

FCC Probe Signals Democratic Attack Machine

by [Rowan Scarborough](#)

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A Federal Communications Commission investigation of on-air military analysts is providing a glimpse of what Democrats and an Obama administration will do to critics once they capture Washington.

The FCC has sent letters to some of the nation's most prominent military analysts -- some of them pro-President Bush and pro-war -- suggesting they may have broken the law when they appeared on television stations to comment on and explain the war on terrorism.

The FCC investigation raises the question of whether a Democrat-controlled Congress and White House next year will investigate -- and perhaps criminalize -- all sorts of actions taken by the Bush administration. Obama is leading in all presidential polls, while Democrats are set to greatly increase their hold on the House and Senate.

The FCC letters came at the behest of two House Democrats, who say the analysts parroted on air the private briefings they received at the Pentagon. This may have broken the law, the lawmakers said.

The probe is sending chills through the ranks of military commentators, some of them decorated war heroes who share their expertise with millions of lay viewers. They see it as one in a series of moves the Left is making to intimidate and shut up its critics.

"We are seeing the dawn of a new era of the current Democratic leadership trying to muzzle free speech and the First Amendment," retired Air Force Lt. Gen. Tom McInerney, a Fox News analyst, told HUMAN EVENTS. "It may be the most invasive intrusion that we have seen in our history. There will be more of these tactics to follow."

Said retired Army Maj. Gen. Paul Vallely, one of Fox's first defense analysts, "It's an affront to freedom of speech. As retired officers, we're private citizens and can say anything we want under the First Amendment. The whole thing was to explain to the American people what was going on in war and analyzing it."

Democrats have more in store to try to muzzle conservatives. They talk of reactivating the so-called Fairness Doctrine in which federal government bureaucrats monitor radio and TV programs and rule on their fairness. Conservatives say the real goal is to kill right-leaning talk radio.

Talk radio is the one medium conservatives can turn to for their point of view amid a sea of liberal dogma from the *New York Times*, *Washington Post*, Public Broadcasting, the TV networks and Hollywood. If the government forces Rush Limbaugh and Sean Hannity to present liberal points of view, ratings will slip and the shows might be taken off the air.

"They're going to implement the Fairness Doctrine to basically do away with Right-wing radio," Valley said. "In their minds, balance means Left wing. It's Socialists trying to infringe on our First Amendment rights."

Begun in 1949 as an FCC policy and then a regulation, the agency abolished the doctrine during the Ronald Reagan administration as an infringement on free speech. Democrats passed a bill to reinstate the policy as law, but Reagan vetoed it. There would be no Reagan to veto the next bill Democrats are likely to enact should Obama win the election.

In the analysts case, the FCC is looking at the practice of the Pentagon providing exclusive briefings on the wars in Iraq and Afghanistan to retired military officers, who would then use the information on the air.

In the Oct. 2 letters to 19 analysts and various TV networks, the FCC cited a New York *Times* article which accused the analysts of receiving the Pentagon information in exchange for positive commentary on the air. The letters, signed by Hillary S. DeNigro, chief of the agency's investigations and hearings division, said such an arrangement might violate the Communications Act of 1934.

The FCC sent the letters after receiving a complaint from Rep. Rosa L. DeLauro, (D-Conn.) and Rep. John Dingell, (D-Mich.). Dingell has a history of using committee staff to browbeat and investigate Republican administrations.

"In their complaint, Representatives DeLauro and Dingell express concern that the analysts and [TV stations] may have failed to disclose this exchange of consideration to the stations, as required by section 507 of the Communications Act of 1934," said the FCC letter. "They also suggest that the stations may have aired your commentary without making appropriate sponsorship identification announcements at the time such material was aired, as required" by the act.

Some analysts also work for defense contractors who produce weapons systems used in the war. There were suggestions in the *Times* article that analysts pitched those systems during TV appearances.

McInerney, a hawk on the Iraq war, said the information the Pentagon supplied him and other commentators was the same as provided to the news media.

Defense Secretary Robert Gates has ended the private analysts briefings. Besides the FCC probe, the Pentagon inspector general is reviewing the program, which was started by Defense Secretary Donald Rumsfeld after the September 1, 2001 attacks.

The DeLauro-Dingell letter to the FCC says, in part, "Our chief concern is that as a result of the analysts' participation in this DoD program, which included the DoD's paying for their commercial airfare on DoD-sponsored trips to Iraq, the analysts and the networks that hired them could have run afoul of certain laws or regulations."

The FCC is giving the 19 analysts 30 days to respond to the charges. [HUMAN EVENTS Editor Jed Babbin was a member of the group of military analysts who met frequently with senior Pentagon officials and participated in the program. He did not receive a letter from the FCC.]

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