

# The NSA and the New York Times

Our reporter  
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One of the most striking aspects of a recent Frontline documentary, *United States of Secrets*, which aired last week on US public television, is what it reveals about the role of the *New York Times* covering up for the illegal and unconstitutional activities of the Bush administration. (See: Documentary reviews history of domestic spying under Bush and Obama)

The *Times*' Bill Keller in particular tried to nix articles about the illegal program altogether and, when that failed, he warned the Bush administration that the story was going to break. In this manner, he and his collaborators served as accomplices to state crimes.

When the 2004 presidential election was in full swing, two reporters at the *New York Times* were contacted by federal government employees with evidence of an illegal, unprecedented and enormous program of domestic surveillance being carried out by the National Security Agency.

*Times* reporter Eric Lichtblau had been contacted by Department of Justice attorney Thomas Tamm regarding the latter's knowledge of unwarranted spying through his work as a writer of warrant applications to the Foreign Intelligence Surveillance Act (FISA) court. Tamm related that the NSA program in question had caused such an uproar within the DOJ that there was talk of the attorney general being indicted.

Another *Times* reporter, James Risen, was contacted by National Security Agency employees about the same illegal domestic surveillance program at around the same time. When Risen put the question of unwarranted spying to Michael Hayden himself, Hayden hung up the phone, confirming Risen's suspicions.

Hayden put the White House on notice of the impending story. Alberto Gonzalez tells Frontline interviewers that the administration was even considering trying to obtain an injunction against any *Times* article that would reveal the NSA program, an

action which is known as prior restraint of freedom of the press.

The White House fortunately found a willing participant for its crimes in the *New York Times*' executive editor Bill Keller, who agreed to a meeting about the matter with the head of the CIA and other officials. Risen was present at the meeting. He was forbidden to write any notes. Risen and the *Times*' DC bureau chief both relate a chilling request from the acting CIA director, posed in hypotheticals. To paraphrase, "if we were conducting this type of program, it would be very important and we would ask the *Times* not to write about it."

Keller and the other decision-makers assented, burying the story while branding Lichtblau and Risen as insubordinate. Keller has since stated his belief that part of responsible journalism includes deciding which stories *not* to print. Keller's decision to keep the story under wraps served the thoroughly reactionary end of keeping the NSA spying program out of the 2004 presidential election. The American people were thus denied the immediate ability to make their feelings known on the program and the administration at the ballot box.

In the meantime, Hayden was promoted and gained more oversight of intelligence gathering. James Risen ultimately threatened to put his draft *Times* article in book form, crediting Lichtblau and exposing the *Times*' utter spinelessness. Under this threat, Keller rushed to the White House to alert them to the impending story, giving the administration time to prepare its defense.

This episode serves as a reminder that the *New York Times*, like the mainstream media in general, does not regard its job as to inform the public. Rather, their role is more akin to media attaché to the military-intelligence complex. As *United States of Secrets* reveals, whistleblower Edward Snowden quite correctly had no confidence in the *Times*, taking his massive

revelations to other outlets. For that matter, the *Times* had already established a record of rebuking at least one other important whistleblower, Chelsea (Bradley) Manning.



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