

DON'T GAG MA BELL

I've been dissing my Congressman John Dingell by not pointing to the letter he, Bart Stupak (also from Michigan) and Edward Markey sent their colleagues about the FISA bill. But it raises an issue that deserves more attention. After discussing the rationales for telecom immunity, they point out,

For the past five months this Committee has asked, in a bipartisan manner, the phone companies and the Administration to explain whether they acted outside the bounds of the law and what would justify Congress telling a Federal judge to dismiss all lawsuits against the phone companies. The phone companies respond that the Administration has gagged and threatened them with prosecution if they respond to our inquiries. When the Committee requested that the Administration either remove the gag or provide the Committee with the relevant information, the Administration repeatedly refused. Surprisingly, even at this late date, the Administration has not deemed it important enough to respond to our repeated inquiries or even to brief the Committee Members in closed session.

Understand, John Dingell is a long-time friend of the telecoms (and can muster an awesome lecture to constituents on telecom history on demand). And this is the crowd in the House that legislates on telecoms more generally.

Yet the Administration won't let Ma Bell talk to them—at least not about her overwhelming need for immunity. The Republicans claim that, unless Ma Bell gets immunity, she'll go out of business. But they won't let her tell that to the legislators who know the telecom business best.

So it's not just the Administration's justifications for their illegal spying program they'll show to only 20 or so members of Congress in each house. They won't even let Ma Bell make her case herself.

I'm traveling tomorrow through Wednesday, so I won't be glued to the teevee to liveblog the FISA votes. But I'll try to touch base as the Senate vote develops.