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How much do you know about new head of the FBI?

By: Nat Hentoff, *Senior Fellow at the Cato Institute* – August 7, 2013

It takes a lot to shock me during the Obama presidency, but I was stunned when the Senate on July 29, by a vote of 93 to 1, confirmed James Comey as the chief of the FBI.

This is the same former U.S. deputy attorney general who, at the FBI confirmation hearing, “forcefully argued to the Senate that the oversight mechanisms on the government’s widespread surveillance of phone records and online habits sufficiently protects Americans’ privacy.” (Spencer Ackerman, “James Comey defends U.S. surveillance practices at FBI confirmation hearing,” *The Guardian*, Aug. 1, 2013).

Added Ackerman: “Comey’s hearing, nearly three hours long, occasionally seemed like a coronation hearing.”

For the media, from digital to print, that was largely the end of this story. There was a time, however, when James Comey, as President George W. Bush’s deputy attorney general, “became a hero to Democratic opponents of Bush’s warrantless wiretapping program ... and unsuccessfully tried to limit tough interrogation tactics against suspected terrorists.”

So how can this be the same person who now salutes and implements Barack Obama’s ceaselessly massive tracking of We The People?

The one journalist who has, characteristically, dug deeply and continuously into James Comey’s eventual rise to FBI director — far in excess of J. Edgar Hoover’s contempt of the Bill of Rights — is Glenn Greenwald.

I never miss the byline of this former constitutional lawyer who, in these Obama years, should get an annual Pulitzer for giving the Constitution meaningful life.

And now Greenwald demonstrates that under George W. Bush, the once-rebellious James Comey, as deputy attorney General, “authorized the illegal NSA (National Security Administration) eavesdropping program ... It was Comey who gave his legal approval to enable that NSA eavesdropping program to spy on Americans without warrants; the same program that produced so much outrage and scandal when revealed by the *New York Times*.”

“How can any progressive who spent the Bush years vehemently denouncing the domestic spying program as the symbol of Bush radicalism and lawlessness now cheer when the lawyer who approved it is about to be put in charge of the FBI?” (Glenn Greenwald, “Obama’s New FBI Chief Approved Bush’s NSA Warrantless Wiretapping Scheme,” *The Guardian*, May 30).

This is the same FBI that, under Bush and especially Obama, has engaged in even more warrantless spying on us.

Greenwald goes on. This Comey, somewhere along his rise to power, lost his spine. He was among the Bush lawyers “who argued repeatedly that the United States would regret using harsh [interrogation] methods, [but] went along with a 2005 legal opinion asserting that the techniques used by the Central Intelligence Agency were lawful.”

Said Comey in an April 27, 2005, email obtained by the New York Times:

“That opinion, giving the green light to the CIA to use all 13 methods in interrogating terrorism suspects, including waterboarding and up to 180 hours of sleep deprivation, ‘was ready to go out and I concurred.’”

So how come 93 senators and a mostly quiet media did not teach Glenn Greenwald’s vital awareness that:

“This is exactly where the Obama administration has taken us. Comey will run the FBI alongside Obama’s chief of the CIA, John Brennan, who spent the Bush years advocating multiple torture techniques and rendition.

“The agent of change (Obama) reaches deep into the bowels of the Bush National Security State and empowers them to run two of the most powerful agencies.”

My advice to professors of journalism throughout the country: Teach Glenn Greenwald’s reporting.

Obviously, if Greenwald were a senator, he’d have voted against Comey. But who was the senator who did? Kentucky Republican Rand Paul. He had put a hold on Comey’s nomination because he wasn’t satisfied with Comey’s responses to his questions about the use of drones. But when the FBI said it was “limiting the use of drones for surveillance,” Rand Paul dropped the hold. But in view of his own battles against surveillance, why did Rand Paul stop at drones to hold the nomination for a time? (“James Comey Confirmed as FBI Director,” Washingtonpost.com, July 27, 2013).

But to his credit, he voted against Comey.

I was greatly surprised, though, at Vermont Democrat Sen. Patrick Leahy’s support of Comey. As Rachel Weiner and David Nakamura reported in the Washington Post on July 30, Leahy said: “It is a shame that such an important and highly qualified nominee to lead the FBI had to wait an unprecedented 38 days to be confirmed, but I am glad that senators finally came together to ensure the FBI has a confirmed leader at the helm.”

For many years, Patrick Leahy fought hard and tenaciously to protect the Constitution, including against numerous threats, including those from Obama. I guess he didn’t do any significant research on Comey, but otherwise Leahy was a very focused critic of the Bush regime.

With regard to Rand Paul, this confirmation hearing was a good time for another of his renowned 13-hour filibusters on fundamental American values and how they are being almost daily distorted beyond recognition by Barack Obama’s lengthening and aggrandizing of the Bush legacy.

Anyway, those of us who remember who we are have to keep fighting to keep our country free from our own government.

I'd sure like to know who the 2016 presidential candidates are going to be. Maybe James Comey will celebrate his historic 93 to 1 triumph by becoming a candidate. Would you vote for him?