

Senators Look to Prevent Another Snowden

By Jay Newton-Smith
The Senate Intelligence Committee in a closed-door session grilled Army General Keith Alexander, the director of the National Security Agency, on Tuesday for the leaks of highly classified information by Edward Snowden, a low-level NSA contractor, according to members of the committee. This was first of what is likely to be many such uncomfortable sessions before congressional committees. Alexander is "perplexed by it too," Senator Saxby Chambliss of Georgia, the top Republican on the panel, told TIME. "Obviously, General Alexander does not review or interview every applicant. But he is concerned about the process, about the use of contractors versus NSA employees. All of this is going to be looked at in light of these leaks taking place." For her part, Senate Intelligence Committee Chair Diane Feinstein, who has called Snowden a traitor, wants to know how so many contractors are given access to such sensitive information. "I'm very concerned that we have government contractors doing what are essentially governmental jobs and, I think, particularly with highly classified information," Feinstein said. "Government people, who take an oath to keep that information secure, should be the ones" handling sensitive intelligence. On Sunday, Snowden, who worked for subcontractor Booz Allen Hamilton out of Hawaii, revealed himself to be the source of Guardian

and Washington Post

stories last week that revealed that the NSA had logs of every phone call and their duration, being made both to-and-from the U.S. and within the U.S., and that the NSA runs a program called PRISM which trolls the servers of major internet companies like AOL and Google for potential terrorist communications. Snowden, who said he was in Hong Kong seeking asylum from various countries, called himself a whistle blower and said he was hoping to start a national debate about America's surveillance of its people. Lawmakers almost universally expressed shock that 29-year-old Snowden, who dropped out of high school and never finished college, had been given a reported \$122,000-a-year job with top-secret clearance. "I have a lot of questions that I would personally ask about this man," says Senator Dick Durbin of Illinois, the No. 3 Democrat in the Senate, "how he ended up with a security clearance and a job that pays somewhere between \$120,000 and \$200,000 a year." Chambliss suggested that not only does the vetting process—which has been in overdrive in recent years to overcome a decade-long post 9-11 backlog—need to be overhauled, but that regular check-ups should be done for those already cleared in case, as it appears happened with Snowden, employees become disaffected. "Like those who get disability claims, there's got to be a period of time where you go back and look at individuals and look at if top secret clearance is still appropriate for them," Chambliss said. "If people are getting dissatisfied, we have to know it and deal with it so they don't go outside and vent their frustrations to the press."

Senator Lindsey Graham, a South Carolina Republican, said the NSA should have an internal affairs unit, much as most police departments have in the U.S. "A unit whose job it is to watch the cops about being bribed, being corrupted, stepping out of their lane," he said. "Where you have watchers watching the watchers." Attorneys who specialize in candidates for high-level government security clearance tend to agree. Greg Rinckey, managing partner of Tully

Rinckey PLLC, proposed the need for internal "counterintelligence." A body devoted to seeking out the soft spots of federal employees ("Can they be blackmailed? How might they become disillusioned?") before they can gain access to reams of confidential information could prevent future leaks, he said. Hundreds of thousands of contractors like Snowden enjoy top-secret status and few choose his path, Rinckey added, but "everybody has a weakness." The biggest threat to U.S. intelligence these days isn't so much Russian spies, Graham said, but disaffected young men like Snowden; Private Bradley Manning, who is accused of being behind Wikileaks; and Aaron Swartz, the activist founder of social news site reddit who committed suicide after the government brought him up on charges of wire and computer fraud for illegally downloading millions of documents. "I think that there's a group of people, younger people who are not fighting the war, who are libertarians mostly, who feel like the government is the problem," Graham said, "that those who are trained to defend us are a bigger threat than those who are trying to attack us." Agreed Chambliss: "Obviously, there are some similarities between the leakers, that they're from the same philosophical background that, I guess you could say, are libertarian... It's going to be a challenge that the intelligence community to figure out how to defend against this. I don't know that you always can." Graham said the best way to deal with such disaffected people is to make examples of them. "If somebody finally goes to jail for destroying our national security and weakening our national defenses, maybe the next 29-year-old who thinks that they're going to be some cult figure will think twice," Graham said. "If we can run [Snowden] down, it's imperative that we catch him. I don't care where he goes, I don't care what we need to do, we need to bring this guy to justice for deterrence sake." The Justice Department is reportedly looking into eradicating Snowden and into options for building a case against him. But there were senators who refused to label Snowden a traitor. Senator Bernie Sanders, a Vermont Independent and self-described socialist, said focusing on Snowden missed the bigger picture. "I do not believe that the American people want to have every phone call that they make tracked by the United States government, every website that they visit tracked by the United States government or the private sector — that is the debate that we have to have," Sanders said. And Senator Rand Paul, a Kentucky Republican whose father, libertarian Ron Paul, Snowden donated \$250 for his 2012 president bid, said Snowden's act was merely one of "conscientious objection."

Not so, argued Chambliss, who says these programs have resulted directly in the thwarting of terrorist attacks on American soil, including the arrest in Denver of Najibullah Zazi for plotting to blow up the New York City subway. "There are other [thwarted attacks] that we are working on getting declassified and can talk about hopefully in the next several days," Chambliss said. "This is major leak and what this young man has done, I can say with a fair amount of certainty, is going to cost someone their lives."