

Bush administration illegally examined Obama passport file

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In an apparent “dirty tricks” operation against Senator Barack Obama, one of the two remaining Democratic presidential candidates, State Department employees illegally accessed personal data from his electronic passport file.

Although security programs automatically detected the data breaches, which occurred on three separate occasions this year, the Obama campaign was not notified nor was the incident made public until a reporter for the *Washington Times* contacted the State Department after learning of the incident.

A State Department spokesman, Sean McCormack, said that the three employees, all contractors, had access to files in the consular affairs section, and read both Obama’s passport application and “other records,” in violation of department privacy rules. Their actions also appear to have violated the 1974 Privacy Act.

McCormack denied that the three were acting on behalf of the Republican Party or any other candidate. “As far as we can tell, in each of the three cases, it was imprudent curiosity,” he told the *Washington Times*.

Patrick Kennedy, undersecretary of state for management, claimed that top officials at the State Department only learned of the security breach Thursday afternoon, March 20, when a *Times* reporter called, although the files were accessed on January 9, February 21 and March 14, and on each occasion a security monitoring program detected the unauthorized data access.

“I will fully acknowledge that this information should have been passed up the line,” he told reporters in a teleconference. He added that two of the three contractors were fired and the third was disciplined and deprived of access privileges, actions taken by supervisors before top officials even learned of the violations.

The firings will make it more difficult to carry out the full-scale investigation now ordered by Secretary of State

Condoleezza Rice, since the discharged employees, who worked for an unnamed subcontractor, have no incentive to cooperate or give testimony, and are likely to plead the Fifth Amendment instead.

Kennedy explained that the records of high-profile individuals, including politicians and celebrities, are “flagged” with a computer tag that automatically notifies supervisors when the files are improperly accessed.

“We have a sophisticated computer tracking system that looks at this when it sees anything that’s inappropriate,” he said. “But, I will admit, they failed to pass the information up the chain to a sufficiently high level.”

The illegal accessing of Obama’s personal information is particularly chilling, coming as it does barely a week after the revelation that the FBI conducted extensive surveillance of New York Governor Eliot Spitzer, including interception of thousands of e-mails and text-messages. Spitzer resigned after it was made public that he had patronized call girls, but it is clear that he had been targeted for investigation because he was a prominent Democrat, not because the FBI was pursuing a prostitution ring.

These events must be understood in conjunction with the politicized prosecutions by the Justice Department under Bush crony Alberto Gonzales, which led, among other things, to the imprisonment on fabricated charges of former Alabama Democratic governor Don Siegelman and Wisconsin state official Georgia Thompson. The picture emerges of an administration engaged in a massive and systematic abuse of power for political ends.

Hours after the public announcement of the Obama privacy violation, the State Department revealed that files of Senator Hillary Clinton and Senator John McCain were also accessed, and in the case of McCain, by one of the same employees. Patrick Kennedy briefed the staffs of all three candidates Friday on Capitol Hill.

This last revelation may be an effort to muddy the

waters, and reinforce the claim that the security breaches involved only curiosity about prominent public figures, and not a political agenda.

The Clinton file was accessed last summer by an employee as part of a training session involving a co-worker, and the impropriety was immediately noted and the employee given a warning. There was no second attempt to access Clinton's file. No details about the accessing of McCain's file have been revealed, except that it took place early this year.

Besides basic biographic information, the passport file gives the Social Security number, which would make possible a far more extensive search for personal information, particularly when the snoop has access to federal government databases. Under the provisions of the USA Patriot Act, many federal agencies have access to private databases, such as credit card and bank records, on a no-questions-asked basis.

An Obama campaign spokesman, Bill Burton, said, "This is an outrageous breach of security and privacy, even from an administration that has shown little regard for either over the last eight years. Our government's duty is to protect the private information of the American people, not use it for political purposes. This is a serious matter that merits a complete investigation, and we demand to know who looked at Senator Obama's passport file, for what purpose and why it took so long for them to reveal this security breach."

Secretary of State Rice said Friday she has apologized to Obama personally. A Bush administration official said the FBI has begun a preliminary inquiry into the incident.

The automated security controls were put in place at the State Department in the wake of a similar case of politically motivated snooping in 1992, when top officials of a previous Bush administration sought information to discredit the Democratic presidential candidate of that year, Bill Clinton.

In the 1992 scandal the trail back to the White House was clearly established, since Bush campaign manager James Baker—who left his position as secretary of state to run the reelection effort—was anxious to obtain material that could be used against Clinton. Baker was especially interested in Clinton's visit to Moscow during the Vietnam War, while he was a graduate student at Oxford.

President George H. W. Bush made repeated references to this trip in the course of the 1992 fall campaign, seeking to smear Clinton as unpatriotic and disloyal. The Republicans circulated rumors that Clinton had renounced his citizenship as an antiwar gesture, and there were even

McCarthyite-style suggestions he had become a "mole" for the Soviet KGB.

Something similar may well be involved in the latest case of State Department snooping on a Democratic presidential hopeful. There have been numerous efforts to float rumors that Obama is or was a Muslim and that he was educated at a Muslim madrassah when his mother lived for four years in Indonesia. His travel records could well be utilized to try to further such a smear campaign.

It is significant that in both 1992 and 2008 the *Washington Times*, a right-wing daily owned by the Reverend Sun Myung Moon's Unification Church, played a leading role in the passport affair. In 1992, it was a Freedom of Information Act request by a reporter at the *Times*, seeking FBI records on Clinton's antiwar activities in the 1960s, that triggered the search for Clinton's passport files.

The first Bush administration attempted to use the passport affair against Clinton, despite the lack of any damning information in his file, by suggesting that pro-Democratic functionaries in the State Department had somehow scrubbed the file clean of incriminating evidence. This line of argument failed almost of its own weight, and the affair blew up into a minor sensation, with the appointment of an independent counsel who, well after the election, exonerated Baker and other top officials, including his top aide, Margaret Tutwiler, and Steven K. Berry, an assistant secretary of state.

In a peculiar coincidence, Merrill Lynch, the biggest US stockbroker, announced March 19 that it had appointed the same Steven K. Berry as its new head of government relations. He will report to the giant financial firm's senior vice president and head of communications and public affairs—Margaret Tutwiler. In other words, those who facilitated and perpetrated the political spying against Clinton in 1992 continue to thrive in corporate America, while their successors conduct similar police-state efforts today.



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