

# DID HARMAN APPROVE OF THE ILLEGAL DOMESTIC WIRETAP PROGRAM?

Well, that was quick work. Yesterday I suggested that the Gang of Eight who purportedly attended the March 10, 2004 meeting at which Alberto Gonzales claims to have developed consensus that they should ignore James Comey's concerns and continue to tap American citizens anyway might have some enlightenment to offer about what went on at the meeting. So far, Nancy Pelosi, Jay Rockefeller, and Tom Daschle argue that Gonzales is full of shit. Jane Harman, however, engages in a little shiny-objecting.

Representative Jane Harman of California, who in 2004 was the top Democrat on the House Intelligence Committee, insisted that there was only one N.S.A. program, making Mr. Gonzales's assertions inaccurate.

"The program had different parts, but there was only one program," Ms. Harman said, adding that Mr. Gonzales was "selectively declassifying information to defend his own conduct," which she called improper.

Before I go on, let's lay out the math. Speaker Pelosi reveals that a majority did agree the country should ignore little issues like legality and continue the program.

Speaker Nancy Pelosi of California, who attended the 2004 White House meeting as House Democratic minority leader, said through a spokesman that she did not dispute that the majority of those present supported continuing the intelligence activity. But Ms. Pelosi said she dissented and supported Mr.

Comey's objections at the meeting, said the spokesman, Brendan Daly.

If I'm not mistaken, a majority of eight is, um, five. Which means at least one Democrat voted against the law and in favor of illegal wiretapping. Given the clear messages of the other three Democrats among the Gang, that leaves Jane Harman as the fifth vote for illegal wiretapping.

Look, I'm well aware that Gonzales is playing semantic games by claiming there is one program that is actually two or more programs (and semantic games about the meaning of "consensus"). But if that's the way Harman wants to get out of responsibility for her vote, I'm not having it. Gonzales is lying and was violating the law—but Harman's dissembling responses don't make her apparent position correct, either. If she did, in fact, cast that fifth vote for illegal wiretapping, then that vote put the lipstick of "consensus" on the pig of illegality.