

Top US Spy Chief Claims “Mistake” in Lies About NSA Programs

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On Tuesday, US Director of National Intelligence James Clapper released a letter to Senator Dianne Feinstein apologizing for statements that he had made in March before the Senate Intelligence Committee. Clapper sought to justify lies he made at the time regarding National Security Agency spying programs by claiming he had made a “mistake.”

On March 12, 2013, prior to the revelations from NSA whistleblower Edward Snowden, Clapper was asked by Senator Ron Wyden, “Does the NSA collect any type of data at all on millions or hundreds of millions of Americans?” Clapper’s response was simple, “No, sir, not wittingly.”

The revelations of Edward Snowden have shown Clapper to be guilty of perjury. In response, he issued a letter explaining his “mistake.” He writes, “I simply didn’t think of Section 215 of the Patriot Act. Instead, my answer addressed collection of the content of communications. I focused in particular on Section 602 of FISA.” He then concedes, “My response was clearly erroneous—for which I apologize.”

By Section 215 of the Patriot Act, Clapper is referring to the NSA program that collects the phone records of almost all Americans, allowing the agency to establish detailed personal, business, and political connections of all residents. Clapper’s claim to have forgotten about this program is absurd.

Indeed, in a statement issued on June 11, Wyden revealed that he had sent the question to Clapper’s office one day in advance and gave his office a chance to amend his answer following the hearing. Wyden’s spokesperson revealed that Clapper’s staffers had acknowledged the “error” immediately following the hearing, but refused to correct the public record when given the opportunity.

Moreover, the phone records database is only a small component of what the NSA is doing. As has been revealed over the past several weeks, the US government and other governments internationally are collecting every email, phone call, text message, Skype chat, and Facebook message to be searched at any time.

Clapper and his supporters, including the Obama administration, have attempted to defend this lie, stating that Clapper could not address the question truthfully and fully without breaking his oath not to divulge classified information. In his apology letter, Clapper explains that he can only now openly correct his “error” because the information has been declassified. In other words, if Snowden had not revealed this information to the world, Clapper would feel no need to set the record straight.

Clapper's statements have been repeated in various forms by many top level officials, including the president himself. Obama appeared on an episode of Charlie Rose on June 17 to insist, "If you are a US person, then NSA is not listening to your phone calls and it's not targeting your emails unless it's getting an individualized court order... They cannot and will not—by law and by rule."

This is simply false. As the documents released by Snowden reveal, the NSA is given extremely wide latitude to read the content of communications so long as analysts declare they have a reasonable basis for suspecting that one of the individuals involved is outside the US. Among the factors that can be used to justify this suspicion is... reading the content of the communications. The FISA Court, which Obama has declared is "transparent," operates in secrecy to rubber stamp the requests of the spy agency. (See, "[NSA monitoring US communications without a warrant, documents show](#)")

Snowden explained last month that the lies told by Clapper and others were part of the motivation for him to release information on the secret programs. "It was a continuing litany of lies from senior officials to Congress—and therefore the American people—and the realization that that Congress, specifically the Gang of Eight, wholly supported the lies that compelled me to act. Seeing someone in the position of James Clapper... baldly lying to the public without repercussion is the evidence of a subverted democracy. The consent of the governed is not consent if it is not informed."

In both the spying programs themselves and the systematic attempts to cover them up and keep them secret, top administration officials, up to and including Obama, are guilty of impeachable offenses.

Yet there are no calls within any section of the media or political establishment for them to be prosecuted. Instead, the vitriol of the ruling class is directed entirely at the man responsible for exposing these crimes and lies to the population of the United States and the world.

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