

HISTORIC COMPARTMENTALIZATION

There's something that Director of National Intelligence Mike McConnell has suggested in the past, but which he has made crystal clear in his testimony today. The Administration has compartmentalized him out of the warrantless wiretapping program as it existed before he became DNI earlier this year. Senator Leahy made this clear—but then dropped the obvious follow-up. Here's my rough transcript of the exchange:

Leahy: Obviously, you've seen the historical justification for these programs.

McConnell: I have not

Leahy: You're lobbying to have us wipe out these cases retroactively by legislation. Isn't this kind of asking us to buy a pig in a poke.

McConnell: I object to the word lobbying.

Leahy: I'm going back to July and August. You were advocating for.

McConnell: I'm advocating for what we need to do.

The follow-up Leahy missed, of course, was the question, "How the fuck can you lobby for immunity when you have no fucking clue what the telecomm companies were doing?" (I don't think Leahy uses that language, but I can guarantee you he has heard it.)

Regardless, the implication is clear: the Administration has sent McConnell out to be their spokesperson for the reasonableness of the Administration's wiretapping programs. And all the while they have ensured that he doesn't know

just how unreasonable they have been.

This shouldn't surprise us. After all, we've known for some time that the Administration only pulled off its illegal program in the past by compartmentalizing information so that John Ashcroft and Jay Rockefeller could not really assess—or even understand—the program. But given the illegal uses to which deliberate compartmentalization has been put in the past, don't you think we ought to insist that it end going forward?