

DEMOCRATS VERSUS THE SATELLITES-DEMOCRATS WIN!!

I've been writing about the National Applications Office for close to two years—since the time Michael Chertoff tried to sneak through the satellite surveillance program without telling Congress or having the legally required privacy review completed. At that time, Bennie Thompson wrote Chertoff a sternly-worded letter.

Through media reports I learned of the Department's intent to create a National Applications Office (NAO) that will purportedly be tasked with facilitating the use of "spy" satellites for domestic homeland security and law enforcement purposes. Unfortunately, I have had to rely on media reports to gain information about this endeavor because neither I nor my staff was briefed on the decision to create this new office prior to the public disclosure of this effort.

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Turning to the matter at hand, I understand that the target date for NOA operation is October 1, 2007. With less than six weeks remaining until the anticipated "roll out" of this effort, I am concerned that several fundamental issues have not been adequately addressed. For instance, the Department's failure to include its own Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties in the initial planning stages for the NAO raises serious concerns about the extent to which valid privacy and civil liberties concerns raised by the

domestic use of this technology may have been considered and addressed prior to this projected roll out date.

After learning in a hearing that the program was as bad as perceived, Thompson called for a moratorium on the program.

Then, just two weeks ago, Jane Harman caught DHS trying to sneak the program through Congress in its classified budget.

But Siobhan Gorman reports that—after the nation's police chiefs told Janet Napolitano a bunch of satellite feeds really weren't going to help them do their jobs as much as old-fashioned information sharing—Napolitano is killing the program.

The Obama administration plans to kill a controversial Bush administration spy satellite program at the Department of Homeland Security, according to officials familiar with the decision.

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"It's being shut down," said a homeland security official.

The Bush administration had taken preliminary steps to launch the office, such as acquiring office space and beginning to hire staff.

The plans to shutter the office signal Homeland Security Secretary Janet Napolitano's decision to refocus the department's intelligence on ensuring that state and local officials get the threat information they need, the official said. She also wants to make the department the central point in the government for receiving and analyzing terrorism tips from around the country, the official added.

Lawmakers alerted Ms. Napolitano of their concerns about the program—that

the program would violate the Fourth amendment right to be protected from unreasonable searches-before her confirmation hearing.

Once she assumed her post, Ms. Napolitano ordered a review of the program and concluded the program wasn't worth pursuing, the homeland official said. Department spokeswoman Amy Kudwa declined to speak about the results of the review but said they would be announced shortly.

I'll be curious to see whether Napolitano had decided to kill the program before Jane Harman introduced legislation to kill it for her. But for the moment I'll take a victory against Big Brother.m