project describing the FBI's "Quantico circuit."

Last month [The Washington Post](#) reported that FBI investigators "with the click of a mouse" have the ability to "instantly" transfer data along a computer circuit "to an FBI technology office in Quantico." Verizon is the company named by the *Post* in its report as having provided "unfettered access" to its data stream, a charge denied by the company.

Despite these revelations, the Bush administration continues to illegally target the American people. As [Ryan Singel](#) reported last week,

2007 might have been a rough year for U.S. home prices, but growth in government wiretaps remained healthy, with the eavesdropping sector posting a 14% increase in court orders compared to 2006. In 2007, judges approved 4,578 state and federal wiretaps, as compared to 4,015 in 2006, according to two new reports on criminal and intelligence wiretaps. ...

It's unclear how many people these orders applied to since they can name more than one target, and in January 2007, the Bush Administration began getting so-called basket warrants from the secret court, in order to reduce the political heat over its warrantless wiretapping program.

Those orders, which the administration described as "innovative," likely covered many individuals or entire geographic regions and required periodic re-authorization from the court. Sometime in spring 2007, one judge on the court ruled that the orders were unconstitutional, prompting a summer fear-mongering campaign to get Congress to expand the government's warrantless wiretapping powers. (Ryan Singel, "Court-Approved Wiretapping Rose 14% in '07," *Wired*, May 1, 2008)

We don't know, and the administration won't say, how many Americans have been swept up by so-called "basket warrants."

None of this however, trouble congressional Democrats. As the administration continues to eviscerate the Constitution, it should be clear that like the Republicans, the Democratic party completely accepts the overall framework of Bushist "national security" and the specious argument that it is waging a global "war on terrorism."

Since taking control of both house of Congress in 2006, the Democrats-like their Republican "adversaries"-have refused to hold hearings on domestic spying nor have they sought to expose the scope of the illegal NSA program. Lost in the shuffle, are the obvious-and growing-dangers posed by these intrusive programs.

In a time of systemic crisis for the capitalist system as a whole, the massive intelligence being gathered by the Bush regime, and by future administrations-Democratic or Republican, take your pick-will be deployed as tools for wholesale repression under conditions of growing class polarization, economic crisis and mass opposition to war.

Telecom immunity? "There's nothing to see here, move along."

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