

Colombia's Battered Rebels Seek Peace

Exclusive: The U.S. government's use of targeted killings on al-Qaeda-linked "terrorists" has stirred legal and moral objections. But what about using drones to assassinate Latin American peasants fighting a corrupt oligarchy? That issue has emerged in Colombia's long guerrilla war, Andrés Cala writes.

By Andrés Cala

There are signs that South America's oldest and mightiest guerrilla army, the Revolutionary Armed Forces of Colombia (or FARC), is undertaking a tactical pivot toward ending more than half a century of armed struggle, raising hopes for a lasting cease-fire, eventually a full demobilization and possibly peace.

An examination of FARC's military actions in 2013 and the evolution of peace negotiations with the government suggest that this turn is more substantive than earlier hopes for a resolution of the long-running conflict. The peace prospects are also enhanced by the likely reelection of Colombia's President Juan Manuel Santos who so far has been resolute in backing talks.

These initiatives toward peace have played out against recent revelations about the role of the U.S. Central Intelligence Agency in assisting the Colombian military in killing at least two dozen of FARC's leaders under a covert program authorized by President George W. Bush in the early 2000s and continued under President Barack Obama, according to [an investigative article](#) in the Washington Post.

Amid this loss of leadership and other military setbacks as well as the erosion of grassroots support in war-weary Colombia the FARC has grown demoralized as it faces the government's superior, U.S.-backed armed forces. As a result, the FARC appears to have concluded that politics is a better conduit for pursuing a revolutionary agenda as part of the continent-wide "Bolivarian" movement for change.

The tactical shift, primarily seen in the FARC's increasing political and social involvement as well as more targeted military activity, is echoed in year-long and still ongoing peace talks in Havana with the Colombian government.

But the FARC is far from defeated. The guerrilla army retains about 11,000 fighters spread across the country, with a diminished but still disciplined military structure, according to a report published last month by the Fundación Paz y Reconciliación, which analyzes the evolution of the conflict since peace talks began.

In 2013, the FARC was responsible for more than 2,000 attacks, from bombings of the power grid to assassinations. It's a similar number to the annual average since 2010, but tactics changed in 2013, partly for military reasons, partly to address public opinion, and partly to improve the group's negotiating hand.

The report also described the FARC 's innovations in mobilizing its political supporters into a mass movement conducting protests, peace marches and more, further exposing the group's transition however limited toward taking their grievances into the political arena.

Militarily, the FARC has mostly foregone economically-motivated kidnappings or massive attacks on population centers. Instead, the guerrillas carry out targeted assassinations or bombings and strike-and-retreat attacks on the armed forces. They are especially targeting energy infrastructure, such as oil pipelines, electricity transmission towers and coal railways. These attacks minimize adverse public reactions, while still hurting the country's economic vitality to get businesses and the people to keep up pressure on the government to sign a peace deal.

President Santos, who is seeking reelection in May, is running primarily on delivering on peace and policies to improve wealth distribution. He is staking his political future on the success of peace talks with the FARC as well as the National Liberation Army (or ELN), the second biggest leftist insurgency.

Indeed, the ELN and the government are expected to soon announce the beginning of parallel peace talks. The FARC and ELN also recently agreed to jointly press their common goals, illustrating the tactical pivot of both guerrilla groups as they shift toward the end of their armed struggle, even if a full demobilization is still distant.

Colombia's neighbors and other interested parties also have been nudging the warring parties toward a political settlement, but negotiations to end long and bitter wars are delicate matters, meaning that the Colombian situation could change quickly.

Outgunned and Unpopular

In essence, the FARC is finding itself outgunned by the same kind of drone and targeted missile strikes that have been used in Pakistan, Afghanistan, the Middle East and North Africa against radical Islamist militias. These high-tech techniques have, in effect, denied the guerrillas their main military advantage of hiding in Colombia's vast countryside and jungles. Highly accurate missiles and effective intelligence have resulted in multiple assassinations carried out by Colombian forces with covert U.S. help.

The FARC also has lost territory and thousands of fighters to desertions, captures and combat casualties. But that has involved the movement shedding many of its undisciplined and ideologically dubious foot soldiers whose numbers had inflated the FARC's fighting force to more than 20,000 at the start of the new century. But the FARC's growth contributed to its decline as Colombian intelligence infiltrated the FARC's ranks with spies.

The FARC's interminable war also has taken a toll on its popular support. Colombians are understandably war-fatigued and that includes the country's political left and labor movements. The FARC and ELN have not recovered from the public relations damage of indiscriminate terrorist activity, including mass kidnappings, bombings and massacres.

Colombians also strongly and broadly support the decade-old military buildup and offensive against the FARC and other illegal militias, despite the government's disappointing track record in moving against right-wing, drug-funded paramilitaries that earlier Colombian administrations deployed against the FARC and other leftist movements.

Santos, nominally a right-of-center leader, has broadened the military offensive against the FARC, while simultaneously implementing a series of populist social programs, slowly improving the lives of millions of Colombians. That, in turn, has helped Santos convince many Colombians, including some FARC militants, that politics, not arms, can be a more effective route to social change.

Thus, it appears that time is on the side of peace, since Santos looks sure to be reelected, giving him, the FARC and ELN more time and a renewed mandate to negotiate peace. While the government may have the upper hand, militarily and politically, the FARC may see a path for a nascent left movement to unite and achieve social and economic reforms if peace negotiations are successful.

Under this analysis, the FARC's more promising route toward transforming Colombia may be to follow the democratic political revolution that the late Hugo Chavez trail-blazed in Venezuela and that Cuba's Fidel Castro has embraced as a region-wide alternative to violence.

Surviving Reactionary Forces

But the ride to a peaceful transition won't be smooth. A key reason why the FARC has waged such a long guerrilla war is that the state has historically failed to deliver a meaningful democracy that addresses the needs of the poor and oppressed indigenous groups. Colombia's reactionaries, led by former President Alvaro Uribe, can be expected to continue pushing back against both leftist social reforms and Santos's peace efforts.

Uribe, however, has failed to rally public opinion against the peace process and against his heir, Santos, despite Uribe's best efforts. Every time a security breach takes place, Uribe blames Santos and the FARC. Uribe also orchestrated an attempt through the Prosecutor General's office to unseat the mayor of Bogota, a former guerilla fighter not related to the FARC. And, right-wing paramilitary forces have killed leftist politicians as a further provocation against a peaceful settlement.

Yet, these attempts to derail peace talks have so far proved unsuccessful. President Obama has lent public support for peace talks with the FARC and other trust-building steps by the Colombian government and the guerrillas.

The Washington Post's disclosures about the long-running CIA covert operation to eliminate the FARC's leadership had only a muted impact in Colombia where it's been well known for years that the CIA has been operating in support of the government's counterinsurgency war. So have the Drug Enforcement Administration, the National Security Agency and the Pentagon as part of the more-than-decade-old \$9 billion Plan Colombia military aid package, as well as earlier cooperation deals.

Uribe and other former Colombian officials have openly acknowledged CIA involvement as legal and longstanding. However, over time, the U.S. aid has achieved a qualitative improvement in the capabilities of the Colombian security forces. Earlier, Colombia's military lacked the drones and the precision missile technology that enabled the kind of surgical strikes that decimated the FARC's leadership.

According to the Post article, the CIA held supervisory control of the guided missiles used in the attacks, including one strike across the border in Ecuador that killed Raul Reyes, the alias of the FARC's second in command. The CIA probably didn't pull the trigger, nor did it have to. Colombia's armed forces are proficient enough for that. But the CIA and the U.S. government likely had to approve the operation.

Many Colombians also feel little sympathy for the FARC and view U.S. covert support for these targeted killings as primarily a U.S. domestic concern. In the United States, the Colombian program taps into other questions about what President George W. Bush dubbed the "global war on terror," which has raised legal and moral objections to what amount to assassinations of people sometimes arbitrarily called "terrorists."

While some Americans see justification for using these tactics against al-Qaeda leaders because of the group's role in the 9/11 attacks the U.S. participation in drone assassinations of armed peasants fighting against corrupt oligarchies

in Latin America could be seen in a different light, as an imposition of a brutal authoritarianism in defense of economic elites.

Moreover, the Post's highlighting these covert operations at this delicate time in the Colombian peace talks prompted regional rumblings about a possible conspiracy to disrupt the negotiations. Ecuador's President Rafael Correa suggested that the sources who confirmed the Post story wanted to trigger spats between Colombia and Ecuador, Ecuador and the U.S., Colombia and the FARC, and any other involved parties.

"For me, this is an attempt by Colombia's right wing and the American and international right wing to boycott the peace process in Colombia, which in my opinion is the biggest news in Latin America in the last decade. The extreme right of Colombia doesn't want peace, it wants war," Correa said.

Andrés Cala is an award-winning Colombian journalist, columnist and analyst specializing in geopolitics and energy. He is the lead author of *America's Blind Spot: Chávez, Energy, and US Security*.

The War on Poverty at 50

The Right has long cited President Johnson's War on Poverty as proof that "government" has no place in providing for "the general welfare," that the "free market" must rule as the master of American society. But there are real lessons to be learned from the past half century, writes Alice O'Connor.

By Alice O'Connor

Fifty years after Lyndon B. Johnson made it the centerpiece of his first State of the Union address on Jan. 8, 1964, the War on Poverty remains one of the most embattled, and least understood, of Great Society initiatives.

Yet, it's an anniversary worth celebrating, despite historical memory distorted by decades of partisan attack, both for the commitments and priorities it reflected, and for the insights it offers into the political challenges of fighting inequality today.

The War on Poverty was still very much in the planning stages when LBJ made his historic pledge, though its broadest outlines were sketched out in the speech and in the 1964 Council of Economic Advisers Report: a fast-growing, full-employment economy; an all-out "assault" on discrimination; investments in education, job training, and health care; and locally organized programs of

community action, planned with what would only later be added as a legislative mandate for “maximum feasible participation” of the poor.

Opportunity was the initiative’s keyword, enshrined in the enabling legislation, and the newly-created agency, the Office of Economic Opportunity, that became its administrative home.

Contrary to conservative detractors, the War on Poverty did not create “special privileges” for the poor. Still less was it a vast expansion of “dependency”-inducing cash relief, relying far more on preventative health, nutrition and old-age related expenditures to shore up the federal safety net and on signature programs such as Head Start, Job Corps, and community-based housing and economic development to create opportunities for advance.

More controversially, community action programs encouraged poor people to organize for basic rights that better-off Americans had come to expect as citizens of the world’s most affluent democracy and beneficiaries of the New Deal welfare state: to decent job and educational opportunities, fair labor standards, protections against economic insecurity, legal representation, and access to political participation, starting with the right to vote.

For this the War on Poverty earned the enmity of a wide array of politically-entrenched constituencies, from the Jim Crow South to the big-city liberal North and West. It also drew the ire of many erstwhile supporters, including LBJ himself, who put pressure on OEO administrators to keep a lid on spending and to rein in community action even as he escalated spending on fighting communism in Vietnam.

LBJ’s policies did not end poverty, a fact conservatives, having long since argued that government had no business fighting in the first place, have recently twisted into a narrative of failure used to justify further cuts in the social safety net. But that shouldn’t keep progressives from drawing lessons from its shortcomings as well as its accomplishments in building a campaign against inequality.

One is the importance of fighting the battle at the level of economic policy and structural reform rather than relying on redistributive social welfare policies alone. LBJ’s economists recognized this in their push to move beyond budget-balancing orthodoxy to reduce unemployment (then at 5.5%) to more acceptable (3-4%) full employment targets. But they held back by relying on growth-stimulating tax cuts while downplaying the need for strategies to generate jobs in the nation’s de-industrializing urban and rural communities.

A second is that the problem of poverty cannot be resolved without addressing

the deeper inequities of race, class, gender, geography and power, a lesson overshadowed by the myth of a “culture of poverty” that gripped policy elites in the 1960s and continues to thread through popular and academic discourse to this day.

Third is that some of the fiercest battles of the War on Poverty were fought locally, as they continue to be today. This brings us back to the militant politics of massive resistance, which, then as now, played out in struggles over who would control the implementation of anti-poverty policies and resources and, financial incentives notwithstanding, whether they would be implemented at all.

But it also calls up the progressive organizing unleashed by community action, which continues to sustain the legacy of the grassroots War on Poverty in community-based movements for living wages, immigrant rights, and the right to health care today.

And fourth is the need to dethrone the narrative of failure, in ways that go beyond the War on Poverty’s penchant for “maximum feasible public relations” and statistical cost/benefit analysis to recognize not just the capacity, but the political and moral imperative of committing the resources of democratic government to achieving a just and equitable economy.

Author of *Poverty Knowledge: Social Science, Social Policy and the Poor in Twentieth Century U.S. History*, O’Connor is professor of history at the University of California Santa Barbara. E-mail: aoconnor@history.ucsb.edu.

Israel’s Elusive Search for Security

Israel has made its security the *sin qua non* of negotiations with the Palestinians, including insistence on military control of the Jordan River valley. But these escalating demands ignore questions of Palestinian security and the greater risk to Israel from worldwide opprobrium, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Everyone should be able to agree that any settlement of the conflict between Israel and the Palestinians needs to be consistent with genuine security for the people of Israel. The history of strife between Israel and multiple neighbors demands that. The longer history of the Jewish people, and of the persecution and hatred they have endured, demands it.

It is understandable that Israel's security is a major topic to be considered in evaluating any agreement. We do not know all the details of the security plan developed by General John Allen, but it is appropriate that such a plan be part of U.S. efforts to facilitate Israeli-Palestinian negotiations.

It thus should be all the more distressing that the subject of Israel's security gets so badly distorted and exploited in the misleading and manipulative ways that it does. The other day Yuval Steinitz, a right-wing minister in the Israeli government, rejected the portion of General Allen's plan dealing with the Jordan River valley and declared that Israel, for its security, must maintain a presence in the valley forever.

We should not even need the expert judgment of a former head of Mossad, who directly contradicted Steinitz, to realize that Israel faces no security threats from across the Jordan River and that there is no need for an indefinite Israeli military presence there.

Who supposedly poses any such threat? Is King Abdullah of Jordan going to fire up his M60 tanks and try to recapture the West Bank (to which his father, King Hussein, renounced any Jordanian claim some two decades ago)? Will the Iraqi government take time out from fighting jihadis in Anbar province to send an expeditionary force across Jordan to try to conquer Israel? Or might the Iranians decide one day to send such a force across both Iraq *and* Jordan to try to do that?

The absurdity of such scenarios underscores the groundless nature of Steinitz's assertion. And even if a phantasmagorical hostile army someday waded across the Jordan River, the imbalance of forces would be such that the Israel Defense Forces, even without a permanent presence in the valley, would crush the invaders before they had a chance to dry their feet.

As Mitchell Plitnick suggests, assertions such as Steinitz's aren't really about Israel's security; they are part of the Israeli government's stretching out the unresolved conflict indefinitely so it will never have to give up the West Bank.

It also is distressing to hear American politicians abetting that sort of game. Sen. Lindsey Graham, R-South Carolina, actually made this comment last week: "Here's the one thing that I think dominates the thinking in Israel: that once you withdraw, then the ability to go back is almost impossible. Look at Gaza. What's the chance of going back into Gaza militarily?"

Hello, senator, have you been following any of the news coming out of that part of the world over the last several years? Israel actually has lots of experience in doing the going-in-militarily-after-withdrawal thing. They have done it in

Gaza as well as Lebanon.\

Five years ago they did it in an especially big way with Operation Cast Lead, a major invasion and demolition of the Gaza Strip. Now, that sort of operation is not generally recommended as a positive contribution to international security. The Palestinians wouldn't think so; they saw 1,400 of their citizens get killed by the Israelis in Cast Lead. But Israel certainly did not seem to have any hesitation about what they can and cannot do after a withdrawal from occupied territory.

Graham was not reported as mentioning any of the reasons that unhappy Gazans did things, such as firing rockets into Israel, that got the Israelis riled up. The reasons, besides denial of political self-determination, have to do with Israel's endeavor to turn the Gaza Strip into a blockaded open-air prison in which life is kept miserable and people are swimming in sewage.

So we don't know if he envisioned the same sort of arrangement for the West Bank, which, like Steinitz's demand for permanent Israeli military occupation of the Jordan River valley, would be a deal-killing non-starter, or something more reasonable and feasible, which would make his Gaza point even weaker.

Even beyond such game-playing, too much that is said about Israel's security exhibits three major flaws. One is to be stuck in a sort of 1948 time warp, with no apparent cognizance of how much the correlation of forces has changed since then (and even in 1948, the Israelis prevailed). Today Israel is easily the most potent conventional military power in the region, as well as being, since the 1970s, the region's only nuclear power.

A second is the blatant, but usually unstated, asymmetry in which much is said about Israel's security but little or nothing about security for the Palestinians. It is a game of pursuing absolute security for one party even if it means absolute insecurity for everyone else.

By any reasonable measure, such as who has been invading whom and who has suffered far more casualties than the other side, the Palestinians have more claim on the attention of the United States and the world regarding security concerns than do the Israelis.

The third flaw is the tendency to treat hostility toward Israel as an unchanging commodity, to be countered forcefully forever, while refusing to recognize the respects in which this hostility is a function of unresolved conflicts and Israeli policies. This is the part that ought to be most distressing to Israelis themselves, because it entails blindness to the real threat to their security and to what underlies it.

That threat has been manifested in such things as rockets from Gaza and suicide bombers in Israeli streets. In the future it will be manifested not in the form of some new Arab legion mustering on the banks of the Jordan but instead in increasing international opprobrium and isolation and in a further distancing from liberal democratic values within Israeli itself.

Anyone concerned about these things ought to support, not impede, what Secretary of State John Kerry is trying to do in resolving the festering Israeli-Palestinian issue.

Paul R. Pillar, in his 28 years at the Central Intelligence Agency, rose to be one of the agency's top analysts. He is now a visiting professor at Georgetown University for security studies. (This article first appeared as [a blog post at The National Interest's Web site](#). Reprinted with author's permission.)

NSA Insiders Reveal What Went Wrong

In a memo to President Obama, former National Security Agency insiders explain how NSA leaders botched intelligence collection and analysis before 9/11, covered up the mistakes, and violated the constitutional rights of the American people, all while wasting billions of dollars and misleading the public.

January 7, 2014

MEMORANDUM FOR: The President

FROM: Former NSA Senior Executives/Veteran Intelligence Professionals for Sanity (VIPS)

SUBJECT: Input for Your Decisions on NSA

EXECUTIVE SUMMARY

Official Washington from Senate Intelligence Committee chair Dianne Feinstein to NSA Director Keith Alexander to former Vice President Dick Cheney to former FBI Director Robert Mueller has been speaking from the same set of [NSA talking points](#) acquired recently via a Freedom of Information request. It is an artful list, much of it designed to mislead. Take this one, for example:

– NSA AND ITS PARTNERS MUST MAKE SURE WE CONNECT THE DOTS SO THAT THE NATION IS NEVER ATTACKED AGAIN LIKE IT WAS ON 9/11

At a hearing of the Senate Judiciary Committee on October 2, Senator Feinstein

showed her hand when she said: "I will do everything I can to prevent this [NSA's bulk] program from being canceled." Declaring that 9/11 "can never be allowed to happen in the United States of America again," Feinstein claimed that intelligence officials did not have enough information to prevent the terrorist attacks.

Mr. President, we trust you are aware that the lack-of-enough-intelligence argument is dead wrong. Feinstein's next dubious premise that bulk collection is needed to prevent another 9/11 is unproven and highly unlikely (not to mention its implications for the privacy protections of the Fourth Amendment).

Given the closed circle surrounding you, we are allowing for the possibility that the smell from these rotting red herrings has not yet reached you even though your own Review Group has found, for example, that NSA's bulk collection has thwarted exactly zero terrorist plots.

The sadder reality, Mr. President, is that NSA itself had enough information to prevent 9/11, but chose to sit on it rather than share it with the FBI or CIA. We know; we were there. We were witness to the many bureaucratic indignities that made NSA at least as culpable for pre-9/11 failures as are other U.S. intelligence agencies.

We prepared this Memorandum in an effort to ensure that you have a fuller picture as you grapple with what to do about NSA. What follows is just the tip of an iceberg of essential background information much of it hidden until now that goes to the core of serious issues now front and center.

The drafting process sparked lively discussion of the relative merits of your Review Group's recommendations. We have developed very specific comments on those recommendations. We look forward to an opportunity to bring them to your attention.

Introduction

We write you with a sense of urgency looking toward your upcoming decisions regarding the activities of the National Security Agency. We the undersigned (William Binney, Thomas Drake, Edward Loomis, and Kirk Wiebe) worked with NSA for a total of 144 years, most of them at senior levels. Our mission required the highest technical skills to keep the country safe from foreign enemies, while protecting the privacy rights of U.S. citizens under the Fourth Amendment to the U.S. Constitution.

For us, the 21st Century arrived with serious management and technical

shortcomings at NSA in meeting the huge challenges posed by the digital and Internet age and the huge problems accompanying the transition from a Cold War footing over 40 years to an increasingly complex world with many asymmetric threats.

NSA management's reaction in this environment not only opened the door to the attacks of 9/11 but led to violation of what had been the "First Commandment" at NSA; namely, "Thou Shalt Not Eavesdrop on Americans Without a Court Warrant." Under the circumstances, three of us (Binney, Loomis, and Wiebe) left; Drake had just come on board in hopes of playing a constructive role in addressing the challenges at NSA.

We all share an acute sense of regret for NSA's demonstrable culpability for what happened on 9/11, and for those of us working there before the terrorist attacks a remorse for not having been able to stop them. We tried; but it is hard to escape a nagging regret that, somehow, we should have tried harder.

We were there; we know what happened. And we know how what happened has been successfully covered up until now. Calamities like this tend to happen again if there is no accountability for what happened before. You need the unvarnished truth. The flood of revelations now in the public domain frees us to address facts and events formerly hidden behind a convenient, cover-up classification regime. We feel bound by the solemn oath we took to support and defend the Constitution of the United States against all enemies, foreign and domestic, to make truths known to you that you may find as unconscionable as we do.

Why do we still care? Because we have consciences; because the oath we took has no expiration date; because we know as few others do how critically important it is for our country to have a well functioning, Constitution-abiding National Security Agency; and because we know how that ship can be steered back on course at that important place of work by improving its ability to find terrorists and other criminals in massive amounts of data, while protecting the right to privacy and citizen sovereignty.

Getting in the Door

It comes to us as no surprise that there is strong resistance on the part of the Establishment when it comes to giving us a hearing a shunning of the very people who know what happened and how to take steps to prevent it from happening again.

Our predicament calls to mind that of our colleague veteran intelligence professionals, who were ignored by Official Washington and an obsequious media, when we knew that fraudulent (not mistaken) intelligence was being used to "justify" the launching of an aggressive war on Iraq 11 years ago. Establishment

Washington barred the doors in 2002-2003. Just five years later our own clearances were taken away.

Now, once again the voices of seasoned intelligence professionals are being muted, in favor of a closed group of officials with huge incentive to cover up their failure to keep America safe and their playing fast and loose with the Fourth Amendment.

Mr. President, we have given up hope that your palace guard will let us in. Our chances of reaching you seem far better via this Memorandum, the 28th of its kind issued since early 2003, prepared at the behest of the Steering Group of our Veteran Intelligence Professionals for Sanity (VIPS). If this gets past your inbox protectors, we encourage you to pay more heed to it than your predecessor did to VIPS' warnings in the months before the attack on Iraq.

In one limited sense, we are better off than our colleagues 11 years ago. This time, mainstream media have been unable to ignore the documentary evidence of rank dishonesty on the part of senior NSA and other intelligence officials. This time the media has come to us, seeking our views. This time we can comment rather freely on matters that until now were hidden under TOP SECRET stamps.

On December 26, for example, The Wall Street Journal published a lengthy front-page article, quoting NSA's former Senior Technical Director William Binney (undersigned) and former chief of NSA's SIGINT Automation Research Center Edward Loomis (undersigned) warning that NSA is drowning in useless data lacking adequate privacy provisions, to the point where it cannot conduct effective terrorist-related surveillance and analysis.

A recently disclosed internal NSA briefing document corroborates the drowning, with the embarrassing admission, in bureaucratize, that NSA collection has been "outpacing" NSA's ability to ingest, process, and store data let alone analyze the take.

54 Now Down to Zero 'Thwarts'

It is not difficult to connect NSA's collect-everything approach with one principal finding of the Review Group you appointed to look into NSA programs; namely, that exactly zero terrorist plots have been prevented by NSA's bulk trawling for telephone call records. One Review Group member, your former Chicago law professor colleague, Geoffrey Stone, has confessed to being "absolutely" surprised at the group's finding of zero. Clearly, the statements of top NSA officials left Stone wholly unprepared for the truth.

Reacting to the Review Group's report, a member of Congress involved in intelligence issues told a reporter, "That was the ballgame ... It flies in the

face of everything they have tossed at us.”

While this finding of the Review Group is a further blow to Keith “54-terrorist-plots-thwarted” Alexander’s credibility, it is no surprise to us. More important, it goes to the heart of whether NSA’s bulk collection is more hindrance than help in preventing terrorist attacks. We suggest, with all due respect, that you give us an opportunity to brief you, before you find yourself repeating undocumented claims like “lives have been saved,” and demonstrably false claims that no abuses have occurred.

What passes for a process for collection and analysis at NSA appears to be highly inefficient and ineffective. How else does one explain missing the bombers of Boston, Times Square, and the underwear bomber over Detroit?

In short, we would like to talk to you about things you might otherwise have no way of knowing, given that our information reflects so poorly on top NSA management past and present. You and the country are ill served by the reluctance of your national security advisers to give a hearing to former intelligence insiders like us. Your advisers may be too inexperienced to realize that circling the wagons is not going to work this time. This time the truth will out.

Clapper & Alexander

Surely you have asked National Intelligence Director James Clapper flat-out why, in formal testimony to the Senate on March 12, 2013 he answered “No, Sir” to Senator Ron Wyden’s question, “Does the NSA collect any type of data on millions or hundreds of millions of Americans?”

Surely you know that Senate Intelligence Committee chair Dianne Feinstein persists in covering for Clapper, telling ABC three months after Clapper’s falsehood that “there is no more direct or honest person than Jim Clapper.” And now Director Clapper’s lawyer, Mr. Litt, is trying to convince readers of the New York Times that Clapper did not lie.

Surely you intuit that something is askew when NSA Director Keith Alexander testifies to Congress that NSA’s bulk collection has “thwarted” 54 terrorist plots and later, under questioning, is forced to reduce that number to one, which cannot itself withstand close scrutiny. And surely you understand why former NSA Director and CIA Director Michael Hayden protests too much and too often on Fox News and CNN, and why he and House Intelligence Committee Mike Rogers publicly suggest that whistleblower Edward Snowden be put on your Kill List.

Does a blind loyalty prevail in your White House to the point where, 40 years

after Watergate, there is not a single John Dean to warn you of a “cancer on the presidency?” Have none of your lawyers reminded you that “electronic surveillance of private citizens ... subversive of constitutional government” was one of the three Articles of Impeachment against President Richard Nixon approved by a bipartisan 28 to 10 vote of the House Judiciary Committee on July 27, 1974?

Let us be clear. Candor dictates that we state up front that the more skeptical among us suspect that you are not as isolated from the truth about NSA activities as it might seem. That notwithstanding, for purposes of this Memorandum we choose to adopt a broader view and assume you would welcome help from former insiders who chose to leave rather than become complicit in NSA abuses.

What we tell you in this Memorandum is merely the tip of the iceberg. We are ready if you are for an honest conversation. That NSA’s bulk collection is more hindrance than help in preventing terrorist attacks should be clear by now despite the false claims and dissembling.

What we shall now attempt to explain to you is how corruption born of lust for billions of dollars, and the power that comes with that scotched implementation of an inexpensive and demonstrably superior in-house technical program the prototype of which was up and running before 2001. Not only did it hold considerable promise, it also honored the privacy protections guaranteed American citizens under the Fourth Amendment.

Fourth Amendment-Compliant Technology That Worked

No one currently working for NSA Director Alexander is likely to tell you this, so please hear it from us. In the years before 9/11, a group of NSA mathematicians and computer technology experts led by Binney, Loomis, and Wiebe devised a process called THINTHREAD for collection and rapid analysis of billions of electronic records relating to targets of intelligence interest, with automatic encryption of information about U.S. persons, per the standard of FISA and the Fourth Amendment.

Data on U.S. citizens could be decrypted only if a judge approved it after a finding that there was probable cause to believe that the target was connected with terrorism or other crimes. It was also considerably cheaper, easier, and more secure to store such data in encrypted format rather than allow that raw information to remain vulnerable to unauthorized parties in unencrypted form, as NSA chose to do. A fuller understanding of THINTHREAD’s capabilities is necessary to appreciate the implications of what came next.

THINTHREAD, you see, was a fundamental beginning to breaking the endemic problem of stovepipes that is, standalone collection systems with standalone databases. There was such a maze of databases, with special security compartmentation, that it was impossible for an analyst to "see" more than a few pages, so to speak, about a target, much less a whole chapter, let alone the whole available book. Information was fragmented by design, in order to placate functionaries blindly placing tight security above virtually all other considerations even, in this case, the analyst's need to know.

Thus, THINTHREAD was developed precisely to unite data associated with terrorists/criminals from all databases. An analyst was able to do one simple query on participants on a targeted activity and get access to all related content be it from computer, phone, or pager.

Now, Mr. President, perhaps you have been in Washington long enough not to be surprised by what happened next to THINTHREAD. Most of us have been around a lot longer than you, but even we found it shocking and, as we will show below, ultimately devastating in its implications.

In short, since THINTHREAD was developed in-house at NSA, it cost about \$3 million to build and to make operational at three sites. Members of Congress, however, had political incentive (the imperative to appear to be doing something against terrorism) and financial interest (no need to spell that out) in throwing billions at NSA.

In the end, NSA Director Michael Hayden rejected THINTHREAD in favor of a contractor program called TRAILBLAZER, upon which billions of dollars were ultimately squandered and which never became operational. NSA SIGINT (signals intelligence) Director Maureen Baginski announced the Requiem for THINTHREAD to William Binney and Edward Loomis in a private meeting on August 20, 2001, three weeks before 9/11.

Some Programs Don't Cost Enough

This is how it went down: In 2000, as THINTHREAD was beginning to show promise, the head of the NSA Transformation Office (NTO) asked the creators of THINTHREAD (Loomis, Binney, and Wiebe) what they could do with \$1.2 billion. We told him that, with that amount of funding, we could upgrade every one of our field installations that had access to foreign Internet sources, as well as upgrade collection equipment to access greater bandwidths available on fiber. But for the equipment, maintenance, and other costs for THINTHREAD, we only needed about \$300 million.

Director Hayden reacted swiftly on learning of this. He removed the NTO chief,

replacing him with a senior vice president of Science Applications International Corporation (SAIC), which became one of the leading contractors for a replacement project called TRAILBLAZER. TRAILBLAZER was originally budgeted for \$3.8 billion, but after burning away most of that money, it had to be jettisoned in 2006.

No functioning components had been produced, much less delivered; Gen. Hayden had been forced to confess to the Senate Intelligence Committee that TRAILBLAZER was vastly over budget as well as well behind schedule. And our (Binney/Loomis/Wiebe) complaint to the Department of Defense Inspector General had generated a highly critical report on TRAILBLAZER, which was also a factor in its termination. SAIC, though, continued to serve as one of NSA's major prime development contractors and remains so to this day.

Hayden had announced TRAILBLAZER to great fanfare in the spring of 2000, as he began to show more preference for opening the door wider to the private sector. A year before, NSA's New Enterprise Team, which included some of the undersigned, had begun to learn of contractor complaints over getting only maintenance contracts, while the most interesting work was being conducted in-house.

That fall, an NSA Red Team predicted that TRAILBLAZER would fail unless major changes were made to the program. Hayden, however, ignored the Red Team report, and none of the Red Team recommendations saw the light of day.

This particularly unconscionable (Hayden-SAIC-Congress) corruption is a case study in how the drive for big money and the power can squander big taxpayer bucks, chip away at our constitutional protections and, more important, as we shall explain below play a crucial role in the worst intelligence failure since Pearl Harbor 9/11.

You will hear the usual denials. With all due respect, we think caution is indicated in thinking about taking them at face value. We would encourage you to get ahead of the curve this time.

The financial fiasco could not be kept from Congress or the Pentagon. Recognizing NSA's inability to manage multi-billion dollar programs, NSA's "Milestone Decision Authority" that is, the responsibility for planning, acquiring, and implementing major intelligence capabilities was revoked and responsibility was transferred to the Under Secretary for Acquisition, Technology, and Logistics at the Department of Defense.

After 9/11, Most of Us Out

The financial and managerial corruption was bad enough. To our horror, after

9/11 we came to realize that the abuses occurring during the years before 2001 had gravely damaged NSA's capability to thwart attacks like 9/11. Wiebe, Binney, and Loomis retired. Thomas Drake (also undersigned), who joined NSA on August 26, 2001, as a senior executive after many years as an NSA contractor, stayed on in an attempt to right the ship.

All of us very soon learned that we didn't know the half of it that is, of the misfeasance and malfeasance leading directly to NSA's substantial contribution to the intelligence failure that day.

Again, we are prepared to brief you on the whole nine yards, so to speak. For now, we have decided to supplement the above with observations from our former colleague, Thomas Drake, who, as a contractor, had been thoroughly briefed on NSA programs, including THINTHREAD, before he joined the ranks of NSA as a senior executive. Thomas Drake writes:

"My first day on the job at NSA was 9/11. I was immediately charged as the lead NSA executive to find and deploy the best technology at NSA for the fight against terrorism. One of the programs I recommended to be resurrected for immediate operational implementation was THINTHREAD. I ran into a stone wall.

"As I pursued what I was tasked to do, I was surprised and deeply troubled to discover that, with a secret go-ahead from the White House, NSA had unchained itself from the protections of the Fourth Amendment and the Foreign Intelligence Surveillance Act of 1978. The vast power of NSA had been unleashed secretly on US citizens through a massive bulk surveillance program called STELLARWIND, a program completely unknown to most if not all of those working at the SIGINT Automatic Research Center. In the weeks after 9/11, 40 to 50 servers began arriving followed quickly by a whole new set of technical people who on September 26, 2001, turned STELLARWIND loose on all of us.

"Even after the developers of THINTHREAD left NSA in October 2001, I kept trying to get it authorized to go operational in vain. However, I was able to acquire enough funding to complete a THINTHREAD Content Evaluation of NSA databases that contained huge amounts of collected data.

Pre-9/11 Intelligence

"That's where I found the pre- and post-9/11 intelligence from NSA monitoring of some of the hijackers as they planned the attacks of 9/11 had not been shared outside NSA. This includes critical pre-9/11 intelligence on al-Qaeda, even though it had been worked on by NSA analysts. I learned, for example, that in early 2001 NSA had produced a critical long-term analytic report unraveling the entire heart of al-Qaeda and associated movements. That report also was not

disseminated outside of NSA.

“Make no mistake. That data and the analytic report could have, should have prevented 9/11.

“Top NSA management knew that. They knew that I knew that. I was immediately shut down. In spring 2002, the remnants of THINTHREAD were unceremoniously put on the shelf in NSA’s ‘Indiana Jones’ data warehouse, never to be seen again.

Cover-up

“Hiding the worst: In December 2001, Senator Saxby Chambliss, chair of a House Subcommittee on Homeland Security announced a preliminary investigation into 9/11. At a SIGINT Leadership Team meeting in February 2002, SIGINT chief Maureen Baginski directed me to lead a NSA Statement-for-the-Record effort for a closed-door hearing scheduled by Sen. Chambliss for early March to discuss what NSA knew about the 9/11 hijackers and their plotting before 9/11.

“As indicated above, the highly embarrassing answer was that NSA knew a great deal, but had not shared what it knew outside of NSA.

“After a couple of weeks Baginski rejected my draft team Statement for the Record report and removed me from the task. When I asked her why, she said there was a ‘data integrity problem’ (not further explained) with my draft Statement for the Record. I had come upon additional damaging revelations. For example, NSA had the content of telephone calls between AA-77 hijacker Khalid al-Mihdhar in San Diego, CA, and the known al-Qaeda safe house switchboard in Yemen well before 9/11, and had not disseminated that information beyond NSA.

“In short, when confronted with the prospect of fessing up, NSA chose instead to obstruct the 9/11 congressional investigation, play dumb, and keep the truth buried, including the fact that it knew about all inbound and outbound calls to the safe house switchboard in Yemen. NSA’s senior leaders took me off the task because they realized belatedly, for some reason that I would not take part in covering up the truth about how much NSA knew but did not share.

“When the 9/11 Commission hearings began, Director Hayden chortled at executive staff meetings over the fact that the FBI and CIA were feeling the heat for not having prevented 9/11. This was particularly difficult for me to sit through, for I was aware that NSA had been able to cover up its own culpability by keeping investigators, committees, and commissions away from the truth.

“I subsequently blew the whistle on the TRAILBLAZER fiasco, STELLARWIND, NSA’s hoarding of critical pre- and post-9/11 intelligence, and its cover-up. I shared this information via proper channels with the Joint Congressional Inquiry on

9/11 and the Defense Department Inspector General to no avail.

Preventing 9/11

“Against this background, it is difficult to listen to the manufactured claim so frequently heard these days to the effect that, had bulk collection been operational before 9/11, it would have prevented the 9/11 attacks. The mantra is convenient for those defending NSA overreach; it is also bogus.

“It masks the reality that, as indicated above, NSA had already collected highly significant intelligence on the hijackers themselves but did not disseminate it outside of NSA before the attacks. At best, the claim about bulk collection is one part wishful thinking and nine parts red herring.

“Not only does it exaggerate the efficacy of a collection method with zero demonstrated successes to date, but it also blows smoke in the eyes of those genuinely interested in knowing what role NSA played, or failed to play, in the months and weeks before 9/11. Worse still, this specious claim amounts to a cruel hoax on the thousands who died on 9/11, and the hundreds of thousands who died when Bush/Cheney used the attacks as a pretext to invade Iraq.”

Former Vice President Dick Cheney is widely reported to have been principally responsible for suborning then-NSA Director Michael Hayden into violating what had formerly been the “First Commandment” at NSA “Thou Shalt Not Eavesdrop on Americans Without a Court Warrant.” So it is no surprise to see Cheney come out of the woodwork and renew his contribution toward giving dishonesty a bad name.

On December 29, Cheney picked up where Senator Feinstein and former FBI Director Robert Mueller left off in promoting the disingenuous claim that had NSA’s bulk collection been in place before 9/11, the attacks that day would probably have been prevented. Adding to his unenviable record for credibility on Sunday talk shows, Cheney told Fox News Sunday:

“As everybody who’s been associated with the program has said, if we had this before 9/11, when there were two terrorists in San Diego two hijackers had been able to use that program, that capability, against that target, we might well have been able to prevent 9/11.”

Cheney was basking in the glow of Judge William Pauley’s ruling two days earlier that NSA’s bulk collection is legal, in contrast to Judge Richard Leon’s ruling on December 16 that it was “almost certainly” unconstitutional. Pauley simply bought into the NSA/Feinstein/Mueller mantra, hook, line and sinker. The mantra cannot bear close scrutiny, however, no matter how many leading lights of Establishment Washington sing it.

Former FBI Director Robert Mueller had prepared the ground for Cheney, when Mueller gave factually incorrect testimony to the Senate Judiciary Committee on June 13, 2013. Mueller said that we “could not know who was calling into that particular safe house [in Yemen]. We came to find out afterwards that the person who had called into that safe house was al-Mihdhar, who was in the United States in San Diego.”

Mueller was stretching the truth well beyond the breaking point in saying “we could not know.” His intent became abundantly clear as he proceeded to put his mouth around the Big Whopper: “If we had had this program [bulk collection of telephone records] in place at that time, we would have been able to identify that particular telephone number in San Diego.” Here was the FBI director kicking dust into the eyes of gullible Senators, in order to defend an NSA program of dubious effectiveness and even more dubious constitutionality.

More recently, the “outside” insider reportedly leading your Review Group, former CIA Deputy Director Mike Morell, recited the mantra in a December 19 op-ed in the Washington Post. Morell claimed that “had the program been in place more than a decade ago, it would likely have prevented 9/11.”

Khalid al-Mihdhar

The poster boy for this PR ploy is Khalid al-Mihdhar one of the hijackers of AA-77, who had been communicating from San Diego with people in a known al-Qaeda terrorist safe house in Yemen. Al-Mihdhar had been on the radar of U.S. intelligence at least since 1999, when NSA picked up communications from a “terrorist facility” implicating him. In early 2000 he lived in San Diego, California, with fellow hijacker Nawaf al-Hazmi.

NSA knew the telephone number of the safe house in Yemen at least by 1996 and was, of course, keeping track of calls to it from the U.S. Would Mueller, Morell and Cheney have us believe NSA doesn't know about caller ID? As William Binney has explained, automated systems take over when such calls are made and as long as you have one valid number you can obtain the other. Was it a case of gross ineptitude on NSA's part; or was NSA deliberately withholding information linking al-Mihdhar to the known al-Qaeda base in Yemen?

Richard Clarke, who was White House counterterrorism czar from 1998 through 2001, has told ProPublica that NSA had both the ability and the legal authority to trace calls from Mihdhar to Yemen. Clarke is correct. The targeting had been done; the numbers were known. The necessary authorities already existed.

No warrant would have been required, had Director Hayden simply made use of the authorities available to him via Executive Order 12333, Part II, Section 2.C, by

which he could have obtained approval from the Attorney General to target all communications with the safe house in Yemen regardless of origination or destination. It remains unclear as to why this was not done, especially in light of the recent revelation that Hayden did exercise that authority AFTER 9/11 in approving STELLARWIND.

Michael Leiter, Director of the National Counterterrorism Center from 2007 to 2011, later acknowledged publicly that while monitoring the al-Qaeda switchboard safe house in Yemen (run by al-Mihdhar's in-laws), NSA intercepted and transcribed seven calls from al-Mihdhar to the al-Qaeda switchboard. Leiter claimed that NSA didn't figure out that the calls were coming from the U.S. Was Leiter never told that NSA knew about the switchboard and the calls from the U.S., but failed to share the intelligence with others?

We have been focusing on NSA but would be remiss were we not to add that there were plenty of opportunities to alert the intelligence community to al-Mihdhar and al-Hazmi and their whereabouts before 9/11.

For its part, the CIA had plenty of intelligence about al-Mihdhar and al-Hazmi but withheld critical pieces of it from dissemination outside CIA. This was firmly established in a Justice Department Inspector General report. The DOJ IG report added that, despite an attempt by a FBI detailee working at the CIA to share critical intelligence on the two hijackers, "that information was not released by the CIA to the FBI. We were unable to determine why this did not occur."

Richard Clarke was also deprived of the information. During an interview on August 11, 2011, he publicly accused former CIA Director George Tenet of personally barring the dissemination of intelligence on al-Mihdhar and al-Hazmi to him (Clarke) as well as to the FBI. Clarke suggested that CIA operations officers were planning to recruit the two terrorists to work for the CIA, and once the FBI learned they were on U.S. soil the CIA would lose jurisdiction and control.

Bottom Line

It should now be clear, for those who can handle the truth, that the problems at NSA run deep in terms of effectiveness, integrity and respect for the Constitution. By withholding information and exploiting secrecy, NSA's leaders past and present have pulled off an unparalleled coup in concealing the sad reality that NSA could have prevented 9/11 and didn't. And Schadenfreude chortling by leaders at the top regarding the demonstrated bureaucratic advantages and success of such dishonesty has a tendency to be heard down through the ranks, corrupting even dedicated workers.

As you ponder more recent abuses, we hope you will address the deficiencies of NSA management past and present those who have been in charge of tens of thousands of patriotic workers doing their best in an agency whose mission is critical to our national security. And we suggest that you might wish to avoid repeating the dodgy rhetoric aimed at “proving” to us all that tragedies like 9/11 cannot be prevented unless we collect every bit and byte of signals intelligence we can.

We are in a position to know that collecting everything makes very little sense from a technical point of view. And, as citizens, we are offended by the callous disregard of the Fourth Amendment of the Constitution we all swore a solemn oath to support and defend against all enemies, foreign and domestic.

Signed/

William Binney, former Technical Director, World Geopolitical & Military Analysis; Co-founder of the SIGINT Automation Research Center.

Thomas Drake, former Defense Intelligence Senior Executive Service, NSA

Edward Loomis, former Chief, SIGINT Automation Research Center, NSA

J. Kirk Wiebe, former Senior Analyst, SIGINT Automation Research Center, NSA

PREPARED UNDER AUSPICES OF AD HOC STEERING GROUP, VETERAN INTELLIGENCE PROFESSIONALS FOR SANITY

Ray McGovern, CIA analyst/Presidential Briefer, (ret.)

Elizabeth Murray, Deputy National Intelligence Officer for Near East (ret.)

Coleen Rowley, Minneapolis Legal Counsel & Special Agent, FBI (ret.)

Daniel Ellsberg, Former State Dept. & Defense Dept. Official (VIPS Associate)
