

# RICHARD CLARKE ALLUDES TO THE REAL COSTS OF THE DRAGNET

New America Foundation did a study of 225 terrorist plots to try to discern the source of the investigation. There are numerous obvious flaws to the study – many of which stem from the government’s own efforts to obscure the sources of what they do, some of which stem from a lack of awareness about how the government responded to other tips by collecting more NSA intelligence, some of which stem from ignoring the dragnet that existed in illegal form before the FISC-approved one.

With those caveats, NAF finds what has been reported for months: only the Basaaly Moalin’s provision of less than \$10,000 to al-Shabaab stemmed from the phone dragnet.

Which provides the WaPo with another opportunity to report this as news. I’ll take it: any little bit helps!

WaPo and NAF also report what I reported 5 months ago: that the government delayed 2 months after identifying Moalin’s ties indirectly to Aden Ayro before wiretapping him. Remember, they say they need the dragnet to avoid delays in investigation.

Perhaps the most interesting part of WaPo’s report on this, though, are Richard Clarke’s comments. As a follow-up on the NSA Review Group’s comment on the risk to quality of life posed by the dragnet, Clarke claims the dragnet would still be too intrusive if it had contributed to every plot.

“Although we might be safer if the government had ready access to a massive storehouse of information about every detail of our lives, the impact of such a program on the quality of life and on individual freedom would simply be too

great," the group's report said.

Said Clarke: "Even if NSA had solved every one of the [terrorist] cases based on" the phone collection, "we would still have proposed the changes."

This is actually a fairly stunning comment (and not one, I suspect, Mike Morell, who is also quoted, would support). Even if the dragnet had identified every potential terrorist plot, Clarke says, it would still be too intrusive.

I think the dragnet is plenty intrusive – and I think plenty of the ways it infringes on privacy are those not accounted in NAF's analysis (such as the use of the dragnet to pick targets for informants or conduct back door searches). Still: to suggest the dragnet would not be worth every single one of these leads?