

FEINGOLD SLAPS DOWN BOND'S, MUKASEY'S, AND MCCONNELL'S "TIRED ACCUSATIONS"

Senator Feingold noticed the same thing I noticed today: Republican opponents of his amendments are mischaracterizing his amendments.

[Bond] referred to our concerns that somehow the rights and privacy could be affected by this bill as "tired accusations." I object to that characterization. I think that this is clearly the kind of thing we should be worried about and debating, but I'll tell you what is a "tired accusation"—the notion that somehow our amendment would affect the ability of the government to listen in on Osama bin Laden—that is a tired and false accusation. The Senator from Missouri said that if Osama bin Laden or his number three man—whoever that is today, after the last number three man in al Qaeda was just wiped out—calls somebody in the United States, we can't listen in on that communication unless we have an independent means of verifying that it has some impact on threats to our security from a terrorist threat. That's what he claims. That's what he claims, that we wouldn't be able to listen in on that kind of conversation. That is absolutely false.

This amendment, the Feingold Webb Tester amendment specifically does not require a FISA court warrant to acquire or disseminate the communications of any foreigner overseas who is suspected of terrorism. Now Mr. President, there is no separate threat requirement. The

amendment merely requires that the government label terrorism-related communications that have one end in the US so they are traceable for oversight. And it simply requires that when the government accesses and disseminates terrorism-related communications that it has already acquired—it has already acquired it—that the court just be informed with a brief certification. So I don't know where the Senator gets idea, really bizarre idea, that somehow you can't listen in on conversation of Osama bin Laden. And I don't think it's credible to anybody that that would be the case.

Finally, he raises the concern that somehow we're insulting the FISA court, saying that they're not doing a good job? Now, what we're trying to give them is the power to enforce their will. We're trying to give them the ability to say, "hey wait a minute, you guys aren't doing what you said you were going to do." That's all. That's not an insult to the court. That's essential for the court to be able to do its job. Let's worry less about the alleged, and I think falsely [scarequotes] feelings of a secret court and worry more about the rights and privacy of perfectly innocent Americans.

After slapping down Kit Bond's "tired accusations" Feingold goes on to take on the "tired accusations" of Michael Mukasey and Mike McConnell—many of the same ones that I point out here.

You know, the fact that the Bush Administration already got caught illegally wiretapping Americans already makes their claims suspect. But when they and their surrogates in the Senate misrepresent their program so badly, it really makes you wonder what they're up to.