

Spies “R” Us: Institutionalized Spying on Americans

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Region: [USA](#)

Theme: [Police State & Civil Rights](#)

A previous article discussed institutionalized spying on Americans. Anyone can be monitored for any reason or none at all.

Manufactured national security threats, silencing dissent, targeting whistleblowers, and challenging press freedom subvert constitutional rights.

Doing so is worse than ever now. Obama bears full responsibility. He governs by diktat authority. He’s waging war on humanity. He’s spurning fundamental rights. He’s targeting press freedom.

James Madison understood the threat, saying:

“A popular government without popular information or the means of acquiring it is but a prologue to a farce or tragedy, or perhaps both.”

Harry Truman once said:

“When even one American – who has done nothing wrong – is forced by fear to shut his mind and close his mouth, then all Americans are in peril.”

Earlier, Helen Thomas accused Obama of trying to control the press. “It’s shocking,” she said. “It’s really shocking. What the hell do they think we are, puppets?”

“They’re supposed to stay out of our business. They are our public servants. We pay them.”

Free speech, a free press, free thought and intellectual inquiry are fundamental. Without them all other freedoms are endangered.

In *Palko v. Connecticut* (1937), the Supreme Court called “(f)reedom of thought” the matrix, the indispensable condition, of nearly every other form of freedom.”

On May 13, [AP headlined](#) “Gov’t Obtains Wide AP Phone Records in Probe,” saying:

“The Justice Department secretly obtained two months of telephone records of reporters and editors for The Associated Press in what the news cooperative’s top executive called a ‘massive and unprecedented intrusion’ into how news organizations gather the news.”

According to AP attorneys, records obtained “listed outgoing calls for the work and personal phone numbers of individual reporters, for general AP office numbers in New York, Washington and Hartford, Conn., and for the main number for the AP in the House of Representatives press gallery.”

During April and May 2012, more than 20 phone lines were monitored. Over 100 journalists work in targeted offices. They report “on a wide array of stories about government and other matters.”

AP president/CEO Gary Pruitt protested. He called DOJ’s action a “massive and unprecedented intrusion.” He wrote Attorney General Eric Holder. He demanded all phone records be returned. He wants all copies destroyed, saying:

“There can be no possible justification for such an overbroad collection of the telephone communications of The Associated Press and its reporters.”

“These records potentially reveal communications with confidential sources across all of the newsgathering activities undertaken by the AP during a two-month period, provide a road map to AP’s newsgathering operations and disclose information about AP’s activities and operations that the government has no conceivable right to know.”

DOJ officials left unexplained why phone records were sought. AP said a criminal investigation is being conducted into “who may have provided information contained in a May 7, 2012, AP story about a foiled terror plot.”

At the time, [AP](#) headlined “US: CIA thwarts new al-Qaida underwear bomb plot,” saying:

Agents foiled “an ambitious plot by al-Qaida’s affiliate in Yemen to destroy a US-bound airliner using a bomb with a sophisticated new design around the one-year anniversary of the killing of Osama bin Laden, The Associated Press has learned.”

AP described an upgraded underwear bomb plot. It was “designed to be used in a passenger’s underwear, but this time” US officials called it “more refined.”

A same day [FBI](#) issued statement said:

“As a result of close cooperation with our security and intelligence partners overseas, an improvised explosive device (IED) designed to carry out a terrorist attack has been seized abroad.”

“The FBI currently has possession of the IED and is conducting technical and forensics analysis on it. Initial exploitation indicates that the device is very similar to IEDs that have been used previously by al Qaeda in the Arabian Peninsula (AQAP) in attempted terrorist attacks, including against aircraft and for targeted assassinations.”

“The device never presented a threat to public safety, and the US government is working closely with international partners to address associated concerns with the device.”

The incident was fake. It was a false flag. It was like the December 2009 so-called underwear bomber. US officials claimed Nigerian citizen Umar Farouk Abdulmutallab traveled to Yemen, got Al Qaeda training, and explosive PETN chemicals.

He was wrongfully accused of trying to blow up a Christmas day Amsterdam-Detroit-bound airliner. The incident was staged. Abdulmutallab was set up. He was a patsy for a joint CIA/Mossad/India Research and Analysis Wing (RAW) false flag.

The same alliance staged coordinated 2008 Mumbai terror attacks. Dozens were killed and hundreds wounded. They also were behind former Pakistani Prime Minister Benazir Bhutto's 2007 assassination.

In February, CIA director John Brennan called releasing information about the 2012 incident to the media an "unauthorized and dangerous disclosure of classified information."

He left unexplained what's discussed above. White House spokesman Jay Carney denied knowledge of DOJ's investigation.

House Oversight and Government Reform Committee chairman Darrell Issa (R. CA) said the agency "had an obligation to look for every other way to (investigate) before (it) intruded on the freedom of the press."

Senate Judiciary Committee chairman Patrick Leahy (D. VT) added:

"The burden is always on the government when they go after private information, especially information regarding the press or its confidential sources."

"On the face of it, I am concerned that the government may not have met that burden. I am very troubled by these allegations and want to hear the government's explanation."

ACLU Washington legislative office director Laura Murphy said:

"The attorney general must explain the Justice Department's actions to the public so that we can make sure this kind of press intimidation does not happen again."

This type intrusion has a chilling effect on journalists, whistleblowers and others involved in investigating government wrongdoing, she added.

William Miller, spokesman for US attorney Ronald Machen, stonewalled AP's request. Information on why its journalists were targeted was sought. Dismissively he said: "We do not comment on ongoing criminal investigations."

DOJ "strict rules" require "all reasonable attempts" be made to obtain relevant information from other sources.

A media subpoena must be "as narrowly drawn as possible. (It) should be directed at relevant information regarding a limited subject matter and should cover a reasonably limited period of time."

It's to avoid "impair(ing) the news gathering function." Authorities are required to recognize

that “freedom of the press can be no broader than the freedom of reporters to investigate and report the news.”

If phone records are wanted, news organizations are supposed to be notified well in advance. A reasonable explanation should be given. Both sides must agree on information to be provided.

DOJ cited an exemption. It claimed advance notification might “pose a substantial threat to the integrity of the investigation.” One intrusion means across the board is OK, whatever reason is given.

AP said it’s unknown whether a judicial or grand jury authorization was sought.

American Society of News Editors executive director Arnie Robbins expressed grave concern, saying:

“On the face of it, this is really a disturbing affront to a free press. It’s also troubling because it is consistent with perhaps the most aggressive administration ever against reporters doing their jobs – providing information that citizens need to know about our government.”

According to Federation of American Scientists’ government secrecy expert, Steven Aftergood:

“This investigation is broader and less focused on an individual source or reporter than any of the others we’ve seen.”

“They have swept up an entire collection of press communications. It’s an astonishing assault on core values of our society.”

A Newspaper Association of America statement said:

“Today we learned of the Justice Department’s unprecedented wholesale seizure of confidential telephone records from the Associated Press.”

“These actions shock the American conscience and violate the critical freedom of the press protected by the US Constitution and the Bill of Rights.”

The [Electronic Frontier Foundation](#) (EFF) called DOJ’s action “a terrible blow against the freedom of the press and the ability of reporters to investigate and report the news.”

Privacy laws need updating, it added. Data-mining is out-of-control. Constitutional, statute, and/or judicial constraints must be imposed.

DOJ violated its own rules. Privacy and press freedom are threatened. The so-called third party doctrine is outdated.

It relates to information or spoken words by one person to another, a government agency, a business, or organization. Doing so excludes Fourth Amendment protection.

In *Miller v. United States* (1976), the Supreme Court ruled:

“The Fourth Amendment does not prohibit the obtaining of information revealed to a third-party and conveyed by him to Government authorities, even if it is revealed on the assumption that it will be used only for a limited purpose and the confidence placed in the third-party will not be betrayed.”

The Court added that information revealed to another source “takes the risk (that it) will be conveyed” to someone else.

In *Smith v. Maryland* (1979), the High Court extended the third party doctrine to telephone communications.

The court said in “expos(ing) that information” to phone company equipment, individuals “assumed the risk that the company would reveal to police the numbersâ€|dialed.”

Last year in *US v. Jones*, Supreme Court Justice Sonia Sotomayor acknowledged the need to update Fourth Amendment protections, saying:

“People disclose the phone numbers that they dial or text to their cellular providers, the URLs that they visit and the e-mail addresses with which they correspond to their Internet service providers, and the books, groceries and medications they purchase to online retailers.”

“I would not assume that all information voluntarily disclosed to some member of the public for a limited purpose is, for that reason alone, disentitled to Fourth Amendment protection.”

In *United States v. US District Court* (1972), a unanimous Supreme Court ruling upheld Fourth Amendment protections in cases involving domestic surveillance targeting a domestic threat.

Spying in America today is institutionalized. Privacy rights no longer matter. Phone calls, emails, and other communications are being monitored secretly without court authorization.

Unconstrained data-mining and monitoring occur without probable cause. America’s a total surveillance society. A previous article said Big Brother no longer is fiction. It hasn’t been for some time. It’s official US policy.

Unprecedented, unwarranted prosecutions follow. No one’s safe anymore. Everyone’s vulnerable. Constitutional rights don’t matter. That’s how police states operate. Given the capability of modern technology, America’s by far the worst.

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