



IT'S THE PROFILING, STUPID!

"All men having power ought to be distrusted..." --James Madison (1787)

Last week, [Barack Hussein Obama](#) deflected new concerns about the National Security Administration's intrusive domestic data-mining operations, saying, "If people can't trust ... the executive branch ... to make sure we're abiding by the Constitution, due process, and rule of law, then we're going to have some problems here."

Barack, we have some problems here.

Of course, trusting the Executive Branch is not the issue. The problem is Obama's [life-long record](#) of deceit and deception, and his utter contempt for [Rule of Law](#).

Amidst recent revelations that Obama's black-bag cutouts inspired his "low-level" union cadres at the IRS to target his Patriot and Tea Party [political enemies list](#), and scripted a [cover-up of the Benghazi murders](#) in order that it not derail his 2012 re-election campaign momentum, is it conceivable that his "low-level" union cadres at the NSA might collect intelligence data on U.S. citizens to profile those whom oppose Obama?



PATRIOTPOSTUS

As with the other scandals, Obama's political handlers and their [Leftmedia talkingheads](#) are obfuscating the facts regarding NSA data collection. They ignore legitimate civil liberty concerns, and focus instead on the question of whether such data is essential to our national security.

Allow me to reframe a quote from James "Ragin' Cajun" Carville's political playbook about focusing on the big issue, and adapt it for the big data debate: "It's the profiling, stupid!"

The question is not whether intelligence data collection is critical to our nation's ability to defend itself -- good intelligence is, and has always been a critical component of national defense and security.

The overarching questions are, what is the scope of domestic NSA intelligence gathering, and what is the potential for an administration to use that information to profile and target political opponents?

Here is a very brief background pertaining to the genesis of the NSA data-mining programs that have violated First and Fourth Amendment proscriptions against government infringement of the rights of American citizens.

After World War I, a civilian code-breaking group called Black Chamber seized daily telegrams from major telegraph companies, in violation of the 1912 Radio Communications Act. This operation was exposed and shut down, but after World War II, President Harry Truman rightly deemed the threat of nuclear weapons to be so significant that, by way of executive order, he formed the National Security Agency.

The NSA was tasked with collecting as much signal and communication intelligence as the limits of

technology would allow, and its budget soon dwarfed that of the Central Intelligence Agency as it expanded those limits. The NSA exponentially accelerated the old Black Chamber ops far beyond any commercial capabilities, and disseminated its findings to the FBI, CIA, Secret Service, Bureau of Narcotics and Dangerous Drugs (DEA predecessor) and the Department of Defense.

NSA operated without court orders and warrants, and its domestic data mining operations flourished unabated until two of its collection programs, "SHAMROCK" and "MINARET," were discovered by congressional investigators after the Vietnam War.

In 1975, Senate Intelligence Committee chairman Frank Church (D-ID) noted that these programs "certainly appear to violate section 605 of the Communications Act of 1934 as well as the Fourth Amendment of the Constitution." He described the NSA operations as "the largest government interception programs affecting Americans ever undertaken." But those operations were a drop in the ocean compared to NSA programs today.

From 1980 to 2000, NSA intelligence gathering capabilities advanced well beyond what academicians considered the theoretical limits, due primarily to Internet communication and transactions. However, congressional intelligence oversight committees maintained strict limits on domestic intelligence gathering.

Fast forward to the rise of "[Jihadistan](#)" and the 9/11 al-Qa'ida attack on American soil.

Under the authority of post 9/11 Patriot Act provisions, the NSA greatly expanded its gathering operations to include mountains of metadata -- essentially macro data tags about micro data -- on virtually every electronic transmission and transaction, including the tagging of individual financial, telecommunication and internet traffic. That is on top of all the data the government already maintains on individuals, and when ObamaCare is

fully implemented, the government will then have complete access to medical histories and conditions.

The NSA has the added benefit of tapping into massive commercial data mining operations at Microsoft, Google, Yahoo, Facebook, PalTalk, YouTube, Skype, AOL and Apple, and collected chat videos, stored data, file transfers, social networking, videos and photos, and especially encrypted communications, which can be virtually deciphered and read in real time. (For the record, the massive commercial data mining also poses significant threats to privacy, and should be subject to disclosure limitations and regulation requiring consumers to approve or disapprove the collection of such data.)

The legitimate purpose for gathering massive amounts of metadata, and probably many "deeper layers of data," is that such data can be sifted by algorithms in search of patterns, trends and associations that may be linked with national security threat profiles. When profile data dots are connected, investigators are required by law, subject to the 2008 Foreign Intelligence Surveillance Act (FISA), to obtain a court order to conduct a deeper review of the stored data.

Now, if the executive branch is to be trusted, and congressional oversight is sufficient, then there is no problem with the collection of metadata, and the transactions or transmissions associated with that data. But our Founders wisely established that no such trust should ever be afforded those in power, so the question of trust should be a mute point.

So, who is to be trusted?

Certainly not Director of National Intelligence James Clapper, who was asked in a March congressional hearing, "Does the NSA collect any type of data at all on millions or hundreds of millions of Americans?" Clapper responded, "No, sir. There are cases where



they could inadvertently perhaps collect [intelligence on Americans], but not wittingly."

Clapper, who apparently does not grasp the concept that when you find yourself in a hole, stop digging, attempted to parse his response, saying this week, "I responded in what I thought was the most truthful or least most untruthful manner, by saying, 'No.' And again, going back to my metaphor, what I was thinking of is looking at the Dewey Decimal numbers of those books in the metaphorical library. To me collection of U.S. persons data would mean taking the books off the shelf, opening it up and reading it."

OK, in the intelligence trade craft, "gathering intelligence" refers to the accumulation of data. "Collection" refers to the analysis of data, but Clapper obviously knew that the distinction between gathering and collecting intelligence would not be apparent to any elected official during the hearings.

But according to White House paid professional liar Jay Carney, Obama "certainly believes that Director Clapper has been straight and direct in the answers he's given," and added that he thinks Clapper has been "aggressive in providing as much information as possible to the American people, to the press."

So, what about "trusting the executive branch" with collection programs like PRISM, which co-opt data from domestic telecommunication and Internet service providers?

In 2005, then Senator Obama declared, "If someone wants to know why their own government has decided to go on a fishing expedition through every personal record or private document, through library books they've read and phone calls they've made -- this legislation gives people no rights to appeal the need for such a search in a court of law. ... This is just plain wrong."

In 2008, an indignant candidate Obama promised, "I will provide our intelligence and law enforcement agencies with the tools they need to track and take out the terrorists without undermining the Constitution

and our freedom. That means no more illegal wiretapping ... [spying] on citizens ... tracking citizens who do nothing but protest... No more ignoring the law when it is inconvenient. ... The law is not subject to the whims of stubborn rulers ... justice is not arbitrary. [Bush] acts like violating civil liberties is the way to enhance our security... The first thing I will do, when I am president, is call in my attorney general and ... review every executive order issued by George Bush to determine which of those have undermined civil liberties, which are unconstitutional, and I will reverse them with a stroke of a pen."

Now, Obama says, "Nobody is listening to your telephone calls. That is not what this program is about. What the intelligence community is looking at is phone numbers and duration of calls. They're not looking at names and not looking at content." He added that when he became president, "My assessment was [that NSA intelligence] helps us prevent terrorist attacks. The modest encroachments" on privacy, he said, "was worth us doing." ([Watch Obama then and now.](#))

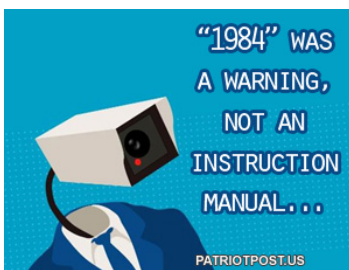
In fact, under the Obama administration, the NSA activities have massively expanded.

Rep. James Sensenbrenner (R-WI), one of the key architects of the Patriot Act, said this week that the scope of the NSA data mining operation is "beyond what the Patriot Act intended." Sensenbrenner, who chairs the House Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, added, "I know because I helped draft Section 215 and it was designed to prevent the NSA from [domestic] data mining and that is exactly what they're doing. ... Apparently what the president seems to think is that [universal background checks for guns](#) are okay, so universal seizure of people's telephone records is okay."

According to The New York Times' [editorial on NSA operations](#) and Obama's response, "He has now lost all credibility."

The Times later amended that post to read, "lost all credibility on this issue," but they had it right the first time.

Ironically, amid the NSA controversy, Obama announced last week, "We're going to take a new step to make sure that virtually every child in America's classrooms has access to the fastest Internet. I am directing the Federal Communications Commission, which is the FCC, to begin a process that will connect 99 percent of America's students to high-speed broadband Internet within five years."



Recall, if you will, just a few weeks back when Obama preached his "[ignore tyranny sermon](#)" to Ohio State graduates: "You've grown up hearing voices that incessantly warn of

government as nothing more than some separate, sinister entity that's at the root of all our problems; some of these same voices also doing their best to gum up the works. They'll warn that tyranny is always lurking just around the corner. You should reject these voices."

Well, in [Ronald Reagan's](#) inimitable words, "Government is not the solution to our problem; government is the problem." And indeed, "tyranny is always lurking just around the corner," and our Founders expected us to be ever vigilant against despotism, regardless of Obama's demand we "reject these voices."

Note that Obama's IRS profiling of Patriot and Tea Party political opponents was not the first time this administration's foot soldiers set their sights on his political adversaries. There are many other examples of government agencies targeting his enemy list.

For example, the Department of Homeland Security wasted no time after Obama took office targeting conservatives in a 2009 DHS document "[Rightwing Extremism](#): Current Economic and Political Climate

Fueling Resurgence in Radicalization and Recruitment." That terrorist profile included a footnote that defines "rightwing extremism in the United States" as any groups that question federal authority and support states' rights. It also notes that DHS "will be working with its state and local partners over the next several months" to collect information on these radicals, with "a particular emphasis" on sources of "rightwing extremist radicalization." DHS czar Janet Napolitano expressed her concerns about "trends of violent radicalization in the United States," but insists, "We are on the lookout for criminal and terrorist activity but we do not -- nor will we ever -- monitor ideology or political beliefs."

Right, you can trust her -- she's from the government.

And consider the 2010 security exercise at Ft. Knox, in which an Obama supporter wrote into the scenario that "[Tea Party terrorists](#)" were the adversaries.

The bottom line is that most Americans in the military, intelligence and law enforcement communities are Patriots -- and there are even some in the IRS and other civilian government agencies. But when Obama's wayward [NeoCom cadres](#) use the power of their government office to profile and target his political adversaries, that does not require a directive from Obama. The profilers were already predisposed with a political bias, and Obama has fueled that predisposition in every government agency.

Where there is a corrupt executive, there will be corruption in the ranks. Obama is not to be afforded any measure of trust. As Thomas Jefferson wrote, "The time to guard against corruption and tyranny, is before they shall have gotten hold on us. It is better to keep the wolf out of the fold, than to trust to drawing his teeth and talons after he shall have entered."

Footnote: Amid all the debate about NSA profiling of terrorists, I thought the Left universally argued that "profiling" was a bad word. Fact is I fully support tactical profiling measures, like behavioral profiling at airport security checkpoints, rather than subjecting

grandmothers and babies to full body searches. (Read
["Anyone for Terrorist Profiling?"](#))