



"Only dull people are brilliant at breakfast." - Oscar Wilde

Card-carrying member of the reality-based community.

And Satan looked upon his handiwork, and said "Brownie, you're doing a heck of a job."

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"The rank and file are usually much more primitive than we imagine. Propaganda must therefore always be essentially simple and repetitious." -- Joseph Goebbels

"See in my line of work you got to keep repeating things over and over and over again for the truth to sink in, to kind of catapult the propaganda." -- George W. Bush

"The liberal soul shall be made fat, and he that watereth, shall be watered also himself." -- Proverbs 11:25

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SATURDAY, DECEMBER 24, 2005

Looks like Total Information Awareness is alive and well after all

The Administration hasn't just been conducting illegal wiretaps, they're data mining on a huge scale:

The National Security Agency has traced and analyzed large volumes of telephone and Internet communications flowing into and out of the United States as part of the eavesdropping program that President Bush approved after the Sept. 11, 2001, attacks to hunt for evidence of terrorist activity, according to current and former government officials.

Since the disclosure last week of the N.S.A.'s domestic surveillance program, President Bush and his senior aides have stressed that his executive order allowing eavesdropping without warrants was limited to the monitoring of international phone and e-mail communications involving people with known links to Al Qaeda.

What has not been publicly acknowledged is that N.S.A. technicians, besides actually eavesdropping on specific conversations, have combed through large volumes of phone and Internet traffic in search of patterns that might point to terrorism suspects. Some officials describe the program as a large data-mining operation.

The current and former government officials who discussed the program were granted anonymity because it remains classified.

In other words, when they have no leads and nothing concrete on threats, they want to just continually monitor ALL communications of ALL Americans. And they expect us to trust them that they are ONLY looking for patterns that might point to terrorist suspects? What a crock...especially since we KNOW that they're spying on left-leaning groups.

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(Speaking of which, it turns out that the story of the Dartmouth student being visited by Homeland Security because he requested Mao's red book from the library is a hoax. Friggin' asshole kid. He's just set it up so that now the Sabbath Gasbags can claim that there's no validity to ANY of it.)

Meanwhile, in other Big Brother is Watching You news, we now know the real reason the Bush Administration wants Samuel Alito to be confirmed -- and it has nothing to do with *Roe v. Wade*:

The attorney general should be immune from lawsuits for ordering wiretaps of Americans without permission from a court, Samuel A. Alito Jr., President Bush's Supreme Court nominee, wrote in a memorandum in 1984 as a government lawyer in the Reagan administration.

The memorandum, released yesterday by the National Archives, made recommendations concerning a lawsuit against former Attorney General John N. Mitchell over a wiretap he had authorized without a court's permission in 1970. The government was investigating a plot to destroy underground utility tunnels in Washington and to kidnap Henry A. Kissinger, the national security adviser.

The White House said yesterday that the issues discussed in that memorandum were not the same as those posed by President Bush's orders to the National Security Agency to eavesdrop on international communications without warrants.

"Judge Alito's memo regarding a purely domestic threat is completely different from N.S.A.'s efforts to thwart threats from foreign terrorist organizations," said Steve Schmidt, a White House spokesman.

In a letter to Judge Alito, Senator Charles E. Schumer of New York, a Democrat on the Judiciary Committee, said yesterday that he would question him vigorously about his current views on whether the attorney general and other top officials "have absolute immunity from suits based on even willful unconstitutional acts."

In 1972, the Supreme Court ruled that wiretaps without warrants in the context of domestic intelligence surveillance violated the Fourth Amendment, which prohibits unreasonable searches and seizures. The court did not address international communications.

"I do not question that the attorney general should have this immunity," Judge Alito wrote in 1984, arguing that top officials should not be subject to liability for damages for decisions relating to national security, including when they knowingly violated the law. But he counseled against appealing the issue to the Supreme Court, for two reasons.

"Absolute immunity arguments are difficult to pursue successfully,"

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he wrote. "Because we now must argue that the official should be immune from violating clearly established legal standards," there is a "high risk of failure."

A second reason for not appealing, he wrote, was a 1978 law, the Foreign Surveillance Intelligence Act, that "clarified the procedure in this area and probably reduced in large measure the potential for future litigation."

That law, which is at the center of the current controversy, created the Federal Intelligence Surveillance Court, which considers and issues warrants for gathering intelligence in the United States. The administration did not seek permission from that or any other court for the recently disclosed monitoring.

In his 1984 memorandum, Judge Alito urged his superiors to await a different legal vehicle, presumably one not tied to the abuses of the Nixon administration, to make the argument that top officials were free to violate the law.

"Our chances of persuading the court to accept an absolute immunity argument would probably be improved in a case involving a less controversial official and a less controversial era," he wrote.

Alito is right in synch with the Bush/Cheney vision of the imperial, unaccountable, dictatorial presidency. THAT'S why they want him.

Any Democrat or libertarian-leaning Republican who votes to confirm this guy ought to be run out of town on a rail next November.

posted by Jill | [7:20 PM](#)

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