

The US “Intelligence Community” Can’t Be Trusted to Police Itself

An “experienced analyst” at the National Security Agency ran an illegal surveillance project that involved “unauthorized targeting and collection of private communications of people or organizations in the US.” The agency’s inspector general concluded that the analyst “acted with reckless disregard” for “numerous rules and possibly the law.”

This happened ten years ago. The inspector general’s report was issued six years ago. But the public is just now learning about it, courtesy of Bloomberg. After some intrepid Freedom of Information Act work, we can now see a highly redacted version of the IG report.

The NSA’s investigation of the analyst began about a month before American hero Edward Snowden’s public disclosures of other illegal activities on the part of the “intelligence community.”

Snowden’s reward for exposing crime in government? Involuntary exile to Russia under threat of life imprisonment.

Snowden’s comment on the report: “Defenders of broad surveillance authorities always insist that Americans don’t have to worry because our intelligence agencies are tightly constrained by law and policy But time and again we’ve seen that when laws are violated and powers are abused, no one is held legally accountable.”

New government offices/officials seldom solve anything, and usually make things worse. But something obviously needs to be done about the “intelligence community’s” lawlessness. How about a single replacement for multiple agency inspectors general?

Let’s call this proposal the “Intelligence Ombudsman Office.” It would presumably need to be created by Congress. They should get to work on that ASAP.

The IOO would replace all US intelligence agencies’ inspectors general and other internal enforcement mechanisms.

It would consist of a small board — with previous “intelligence community” affiliations an absolute disqualification for appointment — and a staff of reasonable size for the job.

The IOO would have complete authority to visit any “intelligence community” site, view any “intelligence community” generated document no matter its level of classification, interview any “intelligence community” employee under oath, and present allegations of “intelligence community” crimes to grand juries.

It would also run (hopefully very secure from “intelligence community” eavesdropping) tip lines via phone, Internet, snail mail, and in person, and it would be a felony to punish or retaliate against any “intelligence community” employee for using them.

The IOO wouldn't solve the overall problem of America's “national security” apparatus running amok. Supporters of freedom have been fighting a rearguard action against that apparatus's encroachments since at least as far back as the 1940s. The only real solution is to disband the NSA, CIA, NRO, et al., and salt the earth where their headquarters once stood.

But if we can't get rid of these rogue agencies, we should at least give an external board real power to police them.