

JAMES CLAPPER CONFIRMS NSA ENGAGES IN DOMESTIC SURVEILLANCE

In today's threat hearing, Jim Langevin tried to get James Clapper to provide him with talking points he could use in radio interviews about the seriousness of the Snowden leaks. (39:15 and following)

One problem with that – as Clapper readily admitted – is that the Intelligence Community doesn't know what Snowden has (in spite of their repeated leaked claims that he has 1.7 million documents).

Clapper: We don't really know the full extent or the full impact of these revelations.

Langevin pressed, asking Clapper to quantify in some way what he had briefed the committee that the "vast majority of data that's been stolen, that we've been able to assess to date, has had very little to do with just surveillance."

Clapper hedged and hedged, until Langevin got him to say that "less than 10% of what Snowden might potentially have taken (but they don't know one way or another) has to do with domestic surveillance."

Clapper: That's also difficult. I can just say that the vast vast majority of what has been potentially compromised – as I indicated in my oral statement – goes way way beyond the revelations about domestic surveillance which I was given to understand that was his primary concern. What he potentially – what he accessed, what he scraped, what he potentially made off with is, uh, transcends that. So it's quite serious.

Langevin: Can you say—

Clapper: It's hard pressed to ascribe a number.

Langevin: Can you give a, is it 10% or,

Clapper: I would say that probably less than 10% has to do with domestic surveillance.

Now, there's a lot that's telling about this exchange. I have noted months ago that the government would have been better served providing Snowden a way to cooperate with their investigation, as former actual spies would. But they chose to strand him in Russia, leaving them perpetually uncertain about what Snowden has and what the Russians might get, and therefore responding not just to what does get released, but to everything they think he might potentially have taken.

Then there's Clapper's suggestion that all Snowden might want to expose only "domestic surveillance." The notion that US corruption of encryption standards, or US collection of US person data overseas, or Five Eyes creation of the architecture of tyranny (turnkey tyranny and architecture of oppression are terms Snowden has used), is not every bit as important as exposing the dragnet, he misunderstands the power of the dragnets he oversees.

But finally, there's Clapper's use of the term "domestic surveillance" (which in his opening statement he called "so-called domestic surveillance") and his suggestion that less than 10% of Snowden's leaks address it.

The NSA has been telling us for months and months they don't engage in domestic surveillance.

James Clapper apparently admits they do.