

# Obama Is Spying on Innocent Americans Right Now!

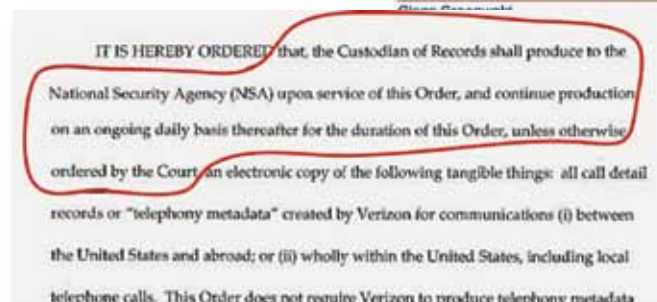
by Tony Papert and Nancy Spannaus

June 10—On Wednesday evening, June 5, the London *Guardian*'s Glenn Greenwald published a top-secret order of the U.S. Foreign Intelligence Surveillance Act (FISA) secret eavesdropping court, which ordered Verizon Business Communications to hand over to the National Security Agency (NSA), on a daily basis, the telephone numbers, times, and caller locations of every telephone call made in the United States, including local calls, for a period of 90 days, from April into July. What was rapidly revealed, was the obvious: that this was merely a 90-day rollover of spying that had been going on continuously for seven years (since before the Obama Administration), as Sen. Dianne Feinstein (D-Calif.) admitted in trying to defend the program Thursday—and that every U.S. telephone carrier had received the same order, while forbidden even to mention it, and was doing exactly the same thing, as the

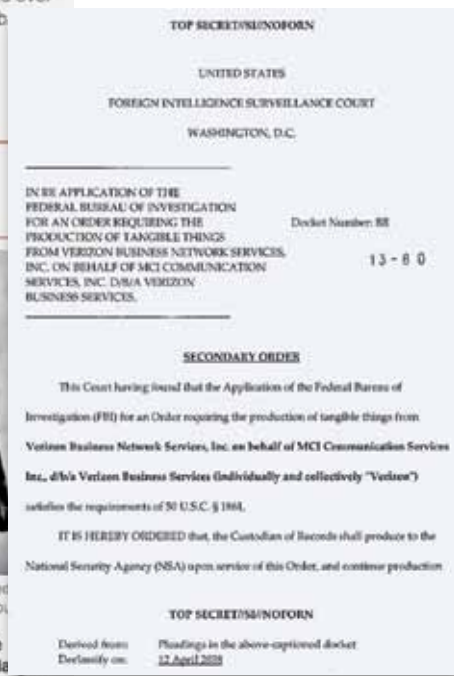
*Wall Street Journal* reported the same day.

There was instant pandemonium in a Senate hearing on the morning of June 6, when Sen. Mark Kirk (R-Ill.), at an otherwise routine Appropriations Committee hearing, asked Attorney General Eric Holder whether the Administration was spying on Members of Congress and the Supreme Court. When Holder tried to maintain that Congressmen had been “fully briefed,” Sen. Barbara Mikulski (D-Md.) interrupted, saying “We’re going to stop right here, because this ‘fully briefed’ is something that drives us up the wall,” and insisted that neither she nor any of the other Senators sitting with her knew what was going on.

Separately, Senators Ron Wyden (D-Ore.) and Mark Udall (D-Colo.) told press that this was exactly what they had



The publication on June 5 by the London *Guardian* of a top-secret order of the FISA court has touched off a storm of continuing revelations which is now engulfing the Obama Administration, as charges of “Watergate” fill the airwaves.



been publicly warning about for years: that the Obama Administration had a secret, radically overblown, legal interpretation of its rights under the Patriot Act, to spy on ordinary Americans, a judgment which would shock most Americans were they to learn about it. And indeed it has. And it's only beginning.

Veteran Rep. James Sensenbrenner (R-Wisc.), the author of the Patriot Act, argued in a letter to Holder that the leaked order specifically contravened the Act. He demanded that Holder answer four questions by June 12, of which the fourth was, "Does the FBI believe that there are limits on what information it can obtain under [Patriot Act] section 215? If so, what are those limits?"



*Patriot Act author Rep. James Sensenbrenner demanded of AG Holder: "Does the FBI believe that there are limits on what information it can obtain under [Patriot Act] section 215? If so, what are those limits?"*

## The Second Shoe

Then, Thursday afternoon, June 6, about 24 hours after the first leak, the *Guardian* and Greenwald obtained and selectively published another file held at the highest level of U.S. security clearance: an internal NSA slide-show instructing employees on how to use a data-mining apparatus called "PRISM." The slide-show was dated April 2013—i.e., very recently. The *Washington Post* obtained the same leak and published another story at the same time.

The slide-show said that the NSA had obtained direct access to the main servers of nine Internet service providers, including Microsoft, Yahoo, Google, Facebook, YouTube, Skype, AOL, and Apple. NSA analysts were told that they could obtain any data, whether current or historical, including e-mail, video and voice chats, photos, voice-over-internet protocol, file transfers, videoconferencing, notifications of target activity ("logins, etc."), online social networking details, or "special requests."

Because of the word "foreign" in "Foreign Intelligence Surveillance Act," the slide-show presentation instructed NSA staff, as a fig-leaf of compliance with the law, that they could only target such data if they believed there was a 51% chance that the target might be outside the United States, or in communication with someone outside the United States.

The *Guardian* accompanied its second revelation with an unsigned June 6 editorial which might have been titled "An Existential Challenge to American Freedom." After summarizing what the paper had reported over the two days, the editors wrote:

"Few Americans believe that they live in a police state; indeed many would be outraged at the suggestion. Yet the everyday fact that the police have the right to monitor the communications of all its citizens—in secret—is a classic hallmark of a state that fears freedom as well as championing it. Ironically, the *Guardian*'s revelations were published 69 years to the day since

U.S. and British soldiers launched the D-Day invasion of Europe. The young Americans who fought their way up the Normandy beaches rightly believed they were helping free the world from a tyranny. They did not think that they were making it safe for their own rulers to take such sweeping powers as these over their descendants."

After qualifying that Britishers should not minimize the dangers of terrorism, or the very real possibility that their own government might be spying on them in just the same way, they conclude:

"But it is American civil liberties that are primarily in the spotlight now. Ever since 9/11, the U.S. has allowed the war on terror to frame a new domestic authoritarianism that is strikingly at odds with America's passionate sense of its own freedom. This week's revelations have stunned millions of Americans whose justified outrage against 9/11 surely never led them to expect such routine and unrestrained surveillance on such a massive scale. U.S. politicians have a poor post-9/11 record of confronting such powers. Even now, it is possible that many will look the other way. But this is an existential challenge to American freedom. That it has been so relentlessly prosecuted by a leader who once promised to stand up against such authority, makes the challenge more pressing, not less."

Which is to say, accurately, that it is Obama who is the one responsible for these crimes. He cannot blame the Congress, as he attempted to do in numerous press appearances since.

The *New York Times* appeared Friday morning, June

# The New York Times

## President Obama's Dragnet

Scooping up all our phone records is an abuse of power that demands a real explanation

Within hours of the disclosure that federal authorities routinely collect data on phone calls Americans make, regardless of whether they have any bearing on a counterterrorism investigation, the Obama administration issued the same platitudes it has offered every time President Obama has been caught overreaching in the use of his powers: Terrorists are a real menace and you should just trust us to deal with them because we have internal mechanisms (that we are not going to tell you about) to make

mit this surveillance — with the American public having no idea that the executive branch is now exercising this power — fundamentally shifts power between the individual and the state, and it repudiates constitutional principles governing search, seizure and privacy.

The defense of this practice offered by Senator Dianne Feinstein of California, who as chairwoman of the Senate Intelligence Committee is supposed to be preventing this sort of overreaching, was absurd. She said on

7, with a bitter 1,100-word editorial entitled “President Obama’s Dragnet,” which signalled that newspaper’s divorce from the U.S. President, and appropriately ridiculed his apologists. Contorted and emotional, the editorial mirrored fights at high levels in the United States. Bloggers noted that one sentence was altered just two hours after the editorial was first posted on Thursday. In the original version, the lead sentence of the third paragraph read, “The administration has now lost all credibility.” Two hours later, someone had added the words, “on this issue.”

### More Revelations To Come

The Obama Administration’s attempts at damage control are pathetic, but in full swing. Director of National Intelligence James Clapper denounced the leak as damaging, and the heads of the Senate and House Intelligence Committees, Senator Feinstein and Rep. Mike Rogers (R-Mich.), declared on ABC-TV’s “This Week” June 9 that the total information dragnet has stopped terror attacks, and is therefore justified. All three have indicated their approval of prosecution of the leaker.

Meanwhile, Greenwald, who is being interviewed far and wide, said that more revelations about the program should be expected from him. Indeed, on June 7, Greenwald released a top-secret Presidential Directive—from Obama himself—in which the President, in Greenwald’s words, orders “his senior national security and intelligence officials to draw up a list of potential overseas targets for U.S. cyber-attacks.” On June 8, he released a new NSA document which showed that the government had collected “97 billion pieces of data, almost all of it from outside the U.S.,” despite the fact that the NSA had repeatedly told Congress that it did not have the capabil-

ity of estimating the number of items they were intercepting.

On June 9, Greenwald’s source, whistleblower Edward Snowden, went public in an article coauthored by Greenwald. Snowden, a contract employee for the NSA who currently works at defense contractor Booz Allen Hamilton, declared that he had taken his action because he believed that what the NSA was doing posed “an existential threat to democracy.”

In a note accompanying the first set of documents he provided, he wrote: “I understand that I will be made to suffer for my actions,” but “I will be satisfied if the federation of secret law, unequal pardon, and irresistible executive powers that rule the world that I love are revealed even for an instant.”

### And Congress?

No Congressional hearings have yet been set, but the Congressmen and Senators are lining up on the issue. Several have already called for a reopening of the Patriot Act. Many have blown the whistle on the outright lie by Obama that “every member” of Congress had been briefed on this program, and approved it—including Democrats such as Sen. Jeff Merkley (Ore.) and Rep. Keith Ellison (Minn.). Sen. Joe Manchin (D-W. Va.) has called for curbing such broad surveillance, and urged Attorney General Holder to consider resigning.

Watergate looms, for a President who has violated his oath of office to much worse effect than did President Richard Nixon. But clearly the U.S. population will have to force their Congress to act.



Edward Snowden, a 29-year-old NSA contract employee, is the source of the leak to the Guardian’s Greenwald. He said he believed that the NSA spying posed “an existential threat to democracy.”