

# US: Democratic Congress approves war funding, legalizes domestic spying

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In an across-the-board capitulation to the Bush White House, the House of Representatives voted at the end of this week to approve another \$162 billion to fund the US wars in Iraq and Afghanistan while also passing legislation that legalizes the administration's domestic spying program.

President George W. Bush appeared in the White House Rose Garden Friday morning to praise the Democratic House leadership for supporting these two prongs of Washington's so-called war on terror: military aggression abroad and an assault on basic democratic rights at home.

Bush credited "bipartisan cooperation" for a war-funding vote that would give "our troops the funds they need to prevail without tying the hands of our commanders in the field or imposing artificial timetables for withdrawal." The surveillance law, he added, would "help our intelligence professionals learn our enemies' plans for new attacks."

In the war-funding package, the Democratic leadership crafted legislation that will pay for the present level of killing in Iraq and Afghanistan through June 2009—six months after the next administration takes office.

The congressional Democrats have given the administration more funds than it requested for the two wars—paying in advance for most of fiscal 2009—in order to avoid another vote on war funding in October, on the eve of the national elections. Their aim is to get the issue "off the table" now so that they can better posture as opponents of the war and appeal to mass antiwar sentiments at the height of the election contest.

The legislation, which included \$161.7 billion for core funding of the two wars and occupations (plus another \$4.6 billion to finance military bases and hospitals, largely in connections with the wars) passed by a vote of 268-155, with Democrats providing 80 votes alongside a near-unanimous Republican minority, assuring it a comfortable margin.

Meanwhile, the House leadership separately moved a domestic spending package, which included an extension of the GI bill providing educational benefits for Iraq and Afghanistan veterans, as well as a 13-week extension of unemployment insurance for laid-off workers who have exhausted their benefits under the current limitation of 26 weeks.

Because of opposition within their own party, House Democratic leaders abandoned a proposal to pay for the veterans benefits by imposing a new tax on individuals with incomes over \$500,000 a year, instead adding its \$62 billion price tag, together with the war

funding, to the US national debt.

The Democrats sought to focus public attention on these domestic measures—initially opposed, but finally embraced by the Republican White House—which passed by an overwhelming vote of 416 to 12.

The ability of the Democrats to prevail on the domestic side of the legislation, however, only underscored their complicity with the Bush administration's policies of war and repression. They did not fail to stop funding for the continuing slaughter in Iraq or block the new surveillance legislation because of the overwhelming political power of the White House. On the contrary, Bush's popularity rating has plumbed record lows, in large part because of the overwhelming popular opposition to the war.

Rather, the Democrats assured the passage of these measures—while allowing those members of their caucus who needed for political reasons to vote against it—because they fundamentally support the continuation of the US campaign to subjugate Iraq as well as the sharp curtailment of the constitutional rights of the American people.

In a pathetic and hypocritical speech from the floor of Congress, House Speaker Nancy Pelosi declared: "Let us hope that this is the last time there will ever be another dollar spent without restraints, without conditions, without direction. Why should we trust the same judgment that got us here in the first place in this war?"

Why indeed, except that the Democrats support the continuation of the war? The clear implication of her remarks is that Congress will vote again to fund this criminal venture, but its leadership hopes that next time it will be under a Democratic administration that will conduct the US intervention with "direction."

No less reactionary and shameful was the vote conducted Friday on the surveillance legislation, which passed the House by an even wider margin—293 to 129—with 105 Democrats, including Pelosi herself, voting in favor, as with the war funding bill joining forces with a near-unanimous Republican caucus.

The legislation grants complete immunity to telecommunications firms that collaborated in Bush's illegal domestic spying program, upending some 40 civil lawsuits by customers charging violation of their privacy rights. It also re-writes the 1978 Foreign Intelligence Surveillance Act (FISA), providing the government with far greater surveillance powers.

The bill, the most sweeping overhaul of surveillance laws in 30 years, was submitted to a vote barely 24 hours after a deal was

struck between the White House and the Democratic congressional leadership. It was approved with no hearings and virtually no debate, after months of secret negotiations.

Before casting her vote in favor of the legislation House Speaker Pelosi told the media, “It is a balanced bill. I could argue it either way, not being a lawyer, nonetheless, I could argue it either way.”

Rep. Russ Feingold (Democrat, Wisconsin) was less equivocal. The deal, he said, “is not a compromise; it is a capitulation.”

The Republicans confirmed this assessment. “The proposal—particularly the immunity provision—represents a major victory for the White House after months of dispute,” the *New York Times* reported Friday. The *Times* quoted Senator Christopher Bond, of Missouri who negotiated for the Senate Republicans: “I think the White House got a better deal than even they had hoped to get.”

The blanket protection granted to AT&T, Verizon and other telecommunications companies that helped the Bush administration carry out its warrantless domestic spying operation is a key part of this victory, but also represents a bipartisan policy.

This section of the legislation, which is titled “Protection of Persons Assisting the Government,” assures the wholesale dismissal of the pending lawsuits by retroactively legalizing the telecoms’ participation in and abetting of illegal government acts. It establishes that no company or individual can be sued for “providing assistance to an element of the intelligence community” and merely requires the US Attorney General to affirm that the illegal action was “authorized by the president” and “designed to prevent or detect a terrorist attack.”

Moreover, the Attorney General can declare any evidence of such authorization and such a terrorist connection secret, preventing the plaintiffs in the cases from even learning why their lawsuits were dismissed.

This extraordinary measure serves to further strengthen the increasingly dictatorial powers that the Bush administration has assumed, essentially allowing the president to recruit private corporations to carry out illegal acts with impunity.

Immunity for the telecoms also provides a vital protection to the Bush White House itself. The government and its intelligence agencies have successfully warded off legal challenges to the domestic spying program on the grounds of national security and state secrets. Thus, the civil suits against the telecommunications companies had provided the one remaining avenue for uncovering information about the illegal wiretapping conducted over the past six years and holding those responsible accountable. The legislation stops any judicial inquiry before it can begin, thus aiding Bush and Co. in their cover-up.

The Democrat leadership is as determined as the Republicans to defend the interests of these powerful corporations and has no real desire to expose the crimes carried out in the name of the war on terror.

The telecommunications industry, like much of big business, has shifted politically over the last several years, sending the lion’s share of its campaign contributions to Democratic candidates. Telecom firms provided over \$315,000 to the Democratic Party’s presumptive presidential candidate Obama—nearly five times as much as to his Republican rival, McCain.

After Obama, Clinton and McCain, the politician receiving the most telecom cash was Senator Jay Rockefeller, Democrat of West Virginia and, as chairman of the Senate intelligence committee, a key architect of the bill, taking in \$59,000 last year. Money buys access, and it is widely reported that the lobbyists for the telecommunications companies participated in drafting the legislation.

In addition, the legislation essentially provides legal sanction for the warrantless wiretapping program carried out by the National Security Agency. Its supposed safeguards against massive domestic government spying are toothless.

The American Civil Liberties Union warned Friday that the bill allows “mass, untargeted and unwarranted surveillance of all communications coming in to and out of the United States.”

And all the government has to do is invoke “exigent” circumstances; i.e., an emergency, to wiretap American citizens without a warrant for seven days. Given that the administration claims a constant emergency based on the omnipresent threat of terrorism, this creates the conditions for an uncontrolled police state.

If a court finds this spying on individual citizens unjustified and denies a warrant, the government is empowered to continue surveillance throughout the appeals process, rendering the ruling moot.

The Democratic-led Congress has passed this legislation to pay for another year of war and to eviscerate constitutional rights less than five months before an election in which they intend to make two-faced appeals to the massive popular hostility towards the Bush administration.

What the actions this week on Capitol Hill make clear, however, is that the election of a Democratic administration headed by Barack Obama in the fall will by no means spell an end to the reactionary policies pursued by Washington over the previous eight years.



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