

LETTER TO EARL BLUMENAUER RE: INDEMNIFICATION AGREEMENTS

Dear Congressman Blumenauer:

I must say, I was both surprised and heartened to see you intrepidly and doggedly pursuing the existence and nature of [indemnification agreements from the United States government insulating and immunizing private companies such as Halliburton/KBR](#) from damage liability they would otherwise accrue for heinous, illegal and/or unconscionable acts committed in their participation in national security and the war on terror. Excellent work sir!

However, now that you are up to speed on the insidious use and abuse of such provisions, maybe you would like to continue your fine work – and give honor to your oath of office to defend the Constitution – and ask the same questions, and demand answers thereto, regarding indemnification agreements given to telcos by the Bush Administration in conjunction with the telcos' participation in the illegal and unconstitutional warrantless wiretapping program instituted by the Bush/Cheney Administration. And we know the program was illegal and unconstitutional because a United States Federal Judge directly and specifically [declared it to be just that](#).

So, what you need to know is that the same type of craven indemnification agreements you have pluckily exposed for Halliburton/KBR were almost certainly given to the telcos participating in the President's Wiretapping Program, and you owe it to your constituents and the citizens of this country to look into it and get answers just as you have done here.

Now I know this may be a lot to grasp and there is much for you to learn in order to

successfully pursue this matter, but by great and fortuitous luck, I have already laid out everything you will need to get going. In fact, I did it [nearly three years ago](#), and here is a taste:

For the foregoing reasons, the telcos are already protected by the immunity of existing statutory safe harbor provisions for legal conduct requested by the Administration and will have indemnity for other acts demanded by the Administration. I respectfully submit that the telcos are already sufficiently protected from the Spectre (some pun intended) of massive financial peril of the existing civil lawsuits; and that the only real reason for the desperate push for immunity is panic among Administration officials that their craven illegality will be exposed and they will be held to account. We now know for a fact, that which we have always suspected, thanks to Mike McConnell, namely that the entire belligerent push for FISA reform is all about immunity, and not about what George Bush would call "protectun Amarikuh".

The minor issues with FISA that need tweaking could have been easily accomplished and, indeed, Congress offered long ago to work with them to do just that; but, of course, were belligerently spurned because, as Dick Cheney famously bellowed, "We believe... that we have all the legal authority we need". This furious push has been about immunity, from the start, to prevent discovery of the Administration's blatant and unconscionable criminal activity. The House of Representatives, and the cave-in Administration cover-up specialists in the Senate as well, should take a long, hard look at what is really going on here and steadfastly

refuse the Administration's self serving
craven grab for the cover of telco
immunity.

But, alas, Congress, which you were a member of, went along like a bunch of blind lemmings with the [Bush/Cheney Administration's demand for immunity for telcos](#) that, along with the dishonest assertion of state secrets, has completely eviscerated citizens' ability to know and understand what illegal and unconstitutional actions the US government is taking in their name, not to mention ability to seek proper redress for the crimes and acts.

So, now that you are all hardwired in on indemnification abuse, and on a roll of success, how about you go ahead and pursue this part of it? Come on Earl, it is your duty after all. Thank you in advance for your attention and cooperation in resolving this important matter.

Sincerely,

bmaz