

THE FISA 702 CANARD AT THE CORE OF TRUMP DEBATES

By now you've heard about Peter Thiel's batshit column, in which (with no explanation) he suggests Trump's second term might bring about an *apocalypsis* that his first term did not, a revelation of all the secrets that, Thiel claims, "the media organisations, bureaucracies, universities and government-funded NGOs" have been keeping.

Among the secrets Thiel thinks Trump will tell in his second term that he did not in his first are:

- Who else – potentially including "Fidel Castro, 1960s mafiosi, the CIA's Allen Dulles" – worked with Lee Harvey Oswald to kill JFK.
- How longtime Trump and Elon Musk friend Jeffrey Epstein died in a prison overseen by Bill Barr, whose family ties with Epstein go back even further.
- Whether Anthony Fauci secretly believed and covered up that, "Covid spawned from US taxpayer-funded research, or an adjacent Chinese military programme?"
- Joe Biden Administration's hypothetical involvement in Brazil's decision to uphold

its data sovereignty, an Aussie law imposing age limits on Internet use, or the UK's prosecution of violent rioters whom Thiel describes as guilty of no more than speech.

- Whether Charles Littlejohn's leak of Trump's and others' tax records was anomalous or whether the same thing happened to Hunter Biden. (I kid. Of course he ignored that it happened to Hunter.)
- What's behind a "50-year slowdown in scientific and technological progress in the US, the racket of crescendoing real estate prices, and the explosion of public debt" (in the same way he ignored that Hunter's tax records had been leaked, Thiel also ignored how easy it would be to fix public debt if he and his buddies paid their fair share in taxes).

Nutty, right?

And right in the middle of these fevered conspiracy theories, intelligence contractor Peter Thiel wondered whether there's such a thing as a right to privacy at all so long as Congress keeps reauthorizing FISA Section 702 under which the FBI continued to have violative queries incorporating US Person identifiers all the way through the Trump first term and in queries done as part of the January 6

investigation.

And on that same day, Tulsi Gabbard issued a statement reversing her opposition to Section 702, and in the process won the support of James Lankford and presumably some other hawkish Senators.

If confirmed as DNI, I will uphold Americans' Fourth Amendment rights while maintaining vital national security tools like Section 702 to ensure the safety and freedom of the American people. My prior concerns about FISA were based on insufficient protections for civil liberties, particularly regarding the FBI's misuse of warrantless search powers on American citizens. Significant FISA reforms have been enacted since my time in Congress to address these issues.

And all these Senators, reassured that Tulsi will continue America's best spying advantage, will ignore all the other reasons she's wildly unsuited for the position.

Thiel is not alone among those naively investing his hopes to end surveillance by ending 702. A slew of privacy activists have focused there, too.

It's like none of these people remember that people close to Trump used Israeli surveillance contractor Black Cube to spy on Barack Obama's Iran deal negotiators, Colin Kahl and Ben Rhodes.

It's like none of these people remember that Trump had DHS – which has fewer protections for US persons than the FBI does and which was run by a Trump flunkie – to surveil journalists covering the Portland riots.

It's like none of these people have thought through the implications of Trump's baseless claim that Hizballah was somehow involved in January 6, which is that all the people already

identified who participated in the riot will be searched under 702 for ties to Iran; searching for ties to foreign terrorist groups is literally the initial use case for 702.

It's like none of these people have thought through the implications of the immunity ruling, which would mean that Trump could spy on Daniel Ellsberg's shrink or even his Democratic opponents, and John Roberts would still let him off the hook.

It's like none of these people have yoked that reality to Trump's chumminess with most of the most prolific sources for Section 702 – Facebook and Google, probably Amazon – providing him a way to get what he wants directly (to say nothing of whatever DMs Elon might find to be interesting), targeting the actual Americans rather than the people overseas with whom they interacted.

Craziest still, Thiel presents the concern that the government will continue to partner with companies run by Tech Bros like Peter Thiel and Elon Musk and Mark Zuckerberg and Tim Apple and Sundar Pichai to surveil the world (likely with the help of Palantir software) as some great conspiracy theory. But he doesn't realize – or wants to pretend – that he and his Tech Bro buddies are the key villains here.

Do tell us your secrets, Peter. But first, come to grips with the fact that you are the conspiracy you're wailing about.