

A REVERSE F.U.

You know how Thomas Friedman's six months always seem to end up being indefinite forever? Well, the reverse seems to be going on with Republican accusations that:

For months, congressional Democrats ignored warnings from Director of National Intelligence Michael McConnell that FISA's antiquated provisions were tying the hands of U.S. intelligence agencies from collecting against terrorist communications.

In fact, it appears that Director of National Intelligence Mike McConnell actually sat on the information for months, from February or March until July, before leveling with Congress (if that's what he did). The NYT reports:

At a closed-door briefing in mid-July, senior intelligence officials startled lawmakers with some troubling news. American eavesdroppers were collecting just 25 percent of the foreign-based communication they had been receiving a few months earlier.

Congress needed to act quickly, intelligence officials said, to repair a dangerous situation.

That mid-July briefing came at least four months after a FISA Court judge denied (in February or March) a warrant on communications that the Administration could not verify took place outside of the United States. The Administration had first explained the problems to Congress in April, but held off describing the scope of the problem for three more months.

Intelligence Committee members acknowledged that they learned in May that the secret court ruling had

caused some problems, but it was not until last month that the administration reported the gaps.

And **those delays** took place against more stonewalling—the Administration’s continual refusal to turn over documents about the original domestic wiretap program, so that Congress could assess what the needs—for both extent and oversight—really were. And of course, all these delays resulted in the kind of timing that BushCo enjoys, ratcheting up terror fears right before a recess to get unpopular legislation passed.

Now, admittedly, it’s not entirely clear what the reason for the delay was—was it just a growing problem (and so it wasn’t until July that McConnell himself recognized the scope of the problem), or was it delayed disclosure from the Administration. But all of it begs the question: why isn’t the DNI giving Congress enough information to appropriately legislate? And what else isn’t he telling us?