

# I DON'T THINK "ACCOUNTABILITY" MEANS WHAT OBAMA THINKS IT DOES

Obama's statement on FISA:

I want to take this opportunity to speak directly to those of you who oppose my decision to support the FISA compromise.

This was not an easy call for me. I know that the FISA bill that passed the House is far from perfect. I wouldn't have drafted the legislation like this, and it does not resolve all of the concerns that we have about President Bush's abuse of executive power. It grants retroactive immunity to telecommunications companies that may have violated the law by cooperating with the Bush Administration's program of warrantless wiretapping. This potentially weakens the deterrent effect of the law and removes an important tool for the American people to demand accountability for past abuses. That's why I support striking Title II from the bill, and will work with Chris Dodd, Jeff Bingaman and others in an effort to remove this provision in the Senate.

But I also believe that the compromise bill is far better than the Protect America Act that I voted against last year. The exclusivity provision makes it clear to any President or telecommunications company that no law supersedes the authority of the FISA court. In a dangerous world, government must have the authority to collect the intelligence we need to protect the American people. But in a free society, that authority cannot be unlimited. As

I've said many times, an independent monitor must watch the watchers to prevent abuses and to protect the civil liberties of the American people. This compromise law assures that the FISA court has that responsibility

The Inspectors General report also provides a real mechanism for accountability and should not be discounted. It will allow a close look at past misconduct without hurdles that would exist in federal court because of classification issues. The **recent investigation** uncovering the illegal politicization of Justice Department hiring sets a strong example of the accountability that can come from a tough and thorough IG report.

The ability to monitor and track individuals who want to attack the United States is a vital counter-terrorism tool, and I'm persuaded that it is necessary to keep the American people safe – particularly since certain electronic surveillance orders will begin to expire later this summer. Given the choice between voting for an improved yet imperfect bill, and losing important surveillance tools, I've chosen to support the current compromise. I do so with the firm intention – once I'm sworn in as President – to have my Attorney General conduct a comprehensive review of all our surveillance programs, and to make further recommendations on any steps needed to preserve civil liberties and to prevent executive branch abuse in the future.

Now, I understand why some of you feel differently about the current bill, and I'm happy to take my lumps on this side and elsewhere. For the truth is that your organizing, your activism and your

passion is an important reason why this bill is better than previous versions. No tool has been more important in focusing peoples' attention on the abuses of executive power in this Administration than the active and sustained engagement of American citizens. That holds true – not just on wiretapping, but on a range of issues where Washington has let the American people down.

I learned long ago, when working as an organizer on the South Side of Chicago, that when citizens join their voices together, they can hold their leaders accountable. I'm not exempt from that. I'm certainly not perfect, and expect to be held accountable too. I cannot promise to agree with you on every issue. But I do promise to listen to your concerns, take them seriously, and seek to earn your ongoing support to change the country. That is why we have built the largest grassroots campaign in the history of presidential politics, and that is the kind of White House that I intend to run as President of the United States – a White House that takes the Constitution seriously, **conducts the peoples' business out in the open**, welcomes and listens to dissenting views, and **asks you to play your part** in shaping our country's destiny.

Democracy cannot exist without strong differences. And going forward, some of you may decide that my FISA position is a deal breaker. That's ok. But I think it is worth pointing out that our agreement on the vast majority of issues that matter outweighs the differences we may have. After all, the choice in this election could not be clearer. Whether it is the economy, foreign policy, or the Supreme Court, my opponent has embraced the failed course of the last

eight years, while I want to take this country in a new direction. Make no mistake: if John McCain is elected, the fundamental direction of this country that we love will not change. But if we come together, we have an historic opportunity to chart a new course, a better course.

So I appreciate the feedback through my.barackobama.com, and I look forward to continuing the conversation in the months and years to come. Together, we have a lot of work to do. [my emphasis]

Here's my biggest problem with this statement. Obama says the IG report on politicization is a great example of accountability. Well, here's what that report said about accountability:

However, because both McDonald and Elston have resigned from the Department, they are no longer subject to discipline by the Department for their actions. Nevertheless, we recommend that the Department consider the findings in this report should either McDonald or Elston apply in the future for another position with the Department.

In other words, the IG report on politicization at DOJ found that Mike Elston and Esther McDonald had broken the law. But it admitted that DOJ was unable to hold them accountable for their actions—because too much time had elapsed, because they had both snuck off to sinecures in swank Republican law firms, and because the Inspector General really couldn't hold them accountable directly.

So next year, when we get this vaunted IG report on the illegal wiretapping, it'll include a passage that says:

However, because the five year statute of limitations has passed and because

former President Bush, former White House Counsel Alberto Gonzales, former Chief of Staff Andy Card, and former Vice President Cheney are no longer in office, the culprits are no longer subject to legal consequences for their actions. Nevertheless, we recommend the American people consider the findings in this report should George Bush ever try to run for President again.

Nah. I don't call that accountability either.