

TOMMY VIETOR AND I EXCHANGE ON THE RECORD NON-DICKISH COMMENTS

Back in the days, just weeks ago, when Tommy Vietor was the National Security Council Spokesperson, I tended to attribute the dickish comments made by Senior Administration Officials in articles in which he was also quoted to him.

When he left, we had this exchange on Twitter.

The screenshot shows a Twitter conversation. The first tweet is from [@emptywheel](#) (@emptywheel) dated Mar 2. It reads: "First Rahm and now Tommy Vietor. Who will make anonymous dickish comments from the White House now?" Below it is a reply from [@TommyVietor](#) (@TVietor08). The reply reads: ".@emptywheel now @MayorEmanuel and I can make dickish comments in our own names. Everyone wins!" At the bottom of the screenshot are standard Twitter interaction buttons: Reply, Retweet, Favorite, and More.

I will say this for him. He's a good sport.

I don't envy his position trying to claim the Obama Administration lives up to its self-billing as the Most Transparent Administration Evah™, based on releasing White House visitor logs.

All that said, I would have added two points to the exchange above.

First, the Administration is not conducting counterterrorism exclusively under the AUMF.

Obama's own Administration went to the mat in 2009 to prevent a short phrase – maybe 6 words – from being released under FOIA making it clear that torture was originally conducted under the September 17, 2001 Gloves Come Off Memorandum of Notification on President Bush's authorization alone. And they managed to win that battle by arguing the MON – which authorizes targeting killing, among other things – is still active.

So, no, Tommy, the Administration is not operating – not exclusively anyway – under the AUMF.

Also, what the fuck kind of democracy are we if we require lawsuits for basic democracy to take place? It's all well and good of Vietor to say we (only Trevor Timm of the three of us really has the funds to sue sue sue, and even then, only in selective situations) should just sue our way to democracy. But the law says we shouldn't have to sue.

Anyway, it was a particularly fun appearance, and great to be on with Kevin Gosztola and Trevor Timm as well.