

HOUSE INTELLIGENCE STAFFER TRIED TO INTERVENE ON ILLEGAL WIRETAP PROGRAM

Scott Shane and Eric Lichtblau tell a sort of weird story of how a House Intelligence Committee staffer, Diane Roark, tried to reach out to William Rehnquist to get him to review Dick Cheney's illegal wiretapping program.

Within months of the beginning of the eavesdropping program in October 2001, a staff member of the House Intelligence Committee, alerted to the possibility of illegal spying by N.S.A. insiders and hoping to prompt a high-level legal review, wrote to Chief Justice Rehnquist asking for a meeting, according to several people familiar with the episode.

The Congressional staff member, Diane S. Roark, routed the letter through the chief justice's daughter, Janet Rehnquist, then the inspector general of the Department of Health and Human Services; Ms. Rehnquist was a high school acquaintance of one of Ms. Roark's N.S.A. contacts.

There was no response, and it is not known whether the letter was seen by the chief justice or prompted him to make inquiries.

What's weird about the story, first of all, is the method of approach. Are you telling me there are Congressional staffers who think Rehnquist could have legally reviewed this program in response to a request sent via his daughter (though it sounds like something Arlen "no longer Haggis or Scrapple" Specter might try)?

But then there's a detail that Shane and Lichtblau don't mention: Roark left HPSCI just after this attempt to have Rehnquist review the illegal wiretap program, ostensibly retiring. Here's Porter Goss' send-off to her on the floor of Congress.

I want to specifically recognize one of these dedicated people who has served the committee and our country diligently for almost 2 decades. Her name is Diane Roark, and I am sorry to say that when this body reconvenes in April Diane will no longer be on our staff. She is retiring from the House and from government service.

[snip]

Most recently, Diane has been our program manager for the National Security Agency, a vital agency for us. This agency has many, severe challenges, Madam Speaker, and if it were not for the efforts of Ms. Roark, I do believe that our committee's efforts to oversee and advocate for NAS would have been much less effective, and for that she has my personal thanks.

[snip]

Those managing the community know that she is usually on the mark with her assessments and that she takes the public's trust very well to heart. Recently, one of the senior managers within the community commented on her performance by saying that our staff "is very aggressive in their oversight and has a very serious and in-depth knowledge of our programs, sometimes a better understanding than some of the senior managers do."

The NYT suggests a connection between Roark and Thomas Drake, the guy indicted for whistleblowing on other NSA problems, and

describes a 2007 FBI raid on Roark's home.

I also can't help but think of Michael Hayden here. Roark and the others cited in the article complained of mismanagement at the time that Hayden led the NSA. He went on to run CIA for the last few years of the Bush Administration. Would he have gotten that position if the NSA investigation launched in response to Roark's complaints had been made public (the NYT notes it has not been)? Was he able to use his position at CIA to target Roark and former whistleblowers? And is this weird story a part of a preemptive response to something related to the Drake indictment?