Senate Democrat calls for vast expansion of "no-fly" list

Patrick Martin 11 January 2010

A leading Democrat in the US Senate called Sunday for a huge expansion of the federal no-fly list and a series of other repressive measures, including steppedup procedures for denial of US visas on the basis of "reasonable suspicion" and an effective halt in the release of prisoners held at Guantanamo Bay.

Senator Diane Feinstein of California, chairman of the Senate Intelligence Committee, made a joint appearance with the ranking Republican member of the House Intelligence Committee, Congressman Peter Hoekstra, on the CBS interview program "Face the Nation." The two legislators seemed in complete accord over how the US government should respond to the failed attempt by a Nigerian student to detonate a bomb on board Northwest Airlines Flight 253 on Christmas Day.

The current standard for placing individuals on the nofly list requires actual evidence rather than mere suspicion, but Feinstein criticized this as unduly complex. "It should be simplified that, if you have reasonable suspicion that an individual is connected to terrorism or a terrorist group, bingo, they go on the nofly list," she said.

The result of such a change would be to expand the list from the present 4,000 names to as many as half a million entries in the central database run by the National Counter-Terrorism Center. The current system has led to repeated instances when people have been stopped from flying because of a similarity in names or an erroneous entry. Expanding the list by a factor of 100 would undoubtedly increase the number of false denials by an even greater margin. Moreover, the broad criteria advocated by Feinstein could provide a pretext for the government to include on the list political opponents of its war policies, who could be deemed to warrant "reasonable suspicion" of a "connection" to "terrorism or a terrorist group."

Congressman Hoekstra suggested that the Fort Hood shooting in November and the attempted airplane bombing in December were connected, because both the Army major who carried out the shooting and failed bomber Umar Farouk Abdulmutallab had been in communication with the same radical Islamic preacher in Yemen, the US-born Mohammed al-Awlaqi.

He criticized the US intelligence apparatus for failing to move quickly against Awlaqi after the Fort Hood massacre, asking, "What did we as an intelligence and a military community do to try to find this guy, either arrest him or potentially kill him?"

Neither Feinstein nor interviewer Bob Schieffer of CBS raised an eyebrow over a US congressman calling for the assassination of a US citizen who has not been convicted or even charged with any crime. If Awlaqi was to turn up in the United States tomorrow, it is not clear that there would be any legal basis for his arrest.

Instead, Hoekstra called attention to Awlaqi's nationality, saying, "Remember, he has the protections of an American citizen. I think that's going to be the big issue as we move forward. How are we going to deal with American citizens who go rogue?"

The Republican congressman went on to call for the Obama administration to adopt a policy of not releasing prisoners from Guantanamo "to any country that has an Al Qaeda presence." Feinstein chimed in, "Yes, I tend to agree with that, actually."

If taken literally, this would ban the release of any prisoner at Guantanamo, no matter how innocent, because there is arguably an "Al Qaeda presence" in every major country, including, of course, the United States itself.

Feinstein then echoed the Pentagon propaganda about released Guantanamo detainees, claiming, "If you combine the suspected and the confirmed, the number I have is 74 detainees have gone back into the fight. And I think that's bad."

Only a handful of prisoners have actually engaged in terrorism after their release from Guantanamo, and some of these were apparently radicalized only after their mistreatment by the United States.

The Pentagon figures are calculated by listing every released detainee who has complained of torture and abuse at Guantanamo, or otherwise spoken against the US "war on terror," as having "returned to the battlefield." By that standard, domestic critics of torture at Guantanamo and secret CIA prisons could also be classified as "enemy combatants" and treated accordingly.

Feinstein's comments demonstrate the fundamental unity of both big business parties behind the brutal methods employed by the US military/intelligence apparatus in the name of the "war on terror."

The Obama administration continues its steady shift to the right since its first day in office, when Obama signed the now-discarded pledge to close Guantanamo within a year.

On Friday, Director of National Intelligence Dennis Blair named retired deputy CIA director John McLaughlin to lead an internal review of the handling of the information on Umar Farouk Abdulmutallab before he boarded the Northwest jet on Christmas Day. McLaughlin was also charged with examining the events leading up the Fort Hood shooting, a tacit declaration by the Obama administration that the massacre will be treated as an act of terrorism directed by Al Qaeda, rather than the action of a disoriented or mentally ill military officer.



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