

Bush, Cheney threaten New York Times over exposure of surveillance programs

By Patrick Martin
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In a brazen effort to intimidate the media and halt any further exposures of illegal US government spying, President Bush, Vice President Cheney and several Republican congressional leaders have denounced the *New York Times* and suggested that the newspaper could face criminal charges for its report on US government surveillance of international financial transactions.

The *Times* reported June 21 on its web site and then in its June 22 print edition that the Department of the Treasury had secretly accumulated an enormous database on international financial transactions by obtaining access to the records of the Society for Worldwide Interbank Financial Telecommunications, a Belgium-based clearinghouse for major banks and other financial institutions. Similar reports were published by the *Los Angeles Times* and the *Wall Street Journal* June 22, and then more generally throughout the US media.

Bush used a pro-war photo-op at the White House Monday to attack the media reports, saying, “the disclosure of this program is disgraceful. We’re at war with a bunch of people who want to hurt the United States of America, and for people to leak that program, and for a newspaper to publish it, does great harm to the United States of America.”

Cheney singled out the *New York Times* by name. “Some of the press, in particular the *New York Times*, have made the job of defending against further terrorist attacks more difficult by insisting on publishing detailed information about vital national security programs,” he told a Republican fundraising luncheon in Nebraska.

Connecting the latest exposure to previous revelations about massive domestic wiretapping and data mining by the National Security Agency (NSA), Cheney added, “What is doubly disturbing for me is that not only have they gone forward with these stories, but they’ve been rewarded for it, for example, in the case of the terrorist surveillance program, by being awarded the Pulitzer Prize for outstanding journalism. I think that is a disgrace.”

White House press secretary Tony Snow denied the obvious truth that the comments by Bush and Cheney were intended to intimidate critics and silence the media. “It’s not designed to have a chilling effect,” he said. “But the *New York Times* and other news organizations ought to think long and hard about

whether a public’s right to know, in some cases, might overwrite somebody’s right to live.”

The claim that these illegal spying operations, which target millions of ordinary people in the US and around the world, are driven by the imperative of defending the American people from terrorist attack is a lie. Like the Patriot Act, the Homeland Security Department and the assertion of unchecked presidential powers, these programs are directed against the democratic rights of the people. Those who have implemented them know full well that the greatest potential threat to the American corporate elite which they serve comes from among the American working population, not bands of Islamic terrorists.

The accumulation of information on international financial transactions is simply one more element in the Bush administration’s creation of a massive, centralized database on the American people, an indispensable part in the preparations for widespread domestic repression against those opposed to the war in Iraq and the government’s right-wing social policies.

There is not the slightest indication that any terrorist attack has been exposed, disrupted or even delayed as a result of the surveillance of banking transactions. Nor has there been any reporting on some of the more curious financial operations that preceded the 2001 attacks on the World Trade Center and Pentagon. These include the alleged transfer of \$100,000 from intelligence operatives of Pakistan—now the Bush administration’s close ally—to presumed suicide hijacker Mohammed Atta, and the widely reported dumping of stock in United Airlines and American Airlines in the days leading up to 9/11.

The barrage against the *Times* is a calculated maneuver by the White House that bears the imprint of Bush’s chief political hatchet-man, Karl Rove. His *modus operandi* is, whenever the administration is caught in a crime, to escalate the provocation and smear critics as apologists and even allies of terrorism.

While neither Bush nor Cheney explicitly called for prosecution of the *Times*, this demand was raised by Congressman Peter King (Republican of New York), chairman of the House Homeland Security Committee, who began the orchestrated series of attacks on the *Times*.

Like Bush and Cheney, King described the publication of the report as “disgraceful.” But he went further, declaring, “We’re at war, and for the *Times* to release information about secret operations and methods is treasonous.” He said he would urge Attorney General Alberto Gonzales to “begin an investigation and prosecution of the *New York Times*—the reporters, the editors and the publisher.”

In a McCarthy-style diatribe delivered on Fox News, King added, “Nobody elected the *New York Times* to do anything. And the *New York Times* is putting its own arrogant, elitist, left-wing agenda before the interests of the American people.” He made it clear that the venom directed at the *Times* was as much for its exposure of the NSA spying as for the most recent report on surveillance of banking transactions. “The *Times* is more of a recidivist,” he said, using a term usually reserved for repeat criminals.

On Monday, King actually sent a letter to Gonzales seeking an investigation into whether the publication of the report on banking surveillance violated the Espionage Act.

As with its political offensive in support of the disastrous and deeply unpopular war in Iraq, the White House clearly banks on the complicity of the Democrats and the cowardice of the media to allow it to brazen out a defense of its illegal spying.

In contrast to the revelations of systematic monitoring of international and domestic telephone calls, in defiance of the Foreign Intelligence Surveillance Act, there has been little or no congressional criticism of the surveillance of bank transfers, which was also conducted without obtaining warrants from any court and without legislative approval.

While Bush claimed, “Congress was briefed, and what we did was fully authorized under the law,” it seems that only the chairman of the House Intelligence Committee, a Republican, and one or two members of the Senate Intelligence Committee were notified. Congresswoman Jane Harman, the senior Democrat on the House Intelligence Committee, said she received her first briefing on the program only recently, after the White House learned that the *New York Times* was preparing to publish a report on the subject. “They knew it was going to leak,” she said, adding that the program should have had greater oversight.

Significantly, in keeping with the cowardly and complicit role of the Democrats, she said nothing publicly about the financial surveillance operation when she was briefed, and refuses to criticize the program itself.

Senate Minority Leader Harry Reid, the top Senate Democrat, said the banking surveillance program “doesn’t seem to be based on the same shaky legal analysis” as the NSA spying. Like Harman, he criticized not the spying itself, but the decision of the administration “to ignore its duty to keep Congress informed.”

Senator Charles Schumer of New York issued a statement essentially supporting the program, saying, “Allowing law enforcement to examine bank records in order to stop the flow

of money to terrorists makes a lot of sense, and this program appears to allow for just that.”

Another senior Senate Democrat, Joseph Biden of Delaware, said he would have preferred that the *Times* not expose the operation, although he did not support any effort to penalize the newspaper for its actions.

Both the *New York Times* and the *Los Angeles Times* wrote defensively about their decision to publish, in terms that revealed how both newspapers were placed under government pressure to pull back from any reporting on the assault on democratic rights.

In a letter posted on the *New York Times* web site Sunday, Executive Editor Bill Keller wrote, “Most Americans seem to support extraordinary measures in defense against this extraordinary threat” of terrorism, but he added there were concerns “over the legality of the government’s actions and over the adequacy of oversight.” Keller noted that those who wrote the US Constitution “rejected the idea that it is wise, or patriotic, to always take the President at his word, or to surrender to the government important decisions about what to publish.”

Los Angeles Times Executive Editor Dean Baquet commented, “History has taught us that the government is not always being honest when it cites secrecy as a reason not to publish. No one believes, in retrospect, that there was any true reason to withhold the Pentagon Papers, although the government fought vigorously to keep them from being published...”

Meanwhile, a further revelation of government spying appeared in *Newsweek* on the weekend. The magazine reported that the Treasury Department had used a largely unpublicized provision of the USA Patriot Act to obtain over 28,000 financial records, “including thousands of bank accounts, wire transfers and other transactions involving individuals, companies and nonprofit organizations inside the United States.” While nearly 4,400 individuals were targeted for this financial snooping, the results from a law enforcement perspective were meager: 90 indictments, 79 arrests, and 10 convictions, none of them apparently for terrorism.

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