



Written by [Joe Wolverton, II, J.D.](#) on September 6, 2020

Matt Gaetz Calls on President Trump to Pardon Snowden

U.S. Representative Matt Gaetz (R-Fla.) is calling on President Trump to pardon Edward Snowden, in light of the Ninth Circuit Court of Appeals opinion that the NSA surveillance program Snowden exposed is illegal.



As we [reported last week](#), the Ninth Circuit Court of Appeals issued an opinion that the unwarranted surveillance of telephone metadata, as carried out by the NSA, is illegal. The three-judge panel did not, however, go so far as to hold that the wholesale collection of electronic communication is unconstitutional, only that it might be unconstitutional.

In 2013, Edward Snowden, at the time a subcontractor working for the NSA, leaked to the *Washington Post* and to *The Guardian* (U.K.) a cache of documents exposing the NSA's wholesale violation of the Fourth Amendment through the dragnet surveillance of phone records and monitoring of Internet traffic.

Snowden was [charged by the Obama administration's](#) Justice Department with having violated the Espionage Act, specifically with "unauthorized communication of national defense information" and "willful communication of classified communications intelligence information to an unauthorized person."

In light of the Ninth Circuit Court's decision and in respect for the constitutional abuses exposed by Snowden's revelations, Congressman Gaetz took to Twitter to push for a presidential pardon for the NSA whistleblower.

"As of today, the case has never been stronger that Edward Snowden deserves a pardon from President Trump. I would support a pardon for Edward Snowden," he said. "If it were not for Snowden, we might not know today that our own government was engaged in an activity that now a federal appellate court has deemed illegal."

As for the likelihood that Gaetz's request would be granted, it's difficult to know where President Trump falls on the issue. In 2014, President Trump called Snowden a "traitor" and suggested he should be "executed." Last week, though, the president appeared to have softened his stance on Snowden.

"There are many, many people — it seems to be a split decision that many people think that he should be somehow treated differently, and other people think he did very bad things. And I'm going to take a very good look at it," the president told reporters.

While it was the Obama Justice Department that charged Snowden with espionage, the head of the Trump DOJ — Attorney General William Barr — seems unwilling to take a second look at Snowden's case for pardon.



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“He was a traitor and the information he provided our adversaries greatly hurt the safety of the American people,” Barr said. “He was peddling it around like a commercial merchant. We can’t tolerate that.”

Barr’s recalcitrance notwithstanding, Representative Gaetz believes that not only would a pardon benefit Edward Snowden and the cause of justice, but it would offer a potential political benefit for President Trump, as well.

“You’ve got a lot of folks in Michigan and elsewhere that have the option of a libertarian candidate to vote for,” Gaetz said. “I think if President Trump were to pardon Edward Snowden, you would see just tremendous enthusiasm among libertarian-leaning voters for the President.”

Additionally, Gaetz suggests that Donald Trump’s base expects him to be the straight-shooter that he promised to be when he was running for president in 2016. There’s nothing more maverick than bucking William Barr and many of the executives in Conservative, Inc. and pardoning Snowden and bringing him home.

“It’s what Trump promised us, that he would call a spade a spade, that he wouldn’t be beholden to the dogmas and doctrines of yesteryear that have constrained our country and that have empowered an incompetent government against our people,” Gaetz said Thursday on his podcast, [Hot Takes with Matt Gaetz](#).

Recognizing that there are many in his own party that oppose a pardon of Snowden and consider him a traitor, Gaetz proposed a compromise that he thinks could sway some of Snowden’s detractors and convince them not to stand in the way of a pardon.

“Maybe we can make the pardon conditional on Snowden’s willingness to go back to work for our government and help us get the bad guys without violating the rights of American citizens,” he added. “America First means the rights of American citizens first, and those rights would be vindicated with a pardon of Edward Snowden.”

America First is one of President Trump’s premier policies, and one he declared from the outset of his presidency, proclaiming in his inaugural address, “A new vision will govern.... it’s going to be only America first, America first.”

Representative Gaetz’s cause was aided by U.S. Senator Rand Paul (R-Ky.), who announced his support for a presidential pardon of Snowden: “Matt is right. This is important. @Snowden exposed illegal and unconstitutional actions by the Deep State, including Clapper and others who went after @realDonaldTrump and lied about it,” Paul tweeted.

Gaetz’s push for pardon received approval from a predictable account: Edward Snowden himself, who retweeted the link to Gaetz’s podcast.

As of the time of writing this article President Trump has not responded to Gaetz’s proposal.

Photo: AP Images

Joe Wolverton II, J.D., is the author of the book The Real James Madison, What Degree of Madness: Madison’s Method to Make America STATES Again, and The Founders Recipe. He hosts the YouTube channel “Teacher of Liberty” and the podcast of the same name.



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