



Written by [Steve Byas](#) on April 5, 2017

Did Obama Order or Approve of the Political Use of Trump Surveillance?

In one of the most memorable moments of American history, Senator Howard Baker (R-Tenn.) asked his famous question regarding the Watergate Scandal engulfing the Nixon administration: “What did the president know and when did he know it?”

Clearly, Baker’s question cut to the heart of the matter. It was the question that all Americans wanted to know: Did their president order, or even approve of illegal activity?



Amazingly, however, the American media is now generally quite uninterested in asking a similar question today, a question related to the revelation that President Barack Obama’s national security advisor, Susan Rice (shown in center), asked for the “unmasking” of members of the Trump Transition Team who were surveilled by U.S. government intelligence. And then that “intelligence” material just happened to later wind up in the possession of media unfriendly to Trump.

Instead of exercising the natural curiosity that is Journalism 101, the mainstream (liberal) media have not asked the question that is “the elephant in the room”: What role, if any, did President Obama play in the decision to “unmask” Trump aides who engaged in conversations with foreigners during the time between Trump’s election as president in November 2016 and his taking the oath of office on January 20, 2017?

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CNN even dismissed the whole question as nothing more than a “fake scandal ginned up by right-wing media.”

Normally, when U.S. intelligence agencies are surveilling foreigners, the names of U.S. persons who are involved in conversation with those foreigners are “redacted,” or edited out in summaries of the monitored conversations. Instead of using the American citizen’s actual name, the citizen is simply referred to as “U.S. Person One,” and the like. In the case with Trump’s associates, however, Rice wanted the real names of the persons. Later, these names were leaked to media friendly to the Obama administration — and unfriendly to the incoming Trump administration.

Why is this so serious, and what does it matter what Obama knew, and when he knew it?

Joseph diGenova, a former U.S. attorney, is blunt: “What was produced by the intelligence community at the request of Rice were detailed spreadsheets of intercepted phone calls with unmasked Trump associates in perfectly legal conversations with individuals. In short, the only apparent illegal activity was the unmasking of the people in the calls.” He added that there was nothing illegal about the activities of Trump’s associates — they were only engaged in “perfectly legal conversations.” In other words, simply talking to foreigners is not (yet) a crime.

On Monday, *Bloomberg View*’s Eli Lake said, “Susan Rice requested the identities of U.S. persons in



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raw intelligence reports on dozens of occasions that connect to the Donald Trump transition and campaign, according to U.S. officials familiar with the matter.” This is serious because surveillance of American citizens is limited so as to safeguard their constitutional rights. Because of this, criminal sanctions can be imposed on a government official who engages “in electronic surveillance under color of law except as authorized” by statutes and regulations designed to implement those statutes. Additionally, if a government official intentionally discloses or uses information obtained if the official knew or had reason to know that the information was obtained in an illegal manner, that is a crime.

A person found guilty of violating these restrictions can spend time in federal prison. As Michael Doran, a former senior director at the National Security Council, said, “That’s a felony,” in reference to the leaking of intelligence information. “And you can get 10 years for that. It is a tremendous abuse of the system. We’re not supposed to be monitoring American citizens.”

All of this is to guarantee our constitutionally protected rights of free speech, free expression, and privacy. Of course, if federal law enforcement believed that American citizens had committed a crime, and they had enough evidence, they could seek a warrant, based upon probable cause. But both James Clapper, director of the National Security Agency (NSA), and James Comey, director of the FBI, have said that no warrants have ever been authorized to conduct electronic surveillance on anyone on the Trump team.

So, what legal basis did Rice have to ask for unmasking those in the Trump transition? Clearly, if no warrant had been sought by either the NSA or the FBI, what possible motive could Rice have had for seeking such unmasking? The national security advisor is not an investigative officer in the government. Rice was rather just a consumer of such intelligence-gathering, which she theoretically uses in advising the president on questions of national security.

Rice lamely attempted to provide a justification for her unmasking request, in an interview with NBC’s Andrea Mitchell. “Let me give you a hypothetical example. Let’s say there was a conversation between two foreigners, about a conversation they were having with an American, who was proposing to sell them high-tech bomb making equipment.” This example is ludicrous. No one — even those on the fringes of the Far Left — have ever suggested that Trump’s aides were wanting to make a bomb, or even anything remotely like Rice’s bizarre example. Fox News reported, “For a private citizen to be ‘unmasked,’ or named, in an intelligence report is extremely rare. Typically, the American is a suspect in a crime, is in danger or has to be named to explain the context of the report.” No evidence has been submitted that any of those instances applies to this incident.

She has now acknowledged that she did request unmasking, although just a few weeks ago she said, “I know nothing about this,” on the *PBS News Hour*.

Rice has denied any wrongdoing in this affair. She told NBC’s Adrea Mitchell, “The allegation is that somehow the Obama Administration officials utilized intelligence for political purposes. That’s absolutely false.” But Rice’s lack of credibility was a huge reason that she was denied the chance to succeed Hillary Clinton as secretary of state.

One might recall that Rice went on several TV news shows after the September 11, 2012 attack that resulted in the deaths of four Americans in Benghazi, Libya, and falsely claimed that the attack was spontaneous, resulting from anger over an anti-Muslim video. Of course, the attack was a well-coordinated assault by terrorists that resulted in the death of the U.S. ambassador to Libya, and three other Americans. And this was known at the time Rice made her bogus claim.



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She later said that U.S. soldier Bowe Bergdahl had “served the United States with honor and distinction” in an attempt to justify the decision of Obama to trade Taliban detainees as ransom for Bergdahl. Now, Bergdahl is facing a court-martial for desertion and misbehavior before the enemy in Afghanistan. *It was already known that Bergdahl was a deserter at the time Rice made her untruthful comments.*

So there are strong reasons to doubt Rice’s veracity in this affair. The question that is even more critical is just how high up the chain of command does this abuse of American intelligence operations for political purposes go? And if Rice is lying, what is she trying to cover up?

It is instructive to note that Rice had extremely close ties with Obama. In addition to serving as his national security advisor during his second term, Rice was known as his “right-hand woman,” and “like a sister.”

As national security advisor, Rice had daily access to the president. She had no person to report to between her and the president himself. For her to ask for such sensitive information as she did at least causes one to wonder if she had discussed it with Obama. It is almost beyond belief to think that she did not mention her unmasking requests to the president.

Did he approve it? Did he direct Rice to ask for the unmasking?

Diplomat Richard Grennell raised this very question weeks ago: “But within that realm there could have easily been a political calculation to listen in, and then to take those transcripts and the summaries of those transcripts, make sure that those in the NSC and the political people — like Susan Rice and Ben Rhodes knew about this, because if they did, *clearly President Obama knew about it.*” (Emphasis added).

When President Trump boldly claimed that he had been “wiretapped” by Obama before the inauguration, he was not implying that the former president personally installed listening devices inside Trump Tower. He was obviously saying that Obama’s underlings were monitoring him and his aides, insinuating that such surveillance was done at the direction of Obama. After all, the Obama administration was already known to have spied on a Fox News reporter and on foreign leaders (and supposed allies) such as Benjamin Netanyahu of Israel and Angela Merkel of Germany.

As serious as this question is — did Obama approve of, or even direct, the use of surveillance of an incoming presidential administration for political purposes — Obama’s defenders in the media are not only unconcerned, they are taking on the role of his defenders. Don Lemon led off *CNN Tonight*: “On this program tonight, we will not insult your intelligence by pretending” the story was legitimate. “Nor will we aid and abet the people trying to misinform you, the American people, by creating a diversion. Not going to do it.”

In spite of the lack of concern by Obama’s media supporters, all other Americans should be very concerned, for if a precedent is set that presidents and those in their administrations are completely above the law, what will be done next?



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