



Written by [Jack Kenny](#) on August 12, 2013

## Snowden's Father, Lawyer, Challenge Obama's Claims

Edward J. Snowden's father Lon (shown) and the Snowden family lawyer said Sunday that they will soon be going to Moscow to see the fugitive whistleblower and his Russian attorney. Lon Snowden also said he would urge his son to come home and face trial if the American system of justice "is going to be applied correctly."



"I believe that the truth will shine through," Lon Snowden said in an exclusive interview with George Stephanopoulos on the ABC program [This Week](#). The father of the 30-year-old systems analyst who revealed the vast data collection of private communications by the National Security Agency bluntly challenged comments President Obama made in his news conference last Friday — including most emphatically that the younger Snowden was not a patriot in leaking classified documents to *The Guardian* of London and the *Washington Post*. The elder Snowden countered by quoting a definition of patriotism by one of the intellectual leaders of colonial America's struggle for independence.

"It was the voice of the American Revolution, Thomas Paine, who said it was someone who saves his country from his government," Snowden said.

Snowden appeared alongside constitutional and international law attorney Bruce Fein, but Snowden did most of the talking, even in defending his son on points of law. He rebuked Stephanopoulos rather sharply when the *This Week* host stated matter of factly that "It does appear that [Edward Snowden] broke the law."

"That's simply irresponsible to suggest before a trial someone broke the law," Snowden said, adding that it "may well be that what he disclosed is protected by the First Amendment."

Federal prosecutors in June [charged](#) Edward Snowden with theft of government property, and with two counts of violating the Espionage Act of 1917 — "unauthorized communication of national defense information" and willfully disclosing classified communications intelligence "to an unauthorized person." Fein said he is seeking additional legal help for the defense in the person of someone with experience in espionage cases. Such lawyers are rare because there have been very few espionage cases brought since the Espionage Act was passed during World War I. Fein also said he had been in touch with Edward Snowden's Russian attorney and has been assured that the U.S. fugitive is safe



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there.

The Moscow government recently granted Snowden a one-year asylum on the condition that he reveal no further information about the NSA program. Obama, who had been pressuring Russia for the forced return of Snowden to the United States, responded by canceling a planned summit meeting with Russian president Vladimir Putin. Snowden fled from his home in Hawaii to Hong Kong after leaking the documents and landed in Moscow on June 23, remaining in living quarters at the airport facility until the temporary asylum was granted. His current location is not known, and Fein said the exact date of his and the elder Snowden's trip to Russia would not be made public because of the "media frenzy" surrounding the case.

Fein also said he proposed conditions for Snowden's return in a letter to Attorney General Eric Holder. The conditions would include an agreement regarding pre-trial detention, no gag order, and "a venue that was impartial," Fein said, because of the history of the federal court in eastern Virginia as a "graveyard for defendants." Fein stressed that the conditions he proposed to the attorney general are not ultimatums, but rather "subjects for discussion."

Snowden also expressed concern about the effect of the publicity surrounding the case on the ability of his son to receive a fair trial. Statements by leaders in Congress, he said, have been "irresponsible and inconsistent with our system of justice. They have poisoned the well in terms of a jury pool." Snowden said that his son told the truth and that claims that his son's revelations about the NSA program have damaged national security or jeopardized the lives of Americans are false. He compared his son's case to that of Bradley Manning, the Army PFC who was recently convicted at court martial for turning hundreds of thousands of government classified documents over to the website WikiLeaks.

"At the damage phase, the United States conceded no one person has been injured or impaired because of what he disclosed," Snowden said.

Both Fein and Lon Snowden disputed the claim the president made at his new conference that Edward Snowden could have brought his concerns to the House and Senate oversight committees instead of leaking the NSA documents to the press. Snowden suggested his son would have encountered a hostile audience, citing a public statement by Senator Dianne Feinstein (D-Calif.), who chairs the Senate Intelligence Committee, that Edward Snowden is guilty of treason.

"They knew for seven years what was going on and refused to disclose it to the American people," Fein said of Feinstein and other members of the congressional intelligence committees. "Edward Snowden was supposed to go to them?" The reaction in Congress to publication of the documents indicates the kind of reception Snowden would have received if he had flown to Washington and brought his concerns about domestic surveillance to the nation's legislative leaders.

"We have seen how they reacted; they spin the truth," Fein said. Snowden "would have been buried and we would have never known the truth."

Lon Snowden also challenged the president's contention that whistleblower laws already in place would have protected his son if he had gone through authorized channels. The claim is "absolutely untrue," he said.

"Either the President is being misled by his advisors or he is intentionally misleading the American people," Snowden said. Acknowledging the president is in "a tough position," Snowden nonetheless took aim at Obama's statement that his son was not a patriot in leaking the documents and at Rep. Peter King (R-N.Y.) for labeling the younger Snowden a traitor.



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“He sacrificed more than the president of the United States or Peter King ever have in their careers or in their American lives,” Snowden said.

*Frame grab of Lon Snowden taken from Rossiya 24 channel during an interview: AP Images*



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