

Lopsided vote in US Senate to confirm NSA spy chief to head CIA

Most Democrats back General Hayden

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General Michael Hayden was confirmed as the next CIA director on Friday by a 78-15 vote in the US Senate. Twenty-six Democrats and 1 independent joined 51 Republicans in a bipartisan show of support for George W. Bush's nominee to head the spy agency. Hayden replaces Porter Goss, who resigned under pressure from the White House earlier this month.

As former head of the National Security Agency (NSA), Hayden was the principal architect of the recently exposed spying program initiated shortly after 9/11, under which the NSA has been secretly, without court warrants, tracking the telephone calls of over 200 million Americans. As reported by *USA Today* earlier this month, the dragnet has amassed a huge database of telephone records handed over to the NSA by the largest US telecommunications companies.

Last December, the *New York Times* reported on another NSA program to secretly eavesdrop on the phone calls of US citizens without a warrant. Both of these programs, put into operation under Hayden's watch, had been hidden from the American people for more than four years. They stand in flagrant violation of constitutional safeguards against government invasions of privacy as well as federal laws governing telecommunications and domestic surveillance.

Democratic leaders indicated from the start of the confirmation process that they would not seek to block Hayden's nomination. A 12-3 vote on the Senate Intelligence Committee last Tuesday set the stage for Friday's easy confirmation by the full Senate. Four Democrats joined the eight Republicans on the committee to recommend Hayden's approval. (See "Democrats ensure confirmation of NSA spy chief to head CIA")

The vote to confirm Hayden shows the support among leading Democrats for the buildup of police-state measures against the US population. It underscores the existence of a consensus within the American ruling elite as a whole for the assault on democratic rights being pursued by Bush administration in the name of the "war on terror."

A number of Democrats were fulsome in their praise for Hayden. In a statement expressing her support, Dianne Feinstein (California) said, "I believe General Hayden is the sound intelligence professional the CIA needs to regain its footing as the world's premier spy service...."

Senate Democratic leader Harry Reid stated that he was "hopeful that this nomination signifies that the Bush administration has recognized, finally, that professionals, not partisans should be put in charge of national security."

This followed a confirmation hearing in which Hayden refused to provide information on the NSA spying programs or other illegal practices, such as CIA "renditions" of alleged terrorists to countries that practice torture and secret prisons run by the CIA outside the US. Citing "national security," Hayden likewise refused to give a "yes" or "no" answer to questions as to whether certain forms of interrogation constitute torture.

This did not prevent the ranking Democrat on the Senate Intelligence Committee, Jay Rockefeller of West Virginia, from gushing that Hayden had "demonstrated a commitment to working with the Congress to ensure that we can carry out our constitutional responsibilities to oversee intelligence programs."

Carl Levin (Michigan), the second-ranking Democrat on the Senate Intelligence Committee, while citing concerns with the “legality and privacy intrusions and effectiveness of the program authorized by the President,” added, “I know of no evidence that General Hayden acted beyond the program’s guidelines.”

Also voting to confirm Hayden was Joseph Biden (Delaware), who has declared his intention to seek the 2008 Democratic presidential nomination.

Feinstein, Rockefeller and Levin—all voting in favor of Hayden’s confirmation—attended at least one of the briefings by the Bush administration on the domestic spying programs, and were consequently complicit in their implementation. Criticisms made by these senators in the wake of the exposure of the secret programs have centered on proper oversight and the advisability of amending existing laws to make such domestic spying operations legal, not the virulently anti-democratic, police-state character of the spying operations themselves.

Included among the 15 Democrats voting against Hayden’s confirmation were Edward Kennedy, Hillary Clinton and John Kerry. While opposing the nomination, all three have repeatedly emphasized their support for the basic framework of the Bush administration’s assault on democratic rights—the so-called “war on terror.”

Typical were the comments of John Kerry, the party’s 2004 presidential candidate, who criticized Hayden as “the administration’s principal spokesperson and defender of an illegal domestic spying program,” and quickly added, “We are all committed to destroying terrorists and preventing terrorist attacks before they happen.”

This is a remarkable statement, which in its own way sums up the cowardice and duplicity of the Democratic Party. If Hayden and his “commander in chief” Bush are guilty of an “illegal domestic spying program,” then they are engaged in a criminal conspiracy against the democratic rights of the American people and stand in breach of the US Constitution, which they are by law obligated to uphold. What, then, does the titular head of the Democratic Party propose to do about it? Absolutely nothing.

Not only is there no call for Bush or anyone else in his administration to be investigated and held accountable—Kerry and the rest of the Democratic

leadership have placed a de facto ban on the word “impeachment”—there is no suggestion that the “illegal domestic spying operation” be halted.

The sole Republican to vote against Hayden’s confirmation was Judiciary Committee Chairman Arlen Specter (Pennsylvania), who, while describing the general as “a man with an outstanding record,” complained that the Judiciary Committee “was stonewalled, plain and simple” by the Bush administration when the panel sought information on domestic spying from Attorney General Alberto Gonzales.



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