

WHY TOM DAVIS SHOULDN'T BE OBAMA'S CYBERCZAR

Aside from the questionable logic of appointing yet another Republican who won't get us a seat in Congress, I've got three specific objections to the possibility that Tom Davis, former Republican Congressman from Northern Virginia, might be named as Obama's Cyberczar.

Tom Davis, a moderate Republican from Virginia, has emerged as a leading candidate for the Obama Administration's newly created position of cybersecurity czar. Sources familiar with the White House's deliberations on the subject say Obama officials feel a Washington power player would make a better candidate than a tech guru. "They want someone who understands technology issues, but more importantly, knows how to get things done in Washington," says a cybersecurity expert who has been consulted by the White House. "There are very few people who have that combination of skills, and Davis is at the top of that short list."

First, it's one thing to name a Republican to a post, but yet another to name the former head of the Congressional re-election campaign. When Davis headed the NRCC, after all, he did two things of questionable ethics which surely hurt Democrats' cause. It was under his leadership, after all, that the NRCC made some changes (the permission for outside employment, and the lumping of all committee accounts into one) that laid the groundwork for the money laundering problems discovered last year.

While I was buried in the White House's amazing email fraud yesterday, the Politico posted an article further

developing the NRCC accounting story. The Politico describes three roots to the accounting fraud. The NRCC no longer required executive committee approval for certain expenditures, it consolidated all its accounts, and it permitted people to work outside the NRCC.

Under Virginia Rep. Tom Davis and New York Rep. Thomas Reynolds, who chaired the committee from 1999 until the end of 2006, the NRCC waived rules requiring the executive committee – made up of elected leaders and rank-and-file Republican lawmakers – to sign off on expenditures exceeding \$10,000, merged the various department budgets into a single account and rolled back a prohibition on committee staff earning an income from outside companies.

These changes gave committee staffers more freedom to spend money quickly and react to a shifting political landscape during heated campaign battles, and House Republicans were able to claim larger majorities after the 2000, 2002 and 2004 elections.

And there is some evidence that the White House was already breaking the Hatch Act—using government resources to support House and Senate campaigns—when Davis was NRCC Chair.

By far the most interesting thing (to me at least) in today's WaPo story on how Karl Rove mobilized Administration resources to commit massive Hatch Act violations is this:

"He didn't do these things half-baked. It was total commitment," said Rep. Thomas M. Davis III (Va.), who in 2002 ran the House Republicans' successful reelection campaign in close coordination with Rove. "We knew history was against us, and he helped coordinate all of the accoutrements of the executive branch to help with the campaign, within the legal limits."

At the very least, hiring Tom Davis would be the equivalent of George Bush hiring Rahm Emanuel—hiring a cutthroat operative who has worked against your side. Only, with Davis, there's some suggestion his actions may have crossed the line of ethics if not law.

More troubling, to me, is the role Davis played in thwarting Democratic investigations of Bush's chronic problems with emails. Remember, both the investigation of the use of RNC emails among Bush appointees and the investigation of the missing emails went through the Oversight Committee. And, in his role as then-ranking member, Davis did what he could to stymie that investigation. Last year, for example, Davis helped the White House make sure Steven McDevitt—the guy who first discovered the extent of the missing emails—could not testify before the Oversight Committee. Davis repeatedly suggested that pushing to get the RNC emails would be an improper infringement on the RNC's political freedom. Most interesting, perhaps, Davis used his position to demand emails that might reflect an investigation into his own role while RNCC head.

All of this might be considered a natural role for Davis to have played while Ranking Member of a committee investigating his party's funny business with email. Or, given the way that Davis repeatedly intervened during hearings to

assist the Bush Administration with legal problems, it might have been complicit cooperation in a cover-up.

But whatever it is—do we really want a guy with a history of politicizing email to be in charge of our nation's internet security?

Really?

Obama, I understand this show of bipartisanship is really important to you. But this one—the consideration of Tom Davis to be your cyberczar? It's just downright stupid.