



Written by [Joe Wolverton, II, J.D.](#) on September 6, 2013

Obama Packs Surveillance Review Board With D.C. Insiders

After the uproar over his plan to appoint Director of National Intelligence James Clapper to head his intelligence review board, President Obama promised to pack the group with “[outside experts.](#)”

News of the names of board members reveals that the president’s definition of “outside” comes from somewhere outside the dictionary.

The five men tapped to lead the panel known officially as the Review Group on Intelligence and Communications Technologies are Richard A. Clarke (shown), Michael Morell, Cass Sunstein, Geoffrey Stone, and Peter Swire.



It would be challenging to assemble a group more “inside” the government.

The [Electronic Frontier Foundation’s response to the announcement](#) of the board members sums up the situation exactly. Said EFF: “A task force led by General Clapper full of insiders — and not directed to look at the extensive abuse — will never get at the bottom of the unconstitutional spying.”

In [a statement to The Verge](#), the Electronic Privacy Information Center (EPIC) expressed similar concerns as to the independent status of the group. “It’s a distinguished group of people to be sure, but I don’t know if it satisfies the test of being independent and objective,” EPIC’s Marc Rotenberg observed. “I’m not going to quite bash it as a group of Washington insiders ... but I think the White House could have done a better job in getting fresh eyes to look at some of the problems.”

What Rotenberg wouldn’t do, *Politico* did. In [an article reporting on the group](#), Tony Romm wrote:

The group, formed to examine the policies and procedures at the National Security Agency as it tracks terrorism suspects’ digital communications, is composed mostly of Washington types, many with connections to the very intelligence establishment they’re now tasked with scrutinizing in the wake of Edward Snowden’s leaks.

There’s Michael Morell, a CIA veteran who once led the agency on an interim basis; Richard Clarke, a top counter-terrorism official in the Clinton and Bush administrations; and Cass Sunstein, a well-known academic who did regulatory work for the Obama White House and is married to United Nations Ambassador Samantha Power. The panel also includes Peter Swire, a former Clinton administration privacy expert, and Geoffrey Stone, a top professor at the University of Chicago Law School who knows the president.

By the president’s reckoning, then, three former White House advisors, a former CIA deputy director, and a Chicago presidential pal deserve the designation as “outside” the government.

Perhaps more surprising than the president’s misinterpretation of the word “outside” is that Congress



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has had no comment on the group. Furthermore, the legislative branch refuses to exercise the oversight necessary to immediately shut down all the NSA's deprivations of constitutionally protected liberty.

In the [statement proposing the creation](#) of the group, President Obama said that it would be required to "consider how we can maintain the trust of the people, how we can make sure that there absolutely is no abuse in terms of how these surveillance technologies are used, ask how surveillance impacts our foreign policy — particularly in an age when more and more information is becoming public."

Given his curious conception of simple English terms, perhaps the president misunderstood the words in the [oath of office](#) he took twice — particularly the part where he swore to "preserve, protect, and defend the Constitution of the United States."

What is certain is that the surest way for the president to "maintain the trust of the people" is to be faithful to his oath of office, to veto any legislation authorizing any department or agency to exceed the constitutional limits on its power, and to buy a dictionary.

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