

Obama attempts to Defend, Guilty until proven otherwise, NSA pan-surveillance

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NSA Revelations Refute Obama's 'Feeble' Script

While much of the country's media was tracking whistleblower Edward Snowden's whereabouts or questioning Glenn Greenwald's journalistic credentials, President Obama took the opportunity to support NSA's massive surveillance programs in a recent interview with Charlie Rose.



Ever cool and personable, even as his approval ratings continued to slide, the president's enviable ability to remain unruffled in defense of the government's highly controversial surveillance policy deflects a deeper understanding of what makes the inner man tick. As the conversation moved from the shambles of war in the mideast and onto NSA's role, the President maintained his usual upbeat and optimistic demeanor uttering predictable responses; yet following a one-dimensional script disconnected from the magnitude of the country's disapproval.

As the Obama Administration has favored a big stick approach instead of diplomacy in its demands for the return of Snowden, with Secretary of State John Kerry and Sen. Chuck Schumer (D-NY) in screed-mode displaying little political finesse. Kerry hilariously called on other countries to 'uphold the rule of law' and predicted that 'people may die' while the insipid Schumer was threatening Russia with 'serious consequences' - all that came before the revelation that NSA had been collecting data on many of our European allies since 2010.

Russian President Valdimir Putin brushed off the US snit-fit as "ravings and rubbish" as the President joined Rose just prior to attending the G8 meeting in Ireland where he was attacked in the Irish Parliament as a 'war criminal' and the target of protest demonstrations in Berlin and South Africa.

President Obama responded to the allegation of Chinese cyber hacking US private and public sectors assuring Charlie that "we had a very blunt conversation about cyber security" suggesting that he administered a stern dressing-down to President Xi Jinping with "this can adversely affect the fundamentals of US/China relationship" at their meeting in early June in California.

What is key here is that the conversation with President Xi was prior to the Snowden disclosure that the US had hacked Tsinghua University, Pacnet, Asia's largest independent tele communications

service and the City of Hong Kong. One can only imagine President Xi's chagrin upon belatedly discovering that after having been chastised by Obama, that the US President was fully aware that the US had been doing exactly what China was being accused of. Here was an opportunity for Charlie to clarify how the foregoing endangers 'national security' or determine whether the real crime is more like intense political embarrassment.

As the interview moved to the 1.7 billion electronic messages intercepted each day, the President skillfully described how innocuous, how matter-of-fact NSA surveillance was as he offered the "unequivocal " assurance that NSA cannot listen to your telephone calls or read your email without a 'probable cause' warrant from the FISA (Foreign Intelligence Security Act) Court. Unfortunately for the President, the entire world now knows that the President's assertion does not jibe with top secret rules signed by Attorney General Holder in 2009 (and revealed by Edward Snowden) which details the procedure for data collection of US and non-US persons.

Charlie missed the scoop of his life when he failed to ask the President if he supported the omnipotent ability of General Keith Alexander, NSA Director to intercept all communications of every Member of Congress, every Fortune 500 CEO and members of the Cabinet including The Big Man on Campus himself.

With earnestness, the President offered repeated assurances that sufficient oversight and safeguards were in place describing the FISA (Foreign Intelligence Security Act) court as 'transparent' with 'independent federal judges overseeing the entire program' adding that 'you've got Congress overseeing the program. Not just the intelligence committee, not just the judiciary committee but all of Congress."

But that's not exactly how it works, Mr. President - only select members of Congress (without staff) are allowed to visit the inner sanctum where uber-classified documents are secreted. They are prohibited from taking any notes and depart without any copies of documents to review.

Assurances of legislative oversight are at odds with Senators Mark Udall and Ron Wyden, among other Members of Congress, who have been requesting documentation and complaining about NSA's stonewall citing "significant inaccuracies" regarding safeguards for American citizens. Most recently, 26 Senators have written James Clapper, National Intelligence Director to protest a secret reinterpretation of the Patriot Act (thus creating a new secret law) and its application to NSA data collection described by Sen. Wyden as raising "serious civil liberty concerns and all but removes the public from an informed national security and civil liberty debate."

The FISA Court was established in 1979 to oversee requests for surveillance warrants with eleven judges appointed by the Chief Justice with one to be on-call 24-7 for emergencies. The court meets in secret, all proceedings are ex parte and evidence is presented only by the Department of Justice with no opportunity for the hearings or information collected to be public. Since its formation, the court has denied eleven surveillance warrants out of over 33,000 warrant requests - far from the kind of 'checks and balance' that the President has assured.

Mention of the Court prompted Charlie to inquire whether 'any of those (warrants) have been turned down?' The President appeared not to hear the question and steered the conversation elsewhere, no doubt confident there would be no follow-up. Undeterred, Charlie gave it another go when he asked 'but has the FISA court turned down any requests?' The President responded amiably, 'first of all Charlie, the number of requests are surprisingly small' but failed to elaborate.

With no discussion about how NSA surveillance has impeded the war on terror, the President was

asked what's going to change, was he going to give James Clapper any instructions? The President announced that the intelligence community is now reviewing whether any unspecified declassifications would be appropriate - raising the question of how such declassification might impact the government's case against Edward Snowden.

The President told Charlie he would meet with his Privacy and Civil Liberties Oversight Board which he described as made up of 'independent citizens, including some fierce civil libertarians' with the goal of setting up the structure for a "national conversation" on the broader question of surveillance.

Boasting that the NSA is "bigger and better than everybody else and we should take pride in that," the reality is that the President's promises are feeble attempts to dissemble his way out of what may be the most severe, on-going crisis of his Presidency - the one that will taint his legacy into future generations.

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