

SENATE INTELLIGENCE COMMITTEE OPEN HEARINGS: A PLATFORM FOR LIARS

Pentagon Papers era NYT Counsel James Goodale has a piece in the Guardian attracting a lot of attention. In it, he says the first step to reform NSA is to fire the liars.

The NSA has lied to the Congress, the courts, and perhaps even to the president himself, but no one seems to care.

The Director of National Intelligence James R Clapper admitted he lied to Congress about the NSA metadata collection program. He said the NSA had no such program – and then added that that was the least “untruthful” remark he could make. General Keith Alexander, director of the National Security Agency, lied in 2012 that the NSA does not hold data on US citizens, and repeated similar misstatements, under oath, to Congress about the program:

We’re not authorized to do it [data collection on US citizens], nor do we do it.

NSA lawyers lied to secret Fisa court Judges John D Bates and Reggie B Walton. In recently released opinions, Bates said he had been lied to on three separate occasions and Walton said he had been lied to several times also.

But Clapper and Alexander have not been held in contempt of Congress. Nor have the Justice Department attorneys, who

lied to Judges Walton and Bates, been disciplined.

And while he links to many of the best examples of James Clapper and Keith Alexander lying, he misses this.

In just its third open hearing this year, the Senate Intelligence Committee has arranged the following witnesses for tomorrow's hearing on NSA's spying.

Senate Intelligence Committee Chairman Dianne Feinstein (D-Calif.) and Vice Chairman Saxby Chambliss (R-Ga.) today announced the committee will hold an open hearing to consider legislative changes to the *Foreign Intelligence Surveillance Act*, to include the NSA call records program, on Thursday, September 26, at 2 p.m.

WHAT: Public hearing on FISA, NSA call records

WHO:

Panel I

- *Director of National Intelligence James Clapper*
- *National Security Agency Director General Keith Alexander*
- *Deputy Attorney General James Cole*

Panel II

- *Ben Wittes, Brookings Institution*
- *Tim Edgar, Watson Institute for International Studies,*

Brown University

So DiFi's idea of an "open hearing" is to invite two established liars. And for her non-governmental witnesses, one keeps declaring Congress NAKED! in the face of evidence the government lies to them, and the other tells fanciful stories about how much data NSA shares.

It's like DiFi goes out of her way to find liars and their apologists to testify publicly.

That's nothing new, though. Those other two open hearings? The Global Threat Assessment hearing where Clapper assured Ron Wyden the NSA didn't collect data on millions of Americans. And the confirmation hearing for John Brennan, who once claimed the US had killed no civilians in an entire year of drone strikes (and, if his odd mouth gestures were the tell they appeared to be, he lied about leaks to journalists including on UndieBomb 2.0 in the hearing as well.)

It's DiFi's committee. And if she wants every single open hearing to serve as a platform for accomplished liars, I guess that's her prerogative.

But observers should be clear that's the purpose of the hearings.