William Binney

A 36-year NSA veteran, William Binney resigned from the agency and became a whistleblower after discovering that elements of a data-monitoring program he had helped develop -- nicknamed ThinThread -- were being used to spy on Americans. Binney spoke with FRONTLINE's Jim Gilmore on Dec. 13, 2013.

Take us to before Sept. 11. What were the concerns of the NSA? What was the threat as the NSA viewed it? ...

I probably should start in the late '80s, because that's when the communications and the world started ballooning with cell phones and email and the Internet. And it really started growing in the early '90s.

At that time, that was the time that the [Berlin] Wall fell and the Soviet Union disintegrated. So NSA started looking around: "What's our next target in the world?" And of course the communications ballooning offered opportunities for guys doing illegal activities, like dope smuggling. And eventually terrorists joined in, so they were a part of it. ...

In '97, I became the technical director of the geopolitical -- military geopolitical analysis and reporting shop for the world, which was about 6,000 people. Those were analysts and reporters, the people, not the technicians or the computer people. It was more analyzing the data to figure out what was going on and report it. ...

But part of the issue was volume, velocity and variety, as the agency put it. ... This is too much data. It's moving too quickly, you know, too many kinds of data; we can't do it.

And in our little group, which we'd formed in the early '90s, '92 I think it was, when Dr. John Taggart and I formed the SIGINT Automation Research Center [SARC]. Then Ed Loomis took John Taggart's place, I think it was in 1995, or somewhere around there, '93 to '95, somewhere in there, when John retired.

At that point, we were still dealing with that major issue. We started to bring that up. And Ed was working on the front end of the program in the SIGINT Automation Research Center. So he was looking at the acquisition of data off the cables and the satellites and the fibers and how to convert it and get it into some database or some process where other people could handle it. And that was what we called the backend. ...

So I started working on the backend, which was to figure out ways of

processes that could manage how to look at that data, and manage getting information out that was important for analysts to look at, to write reports, and report on the activity of potential enemies or threats.

Because the problem is, you're getting a massive amounts of material now, and now you've got to figure out which material you're supposed to look at.

Exactly. And that was the whole point. ... And that was the concept: How could we look at tens of terabytes of data per minute and look into it ... without having to look at it? Because if you have to look at it, you'll never get through it. There's just too much.

So the whole idea was to use the metadata around it that identified who communicated with who, so that you could build social networks around the world of everybody and who they communicate with. Then you could isolate all the groups of terrorists and all the groups of drug smugglers and money launderers and all those kind of illegal activities. You could identify those groups. And, once you could do that, you could use that metadata to select that information from all those tens of terabytes going by.

So this is the beginning of ThinThread.

Well, we were actually doing it in parts. The ThinThread was the integrated effort at the end, yeah. Yeah. These were the parts to ThinThread.

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Tell me a little bit about the culture at the NSA at this point. ... It seemed to be ingrained in the DNA of people at NSA at that point that the thing we do is we target foreign targets. We do not, do not, do not spy on Americans. Explain how that was felt to the core at the NSA. ...

Well, the Church Committee ... basically said, if you pulled in anything that happened to involve U.S. citizens, that you had to go through a check to make sure that it wasn't a violation, first of all, of the acquisition system, and secondly, to get rid of the data in the base and purge it and make sure that you were clean. And everybody religiously followed that. ...

How did that influence what you were building, as you guys were working on ThinThread?

Well, from Ed's aspect, he was trying to acquire the data first. Once he acquired the data, then it was up to the backend, the people I had been working with, to be able to recognize it and sort it out, so that's when we started discovering the U.S. citizens in the data, because if you collect any fiber-optic line anywhere in the world, sooner or later you're going to get U.S. citizens' communications on it. That just randomly happens. It gets routed anywhere in the world. Communications from Miami to New York could go to Africa and come back, or to Europe and come back. And if you're over there collecting, you can pick that up on those fiber lines. So it's a matter of being able to recognize it, first of all, which, by

the way, was absolutely no problem at all. None at all.

What did you do?

Well, at that point, we said, "OK, we cannot take in any of the content of the data." So we just let that pass by. We suppressed all of that. Well, we did it by our selection principles. As we went for selection against the groups, the attributes of the groups of people who were doing bad things, like illegal activity in the world, or militaries or actually criminal- or governmental-type information, we would target those and basically let all the other content pass right by, so that we could use our social networking to make, as a filter, to pull out the information from these tens of terabytes, so that we didn't even take any of the content in the beginning of it.

Now we were dealing with the metadata that was left, because we were using that to filter it out, and also know what was in it. So when we saw the metadata that belonged to U.S. citizens, that's where we started encrypting it and ensuring that it wasn't recognizable by anybody. ...

That was the protection that we built in to meet what we thought would be constitutionally acceptable and also pass the test of the FISA [Foreign Intelligence Surveillance Act] Court. …

We had our entire system running in November 2000. And so we were prepared to do the entire deployments in January 2001, because at the time, the terrorism was the main target that we were after.

So I, as the technical director of the world geopolitical military analysis stuff, I went to the terrorist shop, and I said, "I want a list of all the sites that produced any information that is helpful to you in analyzing the terrorist target anywhere in the world." So they came up with a list of 18 sites that do the contributions to them. I said, "OK, these are our targets." That was pretty simple, you know. "These are the producing assets that we have, so this is where we go first."

So we proposed to go to those 18 sites for $9.5 million in January 2001. Unfortunately, at the same time, this was when [Michael] Hayden, director at the time, Hayden started his Trailblazer program, and he came down here to Congress and said: "Volume, velocity and variety is a big problem. We can't handle it. We need lots of money to deal with it. So give me about, what, about $4 billion to manage it." So that's what they did. And that put the focus over there. ...

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You lost out to the director's program, which was huge. And you guys had a $3 million program.

It cost us about $3.2 million to do it, yeah, from scratch.

... And it was working.

It was working, yeah.

Because tests were done also. And all the tests came with flying colors?

Yes.

So explain that to me.

We had any number of people looking at the program we were running. They, of course, wanted to support all the money programs, so they didn't want to shine too much light over there, because it would get too much attention at that point, and say, "Gee, you already solved this problem, so what do you need all this money for?" They didn't want to have that happen, so that was what their fear was. And that motivated them, then, to kill the program. But effectively it was already running and working and inputting data for analysis and we were already using it.

So when you say that you had gone down to get targeted sites, it was the Yemen safe house that was the renowned Al Qaeda center for telephone?

That was in the list of the targets, yeah. ... We actually had the worldwide network. That was simply one node in that network. So it was a key node, but it was still just one node. And we had all of them, and we were targeting them all as a group, for this deployment and all the access that we already had.

And your contention is that if Hayden had allowed it to go through, we would have known about 9/11?

Oh, absolutely, yeah. The most unreliable factor in this was the human beings. They were the most creative, but they were also the most unreliable, especially in terms of the massive amounts of data. If you have something buried in a massive amount of data, humans have to wade through it. They make pulls based on words or other kinds of combinations, and then they get a whole host of information out, and then they have to wait.

It's much like if you did a Google query, you would get a massive output, and then you'd start to go through it to try to find what you wanted. Well, you wouldn't make it all the way through. And so therefore, you have high probability of missing something, especially when you get a lot of data. You can only go through so much in a day. ...

So what we were doing was putting together rules that said, and putting in the code that said, if you see these attributes about this target or something, execute this; do this with it. So the code executed things automatically. It made the recognition in the database of things that were important and did an automatic distribution of it electronically. ...

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So 9/11 happens. How does everything change? Take us to that day.

Well, on 9/11, I took my father-in-law to the eye doctor at the time. I was sitting there in the waiting room, and he was getting examined. I was watching TV, and I saw the planes hit the towers, and I said, "Well, you know," when the plane hit. I mean, the first thing -- the first plane hit, I said: "We just failed. We have failed, because we should have stopped

this. There's no reason why we shouldn't have stopped this."

I tried to get back into NSA after I took my father-in-law home from his exam, and they had closed the building. They sent everybody home on that day to get them out of the building. I couldn't get back in. The next day, I went back in, and they were still closed. But I came in looking like I was going to sweep the floors, so they let me in, you know. That's how I got in there.

They were in there talking about trying to get things going. But the whole idea at that point changed now, because from Vice President Cheney's 10th anniversary of his 9/11 interview, he said that they, at that time, that Hayden and [CIA Director George] Tenet were talking about what could NSA do further than what they're already doing, and Hayden said he couldn't do it under the current restrictions of the law, so they had to have some exemptions. They took the proposal to expand that, do away with the protections, no encryption of any data about U.S. citizens and collect everything, all U.S. citizens' data as well.

They took that proposal to Vice President Cheney, and he took it to Bush, and everybody all agreed to it. To do that in secret with only -- they didn't even inform the FISA Court. They only informed four people, the chairman and the senior ranking member of both the House and Senate Intelligence Committees. Those were the only four who knew about it until, I think, 2004. ...

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... How do things change? What are you seeing that's different? What are you seeing that means that there's actually a new program that's coming down the pike?

... After 9/11, we were sitting there. We made our proposals to deploy again, and they rejected it again. ...

So we were sitting there, basically frustrated, not being able to help anybody. So about late September, the last week in September, a lot of the equipment started coming in. They started piling it up inside the SARC, or the SIGINT Automation Research Center. We're out in the hallway, going in. We had to walk way around all this hardware that was piling up out there. So we knew something was happening, you know, someone was going to do something.

Then they took all that hardware, moved it down the hall from us and installed a new system down there. They used our contractors to do it. That's because they were using our program to manage massive amounts of data, to build the social networks and basically what we call graphing, to build relationships of everybody in the world, things like that. And they were doing it with domestic data down the hall from us.

How did you find that out, though? What were the hints that you were getting?

Well, the only reason I found out about that was because the contractor I had [who] was doing that program for me on foreign intelligence came to me, because he and his folks were the only ones who knew how the

code worked, and could set it up and get it running for them. So they had to use them to do that.

So when they did that, he came to me and said: "Well, you know, you know what they're doing down there is they're pulling in all domestic data and taking it, by hundreds of millions of records, every day, on U.S. communications with other U.S. people, inside the country. And it's coming from AT&T." So that was, AT&T was the first input into that domestic intelligence program, which I later found out was called Stellar Wind. ...

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So you're hearing this stuff. And what are you thinking? Are you guys talking with other people?

Well, at my point, I said: "Well, obviously, this place has gone rogue. It is just now violating everything, every foundational principle of this country, the Constitution fundamentally, and not counting any number of laws." So I said, "Obviously, there's nothing that can be done inside this agency."

After I got out, I went down to the House Intelligence Committee and talked to Diane Roark, who was the staffer there, and told her what the program was and what was going on. Because it was the job of that committee, under the FISA laws, to prevent this kind of espionage against U.S. people.

And you go to her before or after you leave?

Slightly before I left.

All right. Before we get to that point, you're hearing all this stuff. You're thinking: "This does not sound kosher." ... What do you learn they do?

Well, what they did was they got rid of the section of the code that encrypted any of the attributes of U.S. citizens. That was the protection section. So what they did was, they either commented it out -- what that means is, if you go into the source code and put a "C" at the front of the line of every code, every line of code that does the encryption, that, for the compiler, when it comes through to compile it, it looks at that and says, "That's a comment," OK, so it skips over that.

So either that, or they took that entire block of code and deleted it. So there's one of two ways of getting rid of it. If they commented it out, it would only take a couple minutes to reinstate it. It wouldn't be difficult to do. If they deleted it, they'd have to reconstruct all that code.

And you suggested that.

I suggested that to Diane Roark. That was the way that they probably did it, and they could reinstate it very simply, if they only commented it out.

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And what's Mainway?

... I can say this much: In the NSA Inspector General's report, he talked about doing contact chaining for phone metadata and email metadata. They created a metadata and analysis center that was using those programs that did the contact chaining on that metadata to look at social networks or reconstruct their communications.

That was a part of what they called the Metadata Analysis Center [MAC], which later became the Advanced Analytic Division [AAD] when they added the content analysis to that. So they had the phone metadata analysis, then the email metadata analysis, and then the content analysis. Those were like the three sections of this Advanced Analytic Division.

Now, that's a manager's dream. Instead of having two senior managers below, you get a third one, so you get a higher grade. You build your empire that way. When, in fact, what they're doing is busting the same problem into parts and then creating an integrating problem for themselves, because no one section has any more than that small view or that third of a view of what their target is doing. The other thirds are over in the other places, and they have to try to integrate it together, to see what the target is really doing.

So it's not as good as your system.

No, because we didn't break it down that way. We unified everything.

And it doesn't have the protections of your system.

It didn't have the protections, no. ...

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Who is Tom Drake? ...

I think I first met Tom Drake in about 1997, I think it was. He was a contractor at the time, working on a program called Jackpot, I think, which was simply a program that evaluated source code and how efficient and how effective the code was, and how it was organized. ...

At one point in 2001, he came in and said he'd applied for a job at NSA, and he was going to convert to be a civilian government employee. We told him, "Tom, I think" -- I did, anyway -- I said, "Tom, I think you'll probably last three months here, because once you get in and see all the real corruption here, you won't be able to take it."

At that point, he converted. I think he said 9/11 was his first day on the job. He came in as one of the transition people in the SIGINT intelligence directorate as an adviser to Maureen Baginski, who was the chief there at the time, on transitioning to the SIGINT system. So, a change advocate, basically. He was up there talking to Maureen and the different management while we were down still doing our techie jobs in the technical area.

So 9/11 happened, and after that, we ran into the illegal activity with the spying on U.S. citizens, a violation of the Constitution and the laws, and

we said: "We can't stick around and be a party to this. We can't be an accessory to all these crimes. We have to get out."

So we did. And when we left, basically Tom became the advocate for the ThinThread program. He took over the advocacy of that program internally in NSA. He was the one that kept it going, because Congress had directed NSA to deploy it.

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So you retire. Why do you retire?

Well, I couldn't be an accessory to the violation of the constitutional rights of everybody in the country. I couldn't be an accessory to that, or an accessory to other crimes being committed, like exposing all this data to the FBI. It was acquired without a warrant, you know. And this is the kind of data that they would use to arrest people, which they did. So I couldn't be a party to that. That's just a total violation of our justice process.

And you talked to your bosses about that?

In NSA? No, because I knew these people, I knew them all. ... So I knew it was a waste. It was a pointless effort to talk to them. If they approved this, they have committed. They have gone to the dark side, as Cheney had said. "We've gone to the dark side." They committed to that.

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Just before you leave, you go to Diane. ... Tell me a little bit about that meeting.

Well, it was at her house, you know. I went to her house to basically tell her this, because I couldn't get into the Capitol building. So I had to talk to her at home, so I did that. And I said: "They are violating the constitutional rights of everybody by taking in all this data and building the social networks of everybody. It's a violation of the First Amendment."

You have the right to free association. It doesn't say you have the right to free association as long as the NSA knows about it, because collecting all this metadata gives them everybody you're associating with, and how frequently and how often, and the timeline for all that association.

So it's a violation of that one, not counting the collection of content or anything else that's related to that, which is, you know, a violation of your Fourth Amendment rights, or use of it to arrest you, which is a violation of your Fifth Amendment rights, not testifying against yourself.

So it was a total violation of the Constitution, not counting the Electronic [Communications] Privacy Act, the [Cyberspace] Electronic Security Act [CESA], all those things, and all the laws covering FCC regulations, covering telecoms. ...

So what does Diane say?

So Diane says, "They have gone rogue, you know." That was her point,

that she thought they were going rogue.

So what did she do?

She took it to Porter Goss (R-Fla.) and Nancy Pelosi (D-Calif.), who were the chair and ranking member of the House Intelligence Committee at the time. They already bought into the program and told her to go talk to Gen. Hayden, which she did. ...

Your intention -- why did you go to Diane? What did you think maybe could happen with Congress?

Well, the Intelligence Committees were created out of the Church Committee investigations back in the '70s. Those, as well as the FISA Court, they were created to prevent the intelligence community from spying on U.S. citizens. That was the whole intent from the beginning. It was their job to stop this, and so that's why I went there.

And were you surprised? Were you frustrated? What was your attitude about what the results of all that was?

Well, that told me that everything, at that point, all Congress was buying into it, because all the major players, they were preventing any of it from being exposed. And they were, of course, supporting it internally.

My point to Diane at the time was, the only option we had was to go to the third branch of government, the courts. Let's try to get a hearing with Chief Justice [William] Rehnquist. So that's what we tried to do.

We didn't want to go through regular channels, so we sent a note. We knew a fellow who went to high school with Rehnquist's daughter, so therefore, he was in contact with her, and he knew her. We passed the letter to him to give to her to give to her father, the chief justice, requesting this, but we never heard anything back from that. ...

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... How frustrated are you? And what are you thinking at this point?

After trying unsuccessfully to see the chief justice of the Supreme Court, we didn't have too many options left, since the Congress was out, the courts were out. So we, Kirk [Wiebe] and I, thought we could perhaps address it through the Department of Justice Inspector General's office.

So we went to the Department of Justice Inspector General and his staff and talked to them to see if we couldn't get them interested in correcting the illegal, unconstitutional activity of the U.S. government, which I thought would have been their job. But they also basically passed on it, too. ...

But when you went to the IG, you weren't complaining about specifically the illegalities of the domestic spying.

Yes, we were.

I thought that the initial --

That was the DoD [Department of Defense] IG. This is the Department of Justice Inspector General. We went to both of them.

You go to DoD first?

Right. That was 2002. We went later to the Department of Justice. ...

So what do you do at DoD? And why do you only do that and not go to the bigger question, which you're really concerned about, which is the domestic spying?

Well, I looked at it as a two-part question. The DoD solicits inputs on fraud, waste and abuse and corruption. That's their thrust. At least that's what they advertise to the workforce. So we thought their focus should be on that, and the illegality issue should be in the courts and the Department of Justice. That's where that one belongs. ...

So what happens at DoD?

Well, the DoD took two and a half years to investigate, with about 12 investigators. It was a fairly big operation. They came out with a report, over 100 pages long, which is on the Web, but it's 99 percent redacted, even though it's only 85 percent, or 80 to 85 percent is unclassified. It's just that they redacted it because there's so much in it that's embarrassing on all the procedures and internal corruptions in NSA and the contractors around NSA.

And what happens? You then go to DOJ. And what do you tell DOJ? What happens there?

Well, at DOJ, the primary focus we had there with Kirk and I was the illegality, unconstitutional activity of the Stellar Wind program spying on the entire U.S. population, and we laid out how that worked. Of course they said that they couldn't comment, because we didn't have clearances at the time, although we designed the program, you know. So we knew exactly how the program worked. ...

Take me to that meeting. ...

… I don't remember exactly the building, but it was one of the DOJ buildings in a SCIF [Sensitive Compartmented Information Facility]. So we went into the SCIF and took -- of course you leave all your phones outside, and you close and lock the door, and you're inside this protected area. You go through this discussion. And we went through, and all they did was listen.

But we described all the Stellar Wind program, how it worked, how the metadata analysis chaining worked, and how the content was indexed in the metadata, and how they could pull it out, timeline it and all of that, and basically how it was a violation of the constitutional rights of every U.S. citizen.

And we explained all of the ways that they could protect U.S. citizens and ensure that it wasn't collected; the data that was relevant; the content that was associated with them wasn't collected. All of that could have been filtered out right up front and never taken into any database that NSA had. ...

And what happened as a result of the meeting?

The only thing that happened was that they had a joint five Inspector

Generals [sic] -- I think the Inspector Generals of NSA, CIA, FBI, DOJ and I think it was DoD. Those five Inspector Generals got together and produced a composite report on the surveillance programs of NSA in July 2009, I believe it was.

And that was after Obama came in, a constitutional lawyer. We had hoped he might do something to stop this unconstitutional activity. But they came out and basically said the only things they need are more oversight of it and more controls involved in how they managed the use of that data. They didn't say they had to stop it. ...

You're pretty frustrated, to say the least, at this point.

Well, I'm very disappointed in the government, that everybody involved is violating their oath of office. I mean, they all took an oath to protect and defend the Constitution, and they've all scrapped that. They basically are violating their oath of office. I mean, I just never expected this from my democracy.

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So 2005, December, *The New York Times* article comes out. ... How important was it?

Well, it touched on that real issues. I mean, the warrantless wiretapping was not really a major component of it, but it touched on the data mining, which is really, really the big issue, data mining of the metadata and content. That was really the big issue, because that's how you can monitor the entire population simultaneously, whereas the warrantless wiretaps were isolated cases. You could pick an isolated number of them and do them, whereas in the mining process, you would do the entire population.

So it was a start of exposing some of the programs. And it certainly caused an internal investigation in NSA and various others to try to find the leakers. That's how they focused back on us, to try to get us to -- or thinking that we were the leakers, OK. ...

So after the articles come out, the president and the NSA maintain they are only tracking terrorists, calls going outside of the United States. There is a lot of spin about, number one, how dangerous these articles are and that it's not true. What is your reaction to what's said?

When they came out, they were claiming that this was going to be really detrimental to the security of the United States when in fact it was not; it didn't have any effect on the terrorists anyway. They already knew we were doing this, OK? ...

The only secret was it was being kept from the population of the United States. They didn't want the population of the United States to know, because what they were doing was an impeachable event. ...

So the administration also uses this article to start an aggressive whistleblowing hunt. Did you think that you would be focused on? ...

I didn't think I would be the focus of the investigation. I thought they would come to me to ask me questions about who knew about the ThinThread program and who was involved in it, things like that, as background information.

I didn't think they would suspect me, because after all, they had the Stellar Wind program, which would have outlined who I was communicating with, and they also had all my email. With the phone and email, they had both those sources of information to look at, and it was clear I wasn't talking to anybody in *The New York Times*, so they could have easily shown that. I mean, I'm sure they already knew that. ...

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So take me to July 22. Just tell me as it happened what happened, what your thoughts were, and what happened.

Well, the first I knew the FBI was in my house was the guy pointing a gun at me when I was coming out of the shower. That's the first I knew. My son let them in, and they pushed him out of the way at gunpoint, and then they came up into the bedroom and pointed guns at my wife and me, so that's the first I knew they were there.

And it surprised me. I said: "Well, what are you doing here? I've been cooperating with you, telling you everything I know about this, everybody involved in this program, so why are you doing this?" Basically they wanted me to tell them something that would implicate someone in a crime, OK?

That point was they were after Diane Roark because they didn't like her, and also Tom Drake because they didn't like him. So they wanted me to implicate them in some sort of crime, but I couldn't think of a crime that I knew about there. Then they told me they thought I was lying to them, and so at that point I said: "Well, I'm not. I'm not doing that. If I am lying to you, I'm not doing it consciously." I couldn't think of why they would say I was lying.

So then I started to get mad. I said: "OK, you want to know what the crime is? Bush, Cheney, Hayden and Tenet were the central conspirators to subvert the Constitution and the laws of the United States, and here is how they did it." So I told them all about Stellar Wind on my back porch, explained all the data they were taking in, what they were doing with it and how it was violating the rights of everybody in the country. …

What happens after that? ...

Yeah, the raid took about seven hours, I think seven or eight hours. They were there from 9:00 in the morning to the middle of the afternoon, and they took my computer, all the electronic hardware, discs and things that go with that, any kind of electronic storage device, and they also took some of my magazines, technical magazines and papers and things like that, and anything having to do with our business that we were trying to work on, so they took that, too. They put us out of business basically. ...

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One of the things that Drake did ... was he had mentioned that he had gone to *The Baltimore Sun*. How did that complicate things? I don't know if you talked to *The Baltimore Sun* as well.

No.

So it was just Drake.

Yup.

Did that come up? How was that a complicating factor?

I think that's what the FBI guys thought we knew, but at the time we didn't know that Tom Drake had gone to *The Baltimore Sun*, and we certainly didn't go to anybody in the press or the news. We were still trying to work inside the government to get it to straighten itself out. ...

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Let's talk about that next. What was the discussion that was going on among all of you at this point?

... Well, first of all, I should say that I had to sign a nondisclosure agreement with the FBI when they were interviewing me that I wouldn't tell anyone else that they were doing the interview of me. So I didn't tell anybody, including Kirk and Tom and all of them. I didn't tell any one of them that they were interviewing me, so because I didn't expect to get raided, I didn't expect anybody to get raided. ...

After the raids we tried to get together to discuss this, what was going on, Kirk and Ed [Loomis] and I, but Ed kind of went off on his own, didn't want to talk to anybody. The lawyers were saying once these kinds of things happen, don't talk to anybody; keep it, because then they think you're in a conspiracy or something. Well, this is the time to talk, I mean amongst ourselves, to try to figure out and get a consolidated defense together, which is what Kirk and I did. We got a lawyer at that point.

We were talking about it as what are the options left. We said of course that there was an option -- Kirk called it the nuclear option -- which was to go to the press with all of this and expose all of it, and we discussed that and said, "No, we still need to stay within." We were still traditional employees of the government and wanted to stay inside the government to try to get the government to change its ways to make it, to right itself as opposed to having to force it by going to the Fourth Estate, the public. ...

And what is the overarching thing of what does it do to your lives, because this is the beginning of it, This will go on now for years.

Yeah.

What happened?

Well, they basically destroyed our business and blackballed us for any business in the community or anywhere. We even tried to get together to try to organize an effort to go against Medicare and Medicaid fraud,

because that would be outside the classified area, and we thought we could do that, using the techniques we had internally. We had planned to do that, and since we all of us got back together except for Ed -- Ed wasn't there -- and planned this, including Tom Drake -- he was sitting in on it -- they figured that we were all getting together as a conspiracy and that is what we can charge them all with and take them to court and indict them with that. So they planned to indict us on that attempt that we were trying to organize a business.

Every time we tried to do something in business, they sent the FBI after us, so they were trying to put us out of business permanently.

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... Is there optimism that Obama is coming in, that maybe all of this is going to go away? And what is the rude awakening?

Well, we had hoped that, of course, that he would have done something, because he's a constitutional lawyer, that he would have started to change this and be open about it and make these corrections in the path that NSA was taking.

But instead he went the other way, and he was starting to indict people, like he tried to indict us. And the first turn of it was the report in July that came out from those IG reports under his administration. He was in in 2009; this was July 2009. And they said, well, all they need is more oversight and more monitoring of the programs to make sure they don't violate anybody's rights. Well, they were already doing it simply by collecting the data, and he knew that as a constitutional lawyer.

All that said to us was that all this stuff that he was saying before election was simply false. I mean, he was just feeding people a line to get them to vote for him, that's all, because he turned around and did exactly the opposite. ...

But Tom Drake was indicted. So when that happens, what do you make of it?

Well, I looked at the stuff that he was indicted for, and that material was clearly marked unclassified, and all they did was draw a line through it and classified that material, and then they charged him with having classified material. It's like framing him; we're going to frame you after the fact, OK? That was a charade.

In fact, others, like [journalist] Jim Bamford, had found the data in open sources and took it into the judge in the court, Judge [Richard] Bennett, and he knew they were framing him. I mean, those people should have been charged with that. That's a felony. They should have been thrown out of court. ...

The other thing about the Obama administration when they come in is they made some decisions early on that they are not going to go after the Bush authorities for what had taken place, because that is old news; they are only looking toward the future.

Right. They're hypocrites.

And at the same point they are going for whistleblowers. What was your take on that?

They're hypocrites. They selectively silence people because they're doing the same criminal activity that the Bush administration was. In fact they're doing more. …

That's why they have to build [the Utah Data Center in] Bluffdale now, because they're collecting so much data on U.S. citizens and everybody else in the world they're going to need more storage. And they just broke ground on Fort Meade, [Md.,] for another 600,000-square-foot facility to store more data. That was done this summer they started that. ...

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The revelations of Snowden. Snowden comes out. When you hear about Snowden, what are you thinking? ...

The difference with us is we went out without any documentation. Edward Snowden went out with all the documentation in the world, so when they started publishing all this documentation, the U.S. government could no longer deny it. ...

Snowden studied your cases.

Yes, he did.

And what did he learn?

Well, he looked at them. I think he said that that helped him decide what he had to do, so I think that said he had to take out documentation and he had to leave the country. …

A lot of what Snowden brings out is stuff that you were talking about all the way through. Is there anything new in what Snowden has revealed?

The extent to which the agreements are involved, the extent to which commercial activities, specifics more than anything else, the specifics of it. I mean, we knew this activity was going on and said so, but we didn't have the specifics that he did. He came out with documentation, so that made it here are the specifics of what they're doing, and so it was clarifying everything and making it irrefutable. ...

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You worked in the NSA for quite a few years. You were an important person there, pushing them into the modern age. You look back at the NSA now, and what do you think?

I think the place needs a total lobotomy. I think they need to scrap it and start again, get rid of those people who are in it, because they were a part of this process and agreed to it. Take the workforce, take them and move them to someplace else, or get rid of the management, move them somewhere else, put them in isolation away from everything so they can't infect that process, and reconstruct the whole business.

They need to stop doing this kind of illegal activity and focus in on really the meaningful jobs of foreign intelligence that they were charged to do. ...

What a lot of people in the government will say is that you don't understand; we're still at war. Remember we lost 3,000 people on 9/11. This is a very important program. It has saved thousands of lives, as Cheney said at one point. There are multiple plots that have been stopped because of this program. You've got to be very careful about what you wish for, because if you do, you might have another attack, and you might have blood on your hands. What is your reaction to this question about the effectiveness of what all this has been?

First of all, they like to lump it in as one program and say you can't cancel the program. That's false to begin with. It's multiple programs. The one program that dealt with domestic spying was called Stellar Wind. They had the other foreign ones; you mentioned the names. There were other names that were listed in the PRISM program that was dealing with foreign intelligence. There were a whole bunch of those programs, not just one.

So the point is you stop the intelligence, the domestic intelligence program, period. U.S.-to-U.S. communications are not a part of it. Eliminate them. They're irrelevant to anything that is going on. All the terrorists would have been caught by the process that we put in place for ThinThread, which was looking and focusing in on the groups of individuals that we already had identified and anybody in close proximity to them in the social graph, plus anybody -- the other simple rules like anybody that was looking at jihadi advocating sites over and over again would imply that they might be becoming radicalized, so you would put them into that zone of suspicion, too.

That would get them all, and you didn't have to do the collection of all this other data that requires all that storage, transport of information to the storage, maintenance of it, interrogation programs, all of that added expense that they are incurring as a part of it over the last 10 years. You wouldn't have any of that, and you would still -- you would actually reduce the problem and focus it down for the analysts on meaningful information, and they would actually succeed, instead of failing like they're doing now, because they're taking in too much data and making themselves dysfunctional by that. ...

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This problem of the haystacks, how big a problem is that? Is that what we've done, is we've created a situation where the haystacks are bigger, and it's almost impossible to find?

Well, what it simply means is if you use the traditional argument they say we're trying to find a needle in the haystack, it doesn't help to make the haystack orders of magnitude larger, because it makes orders of magnitude more difficult to find that needle in that haystack.

And is that what they've done?

That's what they've done. And now they're looking at things like game playing and things like people doing that. I mean, this is ridiculous. How relevant is that to anything?

But they say they're computers, and in Utah they're going to be able to take all this stored data, and they're going to be able to go through all of it, and they're going to be able to connect the dots. Connect the dots -- that's what everybody wanted them to do after 9/11.

See, that's always been possible. Before 9/11 we were doing that. That was already happening. We already had that program. That wasn't an issue at all. That's why we should have picked this out from the beginning. We should have implemented it, the ThinThread, connect-the-dots program on everything in the world, but we didn't. That's why we failed. It wasn't a matter of not having the program; it was a matter of not implementing the program we had.

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How disappointed are you, in the end?

It's disgusting that all those people had to die. That's disgusting that our government did that. They traded the security of the people of the United States for money. That's disgusting.

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