

WHITE HOUSE WRITES PRE-EMPTIVE SIGNING STATEMENT ON EXCLUSIVITY

(Thanks to Selise for the YouTube)

Feingold: The DNI envisions a government where, if it were technologically feasible, would listen in on every, every international phone call made by its citizens. And read every, every international email. Now that's a police state, Mr. President, not the United States of America.

The letter from Mukasey and McConnell to Congressional leaders is basically a laundry list of FISA amendments with the Administration's opinion on those amendments. Here's the quick summary.

Amendments that would merit a veto:

- [no number] no communication collected if the govt knows beforehand that it is to or from a person believed to be in the US
- 3913: Significant Purpose test
- 3912: Specific Individual Target test
- 3915: Limits disseminating foreign intelligence information
- 3907: Straight immunity
- 3927: Substitution of govt for defendants

- 3919: FISC review on immunity

Amendments it doesn't like but that wouldn't merit a veto:

- 3930: 4-year sunset
- 3920: Court review of compliance with minimization

Amendments it very much likes (surprise! They're both Bond amendments)

- 3941: Expedited FISA review
- 3938: Add language on WMD

A pre-emptive signing statement on exclusivity

We understand that the amendment relating to the exclusive means provision in S.2248 is undergoing additional revision. As a result, we are withholding comment on this amendment and its text at this time. We note, however, that we support the provision currently contained in S. 2248 and **to support its modification, we would have to conclude that the amendment provides for sufficient flexibility to permit the President to protect the Nation adequately in times of national emergency.**

My takeaway? If the Administration says it would accept a minimization review, I say we make it a priority; it would vastly improve the bill. I would love to see the "significant purpose" amendment pass, and have it serve as a poison pill. **This Administration won't even commit that their wiretapping really relates to foreign intelligence!** Hell, they might as well say that a minor purpose of wiretapping Democrats is foreign intelligence, because Democrats have different foreign policy goals than Republicans. Also, there are a few of Feingold's important amendments that don't appear here. If BushCo

don't oppose them, then by all means let's have more protection and oversight.