

Edward Snowden

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Further information: *Global surveillance disclosures (2013–present)*

Edward Joseph Snowden (born June 21, 1983) is an American computer specialist, former employee of the Central Intelligence Agency (CIA) and former contractor for the National Security Agency (NSA). He came to international attention when he disclosed thousands of classified documents to several media outlets.^{[2][3]} The leaked documents revealed operational details of global surveillance programs run by the NSA and the other Five Eyes governments of the United Kingdom, Australia, Canada, and New Zealand, along with numerous commercial and international partners.^[citation needed]

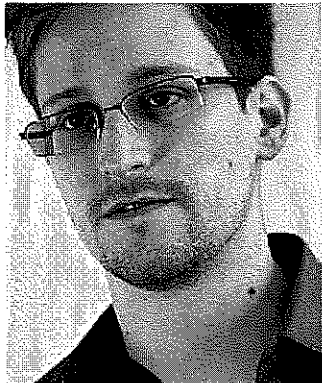
The release of classified material was called the most significant leak in US history by Pentagon Papers leaker Daniel Ellsberg. A series of exposés beginning June 5, 2013 revealed Internet surveillance programs such as PRISM, MUSCULAR, XKeyscore and Tempora, as well as the bulk collection of US and European telephone metadata. The reports were based on documents Snowden leaked to *The Guardian* and *The Washington Post* while employed by NSA contractor Booz Allen Hamilton.

On May 20, 2013, Snowden flew from Hawaii to Hong Kong, where he later met with journalists Glenn Greenwald and Laura Poitras and shared numerous documents.^{[4][5]} On June 21 the U.S. Justice Department charged Snowden with espionage^[6] and his passport was revoked by the State Department the next day.^[7] Snowden flew from Hong Kong and landed at Moscow's Sheremetyevo International Airport on June 23, reportedly for a one-night layover en route to Ecuador.^[8] He remained stranded in Moscow until August 1, when the Russian government granted him a one-year temporary asylum.^{[9][10][11]} According to German politician Hans-Christian Ströbele, Snowden is seeking permanent asylum in a "democratic" country such as Germany or France.^[12] Snowden's legal adviser, Jesselyn Radack, said in January 2014 that Snowden would eventually like to return to the US "if the conditions were right", but that he knows he is safe in Russia for the present.^[13]

A subject of controversy, Snowden has been variously called a hero,^{[14][15][16]} a whistleblower,^{[17][18][19][20]} a dissident,^[21] a traitor,^{[22][23][24]} and a patriot.^{[25][26][27]} Snowden's "sole motive" for leaking the documents was, in his words, "to inform the public as to that which is done in their name and that which is done against them."^[28] The disclosures have fueled debates over mass surveillance, government secrecy, and the balance between national security and information privacy. Two court rulings since the initial leaks have split on the constitutionality of the NSA's bulk collection of telephone metadata.

Snowden is considered a fugitive by American authorities who in June 2013 charged him with espionage and theft of government property.^[29] In early 2014, some media outlets and politicians called for leniency in the form of clemency, amnesty or pardon, while others called for him to be imprisoned or killed.^{[30][31]} He lives in an undisclosed location in Russia, serves as Rector of the University of Glasgow, and serves on the Freedom of the Press Foundation board of directors.^{[32][33][34]}

Edward Snowden



Screen capture from the interview with Glenn Greenwald and Laura Poitras on June 6, 2013

Born	Edward Joseph Snowden June 21, 1983 Elizabeth City, North Carolina, United States
Residence	Russia (temporary asylum)
Nationality	American
Occupation	System administrator
Employer	Booz Allen Hamilton Kunia, Hawaii, US (until June 10, 2013)
Known for	Revealing details of classified United States government surveillance programs
Home town	Wilmington, North Carolina
Criminal charge	Theft of government property, unauthorized communication of national defense information, and willful communication of classified intelligence to an unauthorized person (June 2013).
Awards	Sam Adams Award ^[1]

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Background

Childhood, family, and education

Edward Joseph Snowden was born on June 21, 1983,^[35] in Elizabeth City, North Carolina^[36] and grew up in Wilmington, North Carolina.^[37] His father, Lonnie Snowden, a resident of Pennsylvania, was an officer in the United States Coast Guard,^[38] and his mother, a resident of Baltimore, Maryland, is a clerk at the United States District Court in Maryland.^{[37][39]} His parents are divorced, and his father has remarried.^[40] Friends and neighbors described Snowden as shy, quiet and nice. One longtime friend said that he was always articulate, even as a child.^[39] Speaking in an interview, Snowden's father described his son as "a sensitive, caring young man", and "a deep thinker".^[41]

By 1999, Snowden had moved with his family to Ellicott City, Maryland.^[37] He studied at Anne Arundel Community College^[37] to gain the credits necessary to obtain a high-school diploma but he did not complete the coursework.^{[42][43]} Snowden's father explained that his son had missed several months of school owing to illness and, rather than return, took and passed the tests for his GED at a local community college.^{[28][41][44]}

Snowden worked online toward a Master's Degree at the University of Liverpool in 2011.^[45] Having worked at a US military base in Japan, Snowden was reportedly interested in Japanese popular culture, had studied the Japanese language,^[46] and also worked for an anime company domiciled in the US.^{[47][48]} He also said he had a basic understanding of Mandarin Chinese and was deeply interested in martial arts and, at age 19 or 20, listed Buddhism as his religion on a military recruitment form, noting that the choice of agnostic was "strangely absent".^[49] Snowden told *The Washington Post* that he was an ascetic, rarely left the house and had few needs.^[50]

Before leaving for Hong Kong, Snowden resided in Waipahu, Hawaii, with his girlfriend.^[51] According to local real estate agents, they moved out of their home on May 1, 2013.^[43]

Political views

Snowden has said that in the 2008 presidential election, he voted for a third-party candidate. He has stated he had been planning to make disclosures about NSA surveillance programs at the time, but he decided to wait because he "believed in Obama's promises". He was later disappointed that Obama "continued with the policies of his predecessor".^[52] For the 2012 election, political donation records indicate that he contributed to the primary campaign of Republican candidate Ron Paul.^{[53][54]}

Several sources have alleged that Snowden, under the pseudonym "TheTrueHOOHA", authored hundreds of posts on technology news provider Ars Technica's chat rooms.^{[55][56][57]} The poster discussed a variety of political topics. In a January 2009 entry, TheTrueHOOHA exhibited strong support for the United States' security state apparatus and said he believed leakers of classified information "should be shot in the balls".^[58] However, in February 2010 TheTrueHOOHA wrote, "Did we get to where we are today via a slippery slope that was entirely within our control to stop, or was it an relatively instantaneous sea change that sneaked in undetected because of pervasive government secrecy?"^[59]

In accounts published in June 2013, interviewers noted that Snowden's laptop displayed stickers supporting internet freedom organizations including the Electronic Frontier Foundation (EFF) and the Tor Project.^[28] Snowden considers himself "neither traitor nor hero. I'm an American".^[60]

Career

On May 7, 2004, Snowden enlisted in the United States Army Reserve as a Special Forces recruit but did not complete any training.^{[35][61]} He said he wanted to fight in the Iraq War because he "felt like [he] had an obligation as a human being to help free people from oppression."^[28] In an email to *The Guardian*, the US Army confirmed his enlistment as Special Forces recruit and said he was discharged on September 28, 2004. The email said, "He did not complete any training or receive any awards".^[62] Snowden stated that this was the result of breaking both of his legs in a training accident.^[63]

His next employment was for less than a year in 2005 as a "security specialist" at the University of Maryland's Center for Advanced Study of Language, a partnership with the U.S. Government that is not a classified facility.^[64] In 2006 he joined the Central Intelligence Agency (CIA)^[65] as a systems administrator and telecommunications systems officer.^[66] In May 2006 Snowden wrote in *Ars Technica* that he had no trouble getting work because he was a "computer wizard." In August he wrote about a possible path in government service, perhaps involving China, but said it "just doesn't seem like as much 'fun' as some of the other places".^[61]

In 2007, the CIA stationed Snowden with diplomatic cover in Geneva, Switzerland, where he was responsible for maintaining computer network security.^[67] Snowden described his CIA experience in Geneva as "formative", stating that the CIA deliberately got a Swiss banker drunk and encouraged him to drive home. Snowden said that when the latter was arrested, a CIA operative offered to intervene and later recruited the banker.^[68] Swiss Federal Council President Ueli Maurer said it did not seem likely "that this incident played out as it has been described by Snowden and by the media".^[69] The revelations were said to have come at a sensitive time as the United States was pressing the Swiss government to increase banking transparency.^[70] Eric Schmitt of *The New York Times* stated that "two senior American officials" told him that, prior to the end of Snowden's term, Snowden's supervisor wrote a negative report that stated suspicions of Snowden attempting to obtain classified information not authorized to him.^[71] The *Times* later reported that the CIA had sent a statement, clarifying: "The CIA did not file any report on Snowden indicating that it suspected he was trying to break into classified computer files to which he did not have authorized access while he was employed at the CIA...".^[72] When Snowden talked about the report to the *Times'* James Risen, a different story emerged. He said that he had tried to go through proper channels of reporting a flaw, and the result was a critical report in his file.^[5]

Snowden resigned from the CIA in February 2009^[59] and began work for Dell, a private contractor, inside an NSA facility on a US military base in Japan.^[28] Snowden remained on the Dell payroll until early 2013.^[73] He was one of around 1,000 NSA "sysadmins" allowed to look at many parts of the system without leaving an electronic trace and able to argue for the use of thumb drives in a secure environment.^[59] Persons familiar with the 2013 government investigation into Snowden's history said that Snowden had downloaded sensitive NSA material in April 2012.^[74] NSA Director Keith Alexander told the U.S. House Intelligence Committee that Snowden "moved into the Booz Allen position in March [2013], but he had worked in an information technology position for the 12 months preceding that at NSA Hawaii. So he'd actually been there 15 months. He had moved from one contract to another."^{[75][76]} In those contractor positions, Snowden held top secret Sensitive Compartmented Information clearances.^[77] Snowden took a six-day Certified Ethical Hacker training course in 2010 in India.^{[78][79][80][81]} USIS completed a background check on Snowden in 2011.^[82] On January 23, 2014, the US Department of Justice filed fraud charges against the USIS for routinely failing to properly investigate individuals.^{[83][84]} The company is accused of falsifying 665,000 background checks on government employees.^[85]

Snowden described his life as "very comfortable", earning a salary of "roughly US\$200,000".^[86] At the time of his departure from the United States in May 2013, he had been employed by consulting firm Booz Allen Hamilton for less than three months inside the NSA at the Kunia Regional SIGINT Operations Center in Hawaii,^{[87][88]} earning \$122,000.^[89] While intelligence officials have described his position there as a "system administrator", Snowden has said he was an "infrastructure analyst", which meant that his job was to look for new ways to break into Internet and telephone traffic around the world.^[90] He said he had taken a pay cut to work at Booz Allen,^[91] and that he sought employment in order to gather data on NSA surveillance around the world so he could leak it.^[92] According to *Reuters* story by Mark Hosenball, while in Hawaii Snowden "may have persuaded between 20 and 25 fellow workers" to give him their logins and passwords "by telling them they were needed for him to do his job as a computer systems administrator".^{[93][94]} This report was disputed,^[95] with Snowden himself saying in January 2014, "With all due respect to Mark Hosenball, the Reuters report that put this out there was simply wrong. I never stole any passwords, nor did I trick an army of co-workers."^[96] According to NBC News, the NSA sent a memo to Congress and "[w]hile the memo's account is sketchy, it suggests that, contrary to Snowden's statements, he used an element of trickery to retrieve his trove of tens of thousands of classified documents".^{[97][98]}

According to Booz Allen, Snowden's employment was terminated on June 10, 2013, "for violations of the firm's code of ethics and firm policy".^[89]

Using 'internal channels of dissent', Snowden said that he told multiple employees and two supervisors about his concerns. An NSA spokesperson responded, saying they had "not found any evidence to support Mr. Snowden's contention that he brought these matters to anyone's attention".^[50] Snowden elaborated in January 2014, saying "[I] made tremendous efforts to report these programs to co-workers, supervisors, and anyone with the proper clearance who would listen. The reactions of those I told about the scale of the constitutional violations ranged from deeply concerned to appalled, but no one was willing to risk their jobs, families, and possibly even freedom to go to through what Drake did."^[99]

A source "with detailed knowledge on the matter" told *Reuters* that hiring screeners for Booz Allen had found some details of Snowden's education that "did not check out precisely", but decided to hire him anyway; *Reuters* stated that the element which triggered these concerns, or the manner in which Snowden satisfied the concerns, were not known.^[100] The résumé stated that Snowden attended computer-related classes at Johns Hopkins University. A spokesperson for Johns Hopkins said that the university did not find records to show that Snowden attended the university, and suggested that he may instead have attended Advanced Career Technologies, a private for-profit organization which operated as

"Computer Career Institute at Johns Hopkins".^[100] The University College of the University of Maryland acknowledged that Snowden had attended a summer session at a UM campus in Asia. Snowden's resume stated that he estimated that he would receive a University of Liverpool computer security master's degree in 2013. The university said that Snowden registered for an online master's degree program in computer security in 2011 but that "he is not active in his studies and has not completed the program".^[100]

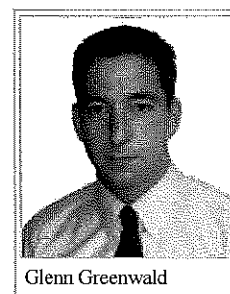
A former NSA co-worker told Forbes that although the NSA was full of smart people, Edward Snowden was "a genius among geniuses". He was described as a "principled and ultra-competent, if somewhat eccentric employee, and one who earned the access used to pull off his leak by impressing superiors with sheer talent". Snowden created a backup system for the NSA that was implemented, and often pointed out security bugs to the agency. The former colleague said Snowden was "given full administrator privileges, with virtually unlimited access to NSA data" because he could "do things nobody else could". Snowden had been offered a position on the NSA's elite staff of hackers, Tailored Access Operations (TAO), but turned it down for the contractor position at Booz Allen.^[101]

Global surveillance disclosures

The exact size of Snowden's disclosure is unknown, but the following estimates have been put up by various government officials: 15,000 or more Australian intelligence files, according to Australian officials;^[102] at least 58,000 British intelligence files, according to British officials;^[103] and roughly 1.7 million US intelligence files, according to US officials.^[104]

Release of documents

The *New York Times*' James Risen reported that Snowden's decision to leak NSA documents "developed gradually, dating back at least to his time working as a technician in the Geneva station of the CIA."^[105] Snowden first made contact with Glenn Greenwald, a journalist working at *The Guardian*, in late 2012.^[106] He contacted Greenwald anonymously and said he had "sensitive documents" that he would like to share.^[107] Greenwald found the measures that the source asked him to take to secure their communications, such as encrypting email, too annoying to employ. Snowden then contacted documentary filmmaker Laura Poitras in January 2013.^[108] According to Poitras, Snowden chose to contact her after seeing her *New York Times* documentary^[109] about NSA whistleblower William Binney. *The Guardian* reported that what originally attracted Snowden to both Greenwald and Poitras was a *Salon* article penned by Greenwald detailing how Poitras' controversial films had made her a "target of the government".^{[107][110]} Greenwald began working with Snowden in either February^[111] or in April after Poitras asked Greenwald to meet her in New York City, at which point Snowden began providing documents to them both.^[106] Barton Gellman, writing for *The Washington Post*, says his first "direct contact" was on May 16, 2013.^[112] According to Gellman, Snowden approached Greenwald after the *Post* declined to guarantee publication of all 41 of the PRISM PowerPoint slides within 72 hours and publish online an encrypted code allowing Snowden the ability to later prove that he was the source.^[112]



Glenn Greenwald



Laura Poitras

Snowden communicated using encrypted email,^[108] using the codename "Verax". He asked not to be quoted at length for fear of identification by stylometry.^[112]

According to Gellman, prior to their first meeting in person, Snowden wrote, "I understand that I will be made to suffer for my actions, and that the return of this information to the public marks my end."^[112] Snowden also told Gellman that until the articles were published, the journalists working with him would also be at mortal risk from the United States Intelligence Community "if they think you are the single point of failure that could stop this disclosure and make them the sole owner of this information."^[112]

In May 2013, Snowden was permitted temporary leave from his position at the NSA in Hawaii, on the pretext of receiving treatment for his epilepsy.^[28] In mid-May Snowden gave an electronic interview to Poitras and Jacob Appelbaum which was published weeks later by *Der Spiegel*.^[113]

After disclosing the copied documents, Snowden promised that nothing would stop subsequent disclosures. In June 2013, he said, "All I can say right now is the US government is not going to be able to cover this up by jailing or murdering me. Truth is coming, and it cannot be stopped."^[114]

Publication

On May 20, 2013, Snowden flew to Hong Kong,^{[115][116]} where he was staying when the initial articles based on the leaked documents were published,^{[115][117]} beginning on June 5.^{[118][119]} Within months, documents had been obtained and published by media outlets worldwide, most notably *The Guardian* (Britain), *Der Spiegel* (Germany), *The Washington Post* and *The New York Times* (US), *O Globo* (Brazil), *Le Monde* (France), and similar outlets in Sweden, Canada, Italy, Netherlands, Norway, Spain, and Australia.^[120] In 2014, NBC broke its first story based on the leaked documents.^[121]

Four journalists won the Polk Award in February 2014 "for national security reporting for stories based on secret documents leaked by Snowden". Recipients included Glenn Greenwald, Barton Gellman, Laura Poitras and *The Guardian*'s Ewen MacAskill.^[122]

Revelations

Main article: Global surveillance disclosure

See also: PRISM#Responses to disclosures

The ongoing publication of leaked Western government documents has revealed previously unknown details of a global surveillance apparatus run by the United States' NSA^[125] in close cooperation with its Five Eyes partners: Australia (ASD),^[126] Great Britain (GCHQ),^[127] Canada (CSEC),^[128] and New Zealand (GCSB).^[citation needed]

The Guardian's editor-in-chief Alan Rusbridger said in November 2013 that only one percent of the documents had been published.^[129] Officials warned that "the worst is yet to come", a sentiment echoed by Glenn Greenwald and by Lon Snowden.^{[130][131]} The extent of the leaks may never be known, according to US investigators, due in part to outdated software at the Hawaiian NSA facility.^[132] NSA Director Keith Alexander initially estimated that Snowden had copied anywhere from 50,000 to 200,000 NSA documents.^[133] Later estimates ran as high as 1.7 million.^[134]

Media reports documenting the existence and functions of classified surveillance programs and their scope began on June 5, 2013, and continued throughout the entire year. The first program to be revealed was PRISM, with reports from both *The Washington Post* and *The Guardian* published an hour apart. PRISM allows for a court-approved, front-door access to Americans' Google and Yahoo accounts.^{[123][135]} The *Post's* Barton Gellman was the first journalist to report on Snowden's documents. He said the US government urged him not to specify by name which companies were involved, but Gellman decided that to name them "would make it real to Americans".^[136] Reports also revealed details of Tempora, a British black-ops surveillance program run by the NSA's British partner, GCHQ.^{[137][138]} The initial reports included details about NSA call database, Boundless Informant, and of a secret court order requiring Verizon to hand the NSA millions of Americans' phone records daily,^[139] the surveillance of French citizens' phone and internet records, and those of "high-profile individuals from the world of business or politics".^{[140][141][142]} XKeyscore, which allows for the collection of 'almost anything done on the internet', was described by *The Guardian* as a program that "shed light" on one of Snowden's more contentious claims: "I, sitting at my desk [could] wiretap anyone, from you or your accountant, to a federal judge or even the president, if I had a personal email".^[143]

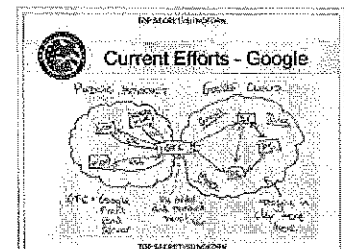
It was revealed that the NSA was harvesting millions of email and instant messaging contact lists,^[144] searching email content,^[145] tracking and mapping the location of cell phones,^[146] undermining attempts at encryption via Bullrun^{[147][148]} and that the agency was using cookies to "piggyback" on the same tools used by internet advertisers "to pinpoint targets for government hacking and to bolster surveillance".^[149] The NSA was shown to be "secretly" tapping into Yahoo and Google data centers to collect information from "hundreds of millions" of account holders worldwide by tapping undersea cables using the MUSCULAR program.^{[123][124]}

The NSA, the US CIA and GCHQ spied on users of Second Life and World of Warcraft by creating make-believe characters as a way to "hide in plain sight".^[150] Leaked documents showed NSA agents spied on their "love interests", a practice NSA employees termed LOVEINT.^{[151][152]} The NSA was also shown to be tracking the online sexual activity of people they termed "radicalizers", in order to discredit them.^[153] The NSA was accused of going "beyond its core mission of national security" when articles were published showing the NSA's intelligence-gathering operations had targeted Brazil's largest oil company, Petrobras.^[154] The NSA and the GCHQ were also shown to be surveilling charities including Unicef and Médecins du Monde, as well as allies such as the EU chief and the Israeli Prime Minister.^[155]

By October 2013, Snowden's disclosures had created tensions^{[156][157]} between the US and some of its close allies after they revealed that the US had spied on Brazil, France, Mexico,^[158] Britain,^[159] China,^[160] Germany,^[161] and Spain,^[162] as well as 35 world leaders,^[163] most notably German Chancellor Angela Merkel, who said "spying among friends" was "unacceptable"^[164] and compared the NSA with the Stasi.^[165]

The NSA's top-secret "black budget", obtained from Snowden by *The Washington Post*, exposed the "successes and failures" of the 16 spy agencies comprising the US intelligence community,^[166] and revealed that the NSA was paying US private tech companies for "clandestine access" to their communications networks.^[167] The agencies were allotted \$52 billion for the 2013 fiscal year.^[168]

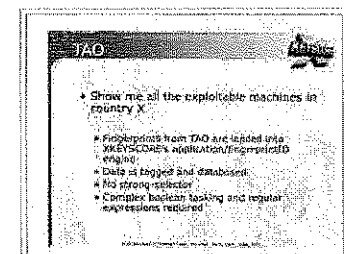
An NSA mission statement titled "Sigint Strategy 2012–2016" affirmed that the NSA plans for continued expansion of surveillance activities. Their stated goal was to "dramatically increase mastery of the global network" and "acquire the capabilities to gather intelligence on anyone, anytime, anywhere."^{[169][170]}



Slide from an NSA presentation on "Google Cloud Exploitation" from its MUSCULAR program,^[123] the sketch shows where the "Public Internet" meets the internal "Google Cloud" where user data resides.^[124]



Logo for the XKeyscore program



A reference to Tailored Access Operations (TAO) in an XKeyscore slide

In July 2013, Greenwald said that Snowden had additional sensitive information about the NSA he had chosen not to make public, including "very sensitive, detailed blueprints of how the NSA does what they do".^[171] A joint statement issued by the House Intelligence Committee's Republican Chairman and Ranking Democrat in January 2014 asserted that "Though press reporting to date has focused on NSA's foreign intelligence collection, much of the information stolen by Snowden is related to current U.S. military operations."^[172] A U.S. intelligence official told *The Daily Beast* that Snowden had fabricated the identity of more than one user who had extensive access and this allowed Snowden to take documents indicating how the U.S. coordinated its satellite coverage, potentially allowing military adversaries to better hide their assets.^[173]

In a December 2013 letter to the people of Brazil, Snowden wrote:

"There is a huge difference between legal programs, legitimate spying ... and these programs of dragnet mass surveillance that put entire populations under an all-seeing eye and save copies forever ... These programs were never about terrorism: they're about economic spying, social control, and diplomatic manipulation. They're about power."^[174]

Motivations

Snowden's identity was made public by *The Guardian* at his request on June 9, 2013.^[111] He explained: "I have no intention of hiding who I am because I know I have done nothing wrong."^[28] He added that by revealing his identity he hoped to protect his colleagues from being subjected to a hunt to determine who had been responsible for the leaks.^[175] According to Poitras, who filmed the interview with Snowden in Hong Kong, he had initially not wanted to be seen on camera, because "he didn't want the story to be about him."^[176] Poitras says she convinced him it was necessary to have him give an account of the leaked documents' significance on film: "I knew that the mainstream media interpretation would be predictable and narrow, but because to have somebody who understands how this technology works, who is willing to risk their life to expose it to the public, and that we could hear that articulated, would reach people in ways that the documents themselves wouldn't."^[176] Snowden explained his actions saying: "I don't want to live in a society that does these sort of things [surveillance on its citizens]... I do not want to live in a world where everything I do and say is recorded... My sole motive is to inform the public as to that which is done in their name and that which is done against them."^[177] Snowden said in a later interview that his "mission's already accomplished" and that he had already won.^[50] He declared:

For me, in terms of personal satisfaction, the mission's already accomplished. I already won. As soon as the journalists were able to work, everything that I had been trying to do was validated. Because, remember, I didn't want to change society. I wanted to give society a chance to determine if it should change itself. All I wanted was for the public to be able to have a say in how they are governed.^[50]

When Snowden met with representatives of human rights organizations on July 12, he said:

The 4th and 5th Amendments to the Constitution of my country, Article 12 of the Universal Declaration of Human Rights, and numerous statutes and treaties forbid such systems of massive, pervasive surveillance. While the US Constitution marks these programs as illegal, my government argues that secret court rulings, which the world is not permitted to see, somehow legitimize an illegal affair....

I believe in the principle declared at Nuremberg in 1945: "Individuals have international duties which transcend the national obligations of obedience. Therefore individual citizens have the duty to violate domestic laws to prevent crimes against peace and humanity from occurring."^[178]

Snowden said that in the past, whistleblowers had been 'destroyed by the experience', and that he wanted to "embolden others to step forward" by demonstrating that "they can win".^[179] In October, Snowden spoke out again on his motivations for the leaks in an interview with *The New York Times*, saying that the system for reporting problems does not work. "You have to report wrongdoing to those most responsible for it", Snowden explained, and pointed out the lack of whistleblower protection for government contractors, the use of the 1917 Espionage Act to prosecute leakers, and his belief that had he used internal mechanisms to 'sound the alarm', his revelations "would have been buried forever".^{[5][180]}

In December 2013, upon learning that a US federal judge had ruled the collection of US phone metadata conducted by the NSA as likely unconstitutional, Snowden stated: "I acted on my belief that the NSA's mass surveillance programs would not withstand a constitutional challenge, and that the American public deserved a chance to see these issues determined by open courts...today, a secret program authorized by a secret court was, when exposed to the light of day, found to violate Americans' rights. It is the first of many."^[181] Snowden, in his words, "didn't want to change society", he "wanted to give society a chance to determine if it should change itself."^[50]

In a December 2013 interview, Snowden spoke to the question of 'who elected' him to expose the NSA surveillance programs:

Dianne Feinstein elected me when she asked softball questions [in committee hearings]. Mike Rogers elected me when he kept these programs hidden. . . . The FISA court elected me when they decided to legislate from the bench on things that were far beyond the mandate of what that court was ever intended to do. The system failed comprehensively, and each level of oversight, each level of responsibility that should have addressed this, abdicated their responsibility.

It wasn't that they put it on me as an individual – that I'm uniquely qualified, an angel descending from the heavens – as that they put it on someone, somewhere ... You have the capability, and you realize every other [person] sitting around the table has the same capability but they don't do it. So somebody has to be the first.^[50]

Snowden, in a January 2014 interview, said that the "breaking point" which led to his leaks was "seeing the Director of National Intelligence, James Clapper, directly lie under oath to Congress." He also stated, "There's no saving an intelligence community that believes it can lie to the public and the legislators who need to be able to trust it and regulate its actions. Seeing that really meant for me there was no going back. Beyond that, it was the creeping realization that no one else was going to do this. The public had a right to know about these programs."^[182] Speaking at *The Wall Street Journal's* CIO Network on February 4, 2014, Mike McConnell—former NSA Director and current Vice Chairman at Booz Allen Hamilton—said that Snowden was motivated by revenge when the NSA did not offer Snowden the job he wanted. "At this point," said McConnell, "he being narcissistic and having failed at most everything he did, he decides now I'm going to turn on them."^[183]

Flight from the US

Hong Kong



Protesters rally in Hong Kong in support of Snowden (June 15, 2013)

In May 2013 Snowden took a leave of absence, telling his supervisors he was returning to the mainland for epilepsy treatment, but instead left Hawaii for Hong Kong^[184] where he arrived on May 20. Wikileaks reported that he was seeking asylum in Iceland because of the country's "shared values".^{[28][185]} Iceland's ambassador to China said Icelandic law requires that asylum applications be made from within Iceland.^[186] Snowden explained why he did not go directly from the US to Iceland: "Leaving the US was an incredible risk, NSA employees must declare their foreign travel 30 days in advance and are monitored. There was a distinct possibility I would be interdicted en route, so I had to travel with no advance booking to a country with the cultural and legal framework to allow me to work without being immediately detained. Hong Kong provided that. Iceland could be pushed harder, quicker, before the public could have a chance to make their feelings known, and I would not put that past the current US administration."^[91]

Snowden vowed to challenge any extradition attempt by the US government, and had reportedly approached Hong Kong human rights lawyers.^[187] Snowden told the *South China Morning Post* that he planned to remain in Hong Kong until "asked to leave",^[188] adding that his intention was to let the "courts and people of Hong Kong" decide his fate.^[189] While in Hong Kong Snowden supplied information about US intelligence operations in China to the *Post*, which Glenn Greenwald explained as reflecting "a need to ingratiate himself to the people of Hong Kong and China."^[190] In late August the Russian newspaper *Kommersant* reported that Snowden was living at the Russian consulate shortly before his departure from Hong Kong to Moscow.^[191] Anatoly Kucherena rejected the *Kommersant* story, stating that Snowden "did not enter into any communication with our diplomats when he was in Hong Kong."^{[192][193]} Kucherena became Snowden's lawyer in July and was then head of the Russian Interior ministry's public council,^[194] in addition to serving as a member^[195] of the public council for the Federal Security Service (FSB).^[196] In early September, however, Russian president Vladimir Putin acknowledged that "Mr. Snowden first appeared in Hong Kong and met with our diplomatic representatives."^[197] Ben Wizner, a lawyer with the ACLU and legal adviser to Snowden, said in January 2014 "Every news organization in the world has been trying to confirm that story. They haven't been able to, because it's false."^[198]

US officials revoked Snowden's passport on June 22.^{[199][200]} On June 23 Snowden boarded the commercial Aeroflot flight SU213 to Moscow, accompanied by Sarah Harrison of WikiLeaks.^{[201][202]} Hong Kong authorities said that Snowden had not been detained as requested by the United States, because the United States' extradition request had not fully complied with Hong Kong law,^{[203][204][205]} and there was no legal basis to prevent Snowden from leaving.^{[206][207][Notes 1]} On June 24, U.S. State Department spokesman Patrick Ventrell said "we're just not buying that this was a technical decision by a Hong Kong immigration official. This was a deliberate choice by the government to release a fugitive despite a valid arrest warrant.... though the Privacy Act prohibits me from talking about Mr. Snowden's passport specifically, I can say that the Hong Kong authorities were well aware of our interest in Mr. Snowden and had plenty of time to prohibit his travel."^[210] That same day, Julian Assange said that WikiLeaks had paid for Snowden's lodging in Hong Kong and his flight out.^[211] Assange would later say that "While Venezuela and Ecuador could protect him in the short term, over the long term there could be a change in government. In Russia, he's safe, he's well-regarded, and that is not likely to change."^[184] When Assange was asked "What was the most difficult part on getting Snowden out of the U.S.?" Assange said he wasn't sure he could answer the question given "the legal situation".^[212]

Russia

On June 23, 2013, Snowden landed in Moscow's Sheremetyevo international airport.^{[213][214][215]} Wikileaks stated that he was "bound for the Republic of Ecuador via a safe route for the purposes of asylum".^[216] According to Gellman, Snowden "didn't choose Russia. He was literally changing planes in the Moscow airport when the United States revoked his passport. He was stuck there by that. He's said from the beginning that he wanted asylum in a Western country, for example, Iceland, that, from his point of view, respects rights of free speech and whistleblowers. He is not looking to live in a country like Russia or China."^[217] A US official said that Snowden's passport was annulled before he left Hong Kong^[218] and along with other sources, such as legal expert James C. Hathaway, said not having a passport would not prevent Russia from allowing Snowden to board an onward flight as a matter of law.^{[219][220]}^[221]



Arrival at Sheremetyevo Airport in Moscow on June 23, 2013

Snowden remained in the Sheremetyevo transit zone for 39 days until being granted temporary asylum by the Russian government on August 1. In a statement made on July 1, Snowden said:

Although I am convicted of nothing, [the US government] has unilaterally revoked my passport, leaving me a stateless person. Without any judicial order, the administration now seeks to stop me exercising a basic right. A right that belongs to everybody. The right to seek asylum.^{[222][223]}

According to Russian news services, Snowden had a seat reserved to continue on to Cuba within 24 hours of arriving in Moscow.^{[224][225]} Snowden did not board that onward flight, however, saying in a January 2014 interview that he was "stopped en route" despite an intention to be "only transiting through Russia". According to Snowden, "I was ticketed for onward travel via Havana — a planeload of reporters documented the seat I was supposed to be in — but the State Department decided they wanted me in Moscow, and cancelled my passport." He decided to remain in Russia because whilst he was "considering possibilities for asylum in Latin America, the United States forced down the Bolivian President's plane." He said that he would travel from Russia if there was no interference from the US government.^[198]

Morales plane incident

Main article: Evo Morales grounding incident

On July 1, 2013, president Evo Morales of Bolivia, who had been attending a conference of gas-exporting countries in Russia, suggested during an interview with Russia Today that he would be 'willing to consider a request' for asylum.^[226] The following day, Morales' plane en route to Bolivia was rerouted to Austria and reportedly searched there after France, Spain and Italy denied access to their airspace.^{[227][228][229]} US officials had raised suspicions that Snowden may have been on board.^{[230][231]} Morales blamed the US for putting pressure on European countries, and said that the grounding of his plane was a violation of international law.^[232]

Asylum applications

Snowden had applied for political asylum to 20 countries by July 1.^[233] A statement attributed to Snowden also contended that the US administration, and specifically Vice President Joe Biden, had pressured the governments of these countries to refuse his petition for asylum.^[234] In a July 1 statement published by WikiLeaks, Snowden accused the US government of "using citizenship as a weapon" and using what he described as "old, bad tools of political aggression". Citing Obama's promise to not allow "wheeling and dealing" over the case, Snowden commented "This kind of deception from a world leader is not justice, and neither is the extralegal penalty of exile."^[235]

Snowden made a second batch of applications for asylum to 6 more countries several days later, but declined to name them citing prior interference by US officials.^{[236][237]} Finland, Germany, India, Poland, Norway, Austria, Italy, and the Netherlands cited technical grounds for not considering the application, saying that applications for asylum to these countries must be made from within the countries' borders or at border stations.^{[233][238][239][240][241][242]} Ecuador had initially offered Snowden a temporary travel document but later withdrew it,^[243] on July 1, President Rafael Correa said the decision to issue the offer had been "a mistake".^{[244][245]}

Russian president Putin said that Snowden's arrival in Moscow was "a surprise" and "like an unwanted Christmas gift".^[246] Putin said that Snowden remained in the transit area of Sheremetyevo, noted that he had not committed any crime on Russian soil,^[247] and declared that Snowden was free to leave and should do so.^[248] He added that Russia's intelligence agencies neither "had worked, nor were working with" Snowden.^{[246][248]} Putin's claims were received skeptically by some observers.^{[249][250]}

Putin said on July 1 that if Snowden wanted to be granted asylum in Russia, Snowden would be required to "stop his work aimed at harming our American partners".^{[251][252]} A spokesman for Putin subsequently said that Snowden had withdrawn his asylum application upon learning of the conditions.^{[233][253]}

In a July 12 meeting at Sheremetyevo Airport with representatives of human rights organizations and lawyers, organized in part by the Russian government,^[254] Snowden said he was accepting all offers of asylum that he had already received or would receive in the future, noting that his Venezuela's "asylee status was now formal",^[178] he also said he would request asylum in Russia until he resolved his travel problems.^[255] Russian Federal Migration Service officials confirmed on July 16 that Snowden had submitted an application to them for temporary asylum.^[256] According to Kucherena, Snowden agreed to meet Putin's condition for granting asylum, and would not further harm US interests 'by releasing more intelligence secrets'.^{[256][257]} On July 23 Kucherena said his client intended to settle in Russia.^[258] Snowden explained that he applied for asylum in Russia because, with no direct flights from Moscow to asylum offers in Latin America, he did not feel he could safely travel to them, and claimed that the US had pressured countries along his route to "hand him over".^[257]

Amid media reports in early July 2013 attributed to US administration sources that Obama's one-on-one meeting with Putin, ahead of a G20 meeting in St Petersburg scheduled for September, was in doubt due to Snowden's protracted sojourn in Russia,^{[9][259]} top US officials repeatedly made it clear to Moscow that Snowden should immediately be returned to the United States to face justice.^{[260][261][262]} Snowden needed asylum, according to his lawyer, because "he faces persecution by the US government and he fears for his life and safety, fears that he could be subjected to torture and capital punishment."^[263] In a letter to Russian Minister of Justice Alexander Kononov dated July 23, US Attorney General Eric Holder sought to eliminate the "asserted grounds for Mr. Snowden's claim that he should be treated as a refugee or granted asylum, temporary or otherwise".^{[264][265]} He assured the Russian government that the US would not seek the death penalty for Snowden irrespective of the charges he might eventually face and said Snowden would be issued a limited validity passport for returning to the US, and that upon his return, Snowden would benefit from legal and constitutional safeguards and not be tortured, as "torture is unlawful in the United States".^[264] The same day, the

Russian president's spokesman reiterated the Kremlin's position that it would "not hand anyone over"; he also noted that Putin was not personally involved in the matter as Snowden "had not made any request that would require examination by the head of state" and that the issue was being handled through talks between the FSB and the FBI.^{[266][267]}

Criminal charges

On June 14, 2013, United States federal prosecutors filed a criminal complaint against Snowden, charging him with theft of government property, and alleging he had violated the US' 1917 Espionage Act through unauthorized communication of national defense information and "willful communication of classified communications intelligence information to an unauthorized person".^{[264][268]}

Snowden was asked in a January 2014 interview about returning to the US to face the charges in court, as Obama had suggested a few days prior. Snowden explained why he rejected the request: "What he doesn't say is that the crimes he has charged me with are crimes that... don't allow me to defend myself in an open court to the public and convince a jury. It's, I would say, illustrative that the President would choose to say someone should face the music when he knows the music is a show trial."^{[182][269]} Snowden's legal representative, Jesselyn Radack, wrote that "the Espionage Act effectively hinders a person from defending himself before a jury in an open court, as past examples show", referring to Thomas Drake, John Kiriakou and Chelsea Manning. Radack said that the "arcane World War I law" was never meant to prosecute whistleblowers, but rather spies who sold secrets to enemies for profit. Under this law, she states, "no prosecution of a non-spy can be fair or just".^[270]

Temporary asylum in Russia

Snowden left the Moscow airport on August 1 after more than a month in the transit section. He had been granted temporary asylum in Russia for one year,^[271] an asylum that could be extended indefinitely on an annual basis.^[citation needed] According to his lawyer, Snowden went to an undisclosed location kept secret for security reasons.^[272]

In response to the asylum grant, White House spokesman Jay Carney said the US administration was "extremely disappointed" by the Russian government's decision and that the meeting scheduled for September between Barack Obama and Vladimir Putin was under reconsideration.^[273] Some US legislators urged the president to take a tough stand against Russia, possibly including a US boycott of the 2014 Winter Olympics in Sochi.^{[274][275]} On August 7, the White House announced that Obama had canceled the meeting previously planned with Putin in Moscow citing lack of progress on a series of issues that included Russia's granting Snowden temporary asylum.^{[276][277][278]} Following cancellation of the bilateral talks, Putin's foreign policy aide Yuri Ushakov said they were "disappointed" and that it was clear to him that the decision was due to the situation around Snowden, which they "had not created"; Ushakov alleged that the US had been avoiding signing an extradition agreement and had "invariably" used its absence as a pretext for denying Russian extradition requests.^{[279][280]}

In late July 2013, Lon Snowden said he believed his son would be better off staying in Russia, and didn't believe he would receive a fair trial in the US.^{[281][282]} In mid October, he visited his son in Moscow, later telling the press that he was pleased with Edward's situation, and still believed Russia was the best choice for his asylum, saying he wouldn't have to worry about people "rushing across the border to render him". Snowden commented that his son found living in Russia "comfortable", and Moscow "modern and sophisticated".^[283] Snowden's lawyer, Kucherena, announced on October 31 that his client had found a technical support job providing maintenance for Russia's largest website.^{[284][285][286]}

Former CIA analyst Ray McGovern, who had traveled to Russia to give Snowden a whistleblower award, said that Snowden did not give any storage devices such as hard drives or USB flash drives to Russia or China, and that the four laptops he carried with him "were a 'diversion' and contained no secrets".^[287] American officials said that they have no proof of Russia or China having received such files.^{[288][289]} In an October 2013 interview, Snowden maintained that he did not bring any classified material into Russia "because it wouldn't serve the public interest". He added "there's a zero percent chance the Russians or Chinese have received any documents".^[5]

Wikileaks released video of Snowden on October 11 taken during the Sam Adams Award reception in Moscow, his first public appearance in three months. Former US government officials attending the ceremony said that, contrary to claims from the US government, Snowden did not appear to be under the control of 'local security forces'. The whistle-blower group said that he was in good spirits, looked "remarkably well", and that he still believes he was right to release the NSA documents.^{[290][291]} In the video, Snowden said "people all over the world are coming to realize" that the NSA's surveillance programs put people in danger, hurt the US and its economy, and "limit our ability to speak and think and live and be creative, to have relationships and associate freely" as well as putting people "at risk of coming into conflict with our own government".^[292]



Edward Snowden speaks about various topics at the Sam Adams Award presentation in Moscow

On October 31, Snowden met with German lawmaker Hans-Christian Ströbele, a visit prompted by a recent leak revealing NSA surveillance of German Chancellor Angela Merkel's mobile phone for the past decade.^{[293][294]} Snowden was invited to testify in Germany to "assist investigations" into the alleged surveillance of the German leader by explaining how the leaked documents 'fit together'; according to Stroebel, Snowden showed he "knew a lot" about the matter.^{[295][296][297]} After the visit, Snowden indicated a willingness to testify, though not from Moscow as Germany requested. Snowden said he would rather give testimony before the US Congress, his second choice being Berlin.^[298]

Wikileaks' representative Sarah Harrison, who accompanied Snowden from Hong Kong to Moscow, left Russia for Germany in early November after waiting until she felt confident he had "established himself and was free from the interference of any government." Her lawyers advised her to not return to her home in the UK, fearing she would be prosecuted under anti-terrorism laws.^[299] In a statement released November 6 upon arrival in Germany, Harrison wrote "I...negotiated [Snowden's] safe exit from Hong Kong to take up his legal right to seek asylum. I was travelling with him on our way to Latin America when the United States revoked his passport, stranding him in Russia."^[300] Journalist Glenn Greenwald commented on Snowden's Russian asylum: "[Snowden] didn't choose to be there. He was trying to get transit to Latin America, and then the US revoked his passport and threatened other countries out of offering Snowden safe passage."^[301]

NSA whistleblower Thomas Drake, who was also charged with espionage for leaking classified materials, said he believes Snowden would not be able to return to the US in the "foreseeable future", as he has "essentially been declared enemy of the State number 1, exhibit number 1".^[302] According to Ströbele, Snowden was seeking asylum 'in a "democratic" country' such as Germany or France, and wanted to leave Russia at the end of his year-long asylum.^[12] Snowden's legal advisors Radack and Kucherena indicated that Snowden would remain in Russia, however, with Radack saying in January 2014 that Snowden "hopes that [his temporary asylum] will be renewed for another year or into a permanent asylum because he is safe there [in Russia] and he knows that."^[13] In Russia "he is protected from a lot of people who would like to harm him," Radack noted.^[303]

On December 17, 2013 Snowden wrote an open letter to the people of Brazil offering to assist the Brazilian government in investigating allegations of US spying, and added that he continued to seek, and would require, asylum.^[304] Snowden wrote, "Until a country grants permanent political asylum, the US government will continue to interfere with my ability to speak...going so far as to force down the Presidential Plane of Evo Morales to prevent me from traveling to Latin America!"^[305] Brazil had been in an uproar since Snowden revealed that the US was spying on Brazilian President Dilma Rousseff, her senior advisors, and Brazil's national oil company, Petrobras.^[306]

Brazilian President Dilma Rousseff and officials of the Brazilian foreign ministry said in response to the letter that they could not consider asylum for Snowden because they had not received any formal request for asylum from him.^{[307][308][309]} A representative of the foreign ministry said that a fax requesting asylum had been sent to the Brazilian embassy in Moscow in July but it had not been signed and could not be authenticated.^[307] David Miranda, the Brazilian partner of Glenn Greenwald, launched an internet petition urging the Brazilian president to consider offering Snowden asylum.^[310] Some prominent Brazilian senators expressed support for giving asylum to Snowden,^[308] including Senator Ricardo Ferraco (president of the Senate Foreign Relations and Defense Committee),^{[307][309]} although some other politicians, mainly opponents of Rousseff's government, said Brazil should not risk further harming relations between Brazil and the US by offering Snowden asylum.^[309] In July, the Brazilian Senate's Foreign Relations and Defense Committee had unanimously recommended granting asylum to Snowden.^[308]

Snowden met with Barton Gellman of *The Washington Post* six months after the disclosure for an exclusive interview spanning 14 hours, his first since being granted temporary asylum. Snowden talked about his life in Russia as "an indoor cat", reflected on his time as an NSA contractor, and discussed at length the revelations of global surveillance and their reverberations. Snowden said, "In terms of personal satisfaction, the mission's already accomplished...I already won. As soon as the journalists were able to work, everything that I had been trying to do was validated."^[50] He commented "I am not trying to bring down the NSA, I am working to improve the NSA...I am still working for the NSA right now. They are the only ones who don't realize it." On the accusation from former CIA and NSA director Michael Hayden that he had defected, Snowden stated, "If I defected at all, I defected from the government to the public."^[50]

Snowden's Russian attorney, Anatoly Kucherena, announced in January 2014 that a media report coming from the US had left his client in fear for his life.^{[311][312]} An interview with "intelligence operators", including a Pentagon official, an Army intelligence officer, and NSA analysts, published on the condition of anonymity by BuzzFeed in mid-January, detailed ways they said Snowden can be killed and expressed a strong desire by some to carry out such plans.^[30] Regarding the report, Kucherena said, "This is a real death threat and we are concerned about the fact it has prompted no reaction from anybody."^[311] When asked about the BuzzFeed story, State Department spokeswoman Marie Harf said she had not read the article, but that death threats were "totally inappropriate" and had "no place in our discussion of these issues."^{[313][314]} Snowden wrote that the various threats on his life were "concerning", primarily because "current, serving officials of our government are so comfortable in their authorities that they're willing to tell reporters on the record that they think the due process protections of the 5th Amendment of our Constitution are outdated concepts. These are the same officials telling us to trust that they'll honor the 4th and 1st Amendments. This should bother all of us. The fact that it's also a direct threat to my life is something I am aware of, but I'm not going to be intimidated."^[315] In his first television interview,^[316] which aired on Germany's NDR January 26, 2014, the initial question posed to him was whether he had trouble sleeping at night due to the media reports. He said, "I'm still alive and I don't lose sleep because I've done what I feel I needed to do. It was the right thing to do and I'm not going to be afraid."^{[182][317][318]} Kucherena had also expressed his concern for Snowden's safety the previous August. Andrei Soldatov told the Associated Press at that time that "American intelligence does not kidnap or assassinate people in Russia, that's a fact. [Kucherena's statements about Snowden's safety are] just a pretext."^[319]

On *Meet the Press* in late January, speculation arose from top US officials in the House and Senate Intelligence Committees that Snowden might have been assisted by Russian intelligence,^[320] prompting a rare interview during which Snowden spoke in his defense. He told *The New Yorker* "this 'Russian spy' push is absurd", adding that he "clearly and unambiguously acted alone, with no assistance from anyone, much less a government."^[198] The *New York Times* reported that investigations by the NSA and the FBI "have turned up no evidence that Mr. Snowden was aided by others".^[321] Days later, Feinstein stated that she had seen no evidence that Snowden is a Russian spy.^[322] Germany's *Der Spiegel* suggested the accusations were part of a 'smear campaign' by US officials. For Snowden, the smears did not "mystify" him; he said that "outlets report statements that the speakers themselves admit are sheer speculation".^[323]

In late January 2014, US attorney general, Eric Holder in an interview with MSNBC indicated that the US could allow Snowden to return from Russia under negotiated terms, saying he was prepared to engage in conversation with him, but that full clemency would be going too far.^[324]

Reaction

Main article: Aftermath of the global surveillance disclosure

See also: Commentary on Edward Snowden's disclosure

Snowden's release of NSA material was called the most significant leak in US history by Pentagon Papers leaker Daniel Ellsberg.^{[325][326]} Ellsberg said "Snowden's disclosures are a true constitutional moment" enabling the press to hold the Executive branch of the US federal government accountable, while the legislative and judiciary branch refused to do so.^[327] The 'accountability' mechanisms of the US government, he said, are "a one-sided secret court, which acts as a rubber stamp, and a Congressional 'oversight' committee, which has turned into the NSA's public relations firm."^[327] On January 14, 2014, Ellsberg posted to his Twitter page: "Edward Snowden has done more for our Constitution in terms of the Fourth and First Amendment than anyone else I know."^[328]

United States President Barack Obama was initially dismissive of Snowden, saying in June 2013, "I'm not going to be scrambling jets to get a 29-year-old hacker".^{[329][330][331]} In August, Obama rejected the suggestion that Snowden was a patriot^[332] and would later say that "the benefit of the debate he generated was not worth the damage done, because there was another way of doing it."^[333]

In January 2014, Obama mentioned Snowden in a speech covering proposed reforms to the NSA's surveillance program and said that "our nation's defense depends in part on the fidelity of those entrusted with our nation's secrets. If any individual who objects to government policy can take it into their own hands to publicly disclose classified information, then we will not be able to keep our people safe, or conduct foreign policy." Obama also objected to the "sensational" way the leaks had been reported, saying the reporting often "shed more heat than light". He went on to assert that the disclosures had revealed "methods to our adversaries that could impact our operations".^[334]

On his blog, Vermont senator Bernie Sanders praised Snowden for sparking a debate on a matter of surveillance.^[335]

Ron Paul began a petition urging the Obama Administration to grant Snowden clemency.^[336] On February 14, 2014, Paul announced the petition and released a video on his website, saying, "Edward Snowden sacrificed his livelihood, citizenship, and freedom by exposing the disturbing scope of the NSA's worldwide spying program. Thanks to one man's courageous actions, Americans know about the truly egregious ways their government is spying on them."^[337]

Intelligence services whistleblower Frank Snapp acknowledged the debate but condemned Snowden's actions as nonetheless "reprehensible."^[338]

Ex-CIA director James Woolsey said in December 2013 that if Snowden was convicted of treason, he should be hanged.^[339] One of Snowden's legal advisers, Jesselyn Radack, said that Snowden "has concerns for his safety" based on this and joking remarks between Hayden and House Intelligence Committee chairman Mike Rogers about putting Snowden on a "kill list".^{[340][341]}

According to Mike Rogers and ranking member Dutch Ruppersberger, a classified Pentagon report written by military intelligence officials contends that Edward Snowden's leaks had put US troops at risk and prompted terrorists to change their tactics, and that "most files copied" were related to current US military operations.^[342] Glenn Greenwald and Ben Wizner, an ACLU lawyer representing Snowden, disputed these claims, stating that Snowden's leaks overwhelmingly relate to NSA activities and noting that similar claims were made about the Pentagon Papers.^[343]

On January 1, 2014, the Editorial Board of *The New York Times* praised Snowden as a whistleblower and wrote in favor of granting him clemency or "at least a substantially reduced punishment," arguing that while Snowden may have broken the law, he had "done his country a great service" by bringing the abuses of the NSA to light. "When someone reveals that government officials have routinely and deliberately broken the law," they wrote, "that person should not face life in prison at the hands of the same government." The *Times* further criticized James Clapper for lying to Congress about the NSA's surveillance activities and cast doubt on the claim made by Snowden's critics that he had damaged national security. The editorial concluded with a request to President Obama to discontinue the "vilification" of Snowden and to offer Snowden "an incentive to return home."^{[17][344]} The article garnered an unusual amount of "heat" for an editorial, with responses from multiple media outlets.^[345] The editorial board of *The Guardian* called for a pardon in an article coincidentally published on the same day. The board asked President Obama to "use his executive powers to treat [Snowden] humanely and in a manner that would be a shining example about the value of whistleblowers and of free speech itself."^{[346][347]}

In his article dated January 4, 2014, "Moves to Curb Spying Help Drive the Clemency Argument for Snowden", Peter Baker of *The New York Times* laid out the polarization of opinions throughout the US and the impetus toward clemency gained by the public reaction to the revelations of the surveillance. He notes that officials in the intelligence establishment "warn that letting Mr. Snowden off the hook would set a dangerous precedent" and contrasts that with the statement of attorney Bruce Fein about the protections afforded by the First Amendment, "It prohibits government from punishing communications that expose government lawlessness whether or not the illegality is classified" and saying further, "Calling government to account for breaking the law is a compelling civic duty of all citizens."^[348] The author also noted that similar polarization has arisen in judicial review, citing judge Leon's ruling that the surveillance program in question "was probably unconstitutional", implying that laws passed to enable such programs could be struck down.

Cybersecurity scholar Peter Singer divided the material disclosed by Snowden into three categories: "smart, useful espionage against enemies of the United States; legally questionable activities that involved US citizens through backdoors and fudging of policy/law; un-strategic (stupid) actions targeting American allies that has had huge blowback on US standing and US business." It was postulated that these were differing ways people viewed Snowden, which could explain why he was so polarizing.^[349] Singer also spoke of a "double legacy" from the NSA revelations released by Snowden: "One, it's hollowed out the American ability to operate effectively in ensuring the future of the internet itself, in the way we would hope it would be. That has huge long-term consequences. And the second is, it's been and will be a hammer-blow to American technology companies. The cloud computing industry, for example, had a recent estimate that they'll lose \$36 billion worth of business because of this."^[350]

In February 2014, Intelligence Squared held an "Oxford style" debate titled "Snowden Was Justified"^[351] addressing the opposing, widely held views that Snowden was a "whistleblower", and alternately, a "traitor". Ex-CIA director R. James Woolsey and former federal prosecutor Andrew C. McCarthy argued against the motion, while ACLU lawyer representing Snowden, Ben Wizner, and Pentagon Papers leaker Daniel Ellsberg argued in favor.^[351] Prior to arguments, the audience was split on the matter at 29 percent. After the debate, 54 percent found that Snowden was justified and 35 percent were against.^[352]

Debate

Snowden said in December 2013 that he was "inspired by the global debate" ignited by the leaks, and stated that NSA's "culture of indiscriminate global espionage... is collapsing".^[353]

International community

Crediting the Snowden leaks, the United Nations General Assembly unanimously adopted Resolution 68/167,^[354] an 'anti-spying resolution' to 'protect the right to privacy against unlawful surveillance' in the wake of reports that 35 foreign leaders were subjects of US eavesdropping.^{[355][356]} The resolution "unequivocally states that the same rights that people have off-line must also be protected online."^[357]^[358]

The European Parliament invited Snowden to make a pre-recorded video appearance to aid their NSA investigation, though he has yet to accept the invitation and no date has been set.^{[359][360]}

United States

In the US, Snowden's actions precipitated an intense debate on privacy and warrantless domestic surveillance.^{[361][362]} Jim Sensenbrenner, author of the Patriot Act, submitted a proposal on October 29, 2013 called the "USA Freedom Act", which would end the bulk collection of Americans' metadata, and reform the FISA court.^[363]

Director of National Intelligence James Clapper condemned Snowden's actions as having done "huge, grave damage" to US intelligence capabilities, while United States Secretary of State John Kerry stated that "in some cases" the NSA had gone "too far" in some of its surveillance activities, and promised that it would be stopped.^{[364][365]}

At the end of 2013, *The Washington Post* noted that the public debate, lawsuits, "presidential task forces, and attempts at legislative remedy" had not brought about any "meaningful policy change". They printed: "...the status quo continues, if with forced disclosures and administration arguments that the public just doesn't understand how difficult it is to prevent the next 9/11 – even though there's been no evidence publicly revealed so far that these measures have prevented the next 9/11."^[151]

An analysis released by the New America Foundation in January 2014 reviewed 225 terrorism cases since the September 11 attacks found that the NSA's bulk collection of phone records "has had no discernible impact on preventing acts of terrorism", and that US governments' claims of the program's usefulness were "overblown".^{[366][367]} Officials maintained that the program was a good "insurance policy".^[368]

Another review in January 2014, this from the Privacy and Civil Liberties Oversight Board (PCLOB), found the NSA's phone metadata program to be illegal and of "only limited value". The board, chosen by Obama, said it "implicates constitutional concerns under the First and Fourth Amendments." The board was unable to find "a single instance" that the program "made a concrete difference in the outcome of a terrorism investigation" or "directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack."^[369] The White House rejected the findings, saying "We simply disagree with the board's analysis on the legality of the program".^[370]

A survey conducted by USA Today and Pew Research Center in January 2014 revealed a change in American's opinion of phone and Internet metadata collection. In July 2013, 50 percent supported the NSA programs. Six months later, the percentage dropped to 40.^[371]

The Republican Party in early 2014 voted unanimously to pass a "Resolution To Renounce The National Security Agency's Surveillance Program" which called for a "special committee to investigate, report, and reveal to the public the extent of this domestic spying". They said that Snowden's revelations had uncovered "an invasion into the personal lives of American citizens that violates the right of free speech and



Demonstration at Checkpoint Charlie in Berlin against the NSA surveillance program PRISM during Barack Obama's visit, June 18, 2013

association afforded by the First Amendment of the United States Constitution" and that "the mass collection and retention of personal data is in itself contrary to the right of privacy protected by the Fourth Amendment of the United States Constitution."^[372] The resolution endorses legislation proposed by Justin Amash.^[373]

Presidential panel

Obama also said that he himself had called for a review of US surveillance activities even before Snowden had begun revealing details of the NSA's operations.^[332] On August 9, Obama announced that he was ordering Director of National Intelligence James Clapper to arrange for "a high-level group of outside experts to review our entire intelligence and communications technologies."^{[374][375]} In December, the task force issued 46 recommendations that, if adopted, would subject the NSA to additional scrutiny by the courts, Congress, and the president, and would strip the NSA of the authority to infiltrate American computer systems using "backdoors" in hardware or software.^[376] Geoffrey Stone, a panel member, said there was no evidence that the bulk collection of phone data had stopped any terror attacks.^[377]

Court rulings

Klayman v. Obama

Main article: Klayman v. Obama

In the wake of Snowden's leaks, conservative public interest lawyer and Judicial Watch founder Larry Klayman filed a lawsuit claiming that the federal government had unlawfully collected metadata for his telephone calls and was harassing him. On December 16, 2013, US District Judge Richard J. Leon ruled that bulk collection of American telephone metadata likely violates the Constitution of the United States. The judge wrote, "I cannot imagine a more 'indiscriminate' and 'arbitrary' invasion than this systematic and high-tech collection and retention of personal data on virtually every single citizen for purposes of querying and analyzing it without prior judicial approval ... Surely, such a program infringes on 'that degree of privacy' that the founders enshrined in the Fourth Amendment."^[378] Leon, the first judge to examine an NSA program outside of the secret FISA court on behalf of a non-criminal defendant, described the technology used as "almost Orwellian", referring to the George Orwell novel, *Nineteen Eighty-Four*, in which the world has come under omnipresent government surveillance. In the 68-page ruling, Leon said that he had "serious doubts about the efficacy" of the program.^[379] The US government was unable to cite "a single instance in which analysis of the NSA's bulk metadata collection actually stopped an imminent attack, or otherwise aided the government in achieving any objective that was time-sensitive." The judge ruled that a 1979 case, *Smith v. Maryland*, which established that phone metadata is not subject to the Fourth Amendment, did not apply to the NSA program as the US Justice Department has claimed, citing the NSA's vast scope and 'the evolving role of phones and technology'. Judge Leon's opinion, according to the is its recognition that the Fourth Amendment needs to adapt to the digital age.^[380] Judge Leon stayed the ruling, giving the US government 6 months to appeal.^[381]

On the ruling, the *Washington Post* printed: "NSA officials, who rarely miss a chance to cite Snowden's status as a fugitive from the law, now stand accused of presiding over a program whose capabilities were deemed by the judge to be "Orwellian" and likely illegal. Snowden's defenders, on the other hand, have new ammunition to argue that he is more whistleblower than traitor."^[382]

Debates regarding offering amnesty to Snowden began to appear in publications and on the Internet immediately following Leon's ruling. Some of the reasons suggested in a *The New Yorker* article included benefits for the NSA.^[383]

Snowden said in a statement that the ruling justified his disclosure:

"I acted on my belief that the NSA's mass surveillance programs would not withstand a constitutional challenge, and that the American public deserved a chance to see these issues determined by open courts. Today, a secret program authorized by a secret court was, when exposed to the light of day, found to violate Americans' rights. It is the first of many."^[384]

ACLU v. Clapper

Main article: ACLU v. Clapper

The American Civil Liberties Union (ACLU) filed a lawsuit against Director of National Intelligence James Clapper alleging that the NSA's phone records program was unconstitutional. On December 28, 2013, Judge William Pauley dismissed the suit. In the court's opinion regarding the ACLU's claim that the NSA was exceeding the bounds of section 215 of the Patriot Act Judge Pauley wrote:

"The ACLU would never have learned about the section 215 order authorizing collection of telephone metadata related to its telephone numbers but for the unauthorized disclosures of Edward Snowden. Congress did not intend that targets of section 215 order would ever learn of them. And the statutory scheme also makes clear that congress intended to preclude suits by targets even if they discovered section 215 orders implicating them. It cannot possibly be that lawbreaking conduct by a government contractor that reveals state secrets—including the means and methods of intelligence gathering—could frustrate Congress's intent. To hold otherwise would spawn mischief: recipients of orders would be subject to 215's secrecy protocol confining challenges to the FISC while targets could sue in any federal district court. A target's awareness of section 215 does not alter the Congressional calculus. The ACLU's statutory claim must therefore be dismissed."^[385]

Judge Pauley said that the U.S. government's global telephone data-gathering system is needed to thwart potential terrorist attacks, and that it can only work if everyone's calls are swept in. The judge also concluded that the telephone data being swept up by NSA did not belong to telephone users, but to the telephone companies. And further he ruled that, when NSA obtains such data from the telephone companies, and then probes into it to find links between callers and potential terrorists, this further use of the data was not a search under the Fourth Amendment. He also concluded that the controlling precedent is *Smith v. Maryland*: "Smith's bedrock holding is that an individual has no legitimate expectation of privacy in information provided to third parties".^{[386][387][388]}

Recognition

Edward Snowden was voted as *The Guardian's* person of the year 2013, garnering four times the number of votes than any other candidate.^[389]

The 2013 list of leading Global Thinkers,^[390] published annually by *Foreign Policy* placed Snowden in first place due to the impact of his revelations. *FP's* "Global Conversation visualization"^[391] showed that Snowden "occupied a role in 2013's global news media coverage just slightly less important than President Barack Obama himself".^[392]

Snowden was named *Time's* Person of the Year runner-up in 2013, behind Pope Francis.^[393] *TIME* was criticized for not placing him in the top spot.^{[394][395][396]}

Snowden headed the *Ten Tech Heroes of 2013* at TechRepublic, the site of an on-line newsletter circulated among IT professionals. Editor Jack Wallen placed Snowden in the number one position of his list and wrote, "Ed Snowden was a whistle blower the likes of which the world has never seen. Many consider him a villain. I, on the other hand, hold him up in the hero category for one simple reason: His disclosure of classified documents unveiled the NSA's mass surveillance program. Snowden's goal was "...to inform the public as to that which is done in their name and that which is done against them." Prior to this leak, the public was unaware of the depth of surveillance and the true nature of government secrecy. His disclosures have also had major implications for those in the technology field."^[397]

Snowden joined the board of directors of the Freedom of the Press Foundation, co-founded by Daniel Ellsberg, in January 2014. Journalists Glenn Greenwald and Laura Poitras serve as staff members of the organization.^[398]

Rector of the University of Glasgow

On February 18, 2014, Snowden was elected to serve as Rector of the University of Glasgow.^[399] He became the first American Rector in the position's 366-year history. Snowden beat three competitors and received over half of the 6,560 votes.^{[400][401][402]} The nomination was arranged by a group of Glasgow University students along with the help of Snowden's lawyer.^{[403][404]} Like past rector Winnie Mandela, Snowden won't visit the campus in person; the position is "largely symbolic".^[405] He will serve for three years representing 20,000 students.^[32]

Following the election, Snowden issued a statement saying he was "humbled by and grateful for...this historic statement in defence of our shared values". He continued:

We are reminded by this bold decision that the foundation of all learning is daring: the courage to investigate, to experiment, to inquire. If we do not contest the violation of the fundamental right of free people to be left unmolested in their thoughts, associations, and communications - to be free from suspicion without cause - we will have lost the foundation of our thinking society. The defence of this fundamental freedom is the challenge of our generation, a work that requires constructing new controls and protections to limit the extraordinary powers of states over the domain of human communication.^{[406][407]}

German "Whistleblower Prize"

Edward Snowden was awarded the biennial German "whistleblower prize" in August 2013, in absentia, with an accompanying award equal to 3,000 euro. Established in 1999, the award is sponsored by the German branch of the International Association of Lawyers Against Nuclear Arms and by the Association of German Scientists.^[408] Organizers in Berlin said the prize was to acknowledge his "bold efforts to expose the massive and unsuspecting monitoring and storage of communication data, which cannot be accepted in democratic societies".^[409] Snowden responded to the award, saying it was "a great honor to be recognized for the public good created by this act of whistleblowing", and that it was not he, but the public who effected "this powerful change to abrogation of basic constitutional rights by secret agencies".^[410]

Sam Adams Award

The Sam Adams Award was presented to Snowden by a group of four American former intelligence officers and whistleblowers in October 2013. After two months as an asylee, Snowden made his first public appearance in Moscow to accept the award, a candlestick holder meant to symbolize "bringing light to dark corners".^[290] One of the presenters, FBI whistleblower Jesselyn Radack of the Government Accountability Project, told *The Nation*, "We believe that Snowden exemplifies Sam Adams's courage, persistence and devotion to truth—no matter what the consequences. We wanted Snowden to know that, as opposed to the daily vitriol from the US government and mainstream media, 60 percent of the United States supports him, including thousands in the national security and intelligence agencies where we used to work."^[411]

Alternative Christmas Message

Snowden was chosen to give Britain's 2013 "Alternative Christmas Message", Channel 4's alternative to the Royal Christmas Message by Queen Elizabeth II.^[412] The Message is normally given by non-establishment figures.^{[413][414]} In what was Snowden's first television appearance since arriving in Russia, the address focussed on the importance of privacy and the need for an end to government surveillance.^[415] In the 1.5-minute segment^[416] he said that the recently revealed "worldwide mass surveillance", a system resulting from teamwork between governments, is what George Orwell warned about in *1984*, a novel about a society controlled by an ever-present Big Brother.^[417] The difference is, Snowden noted, that today's surveillance capabilities far surpass those Orwell described, saying "We have sensors in our pockets that track us everywhere we go ... A child born today [will] never know what it means to have a private moment to themselves, an unrecorded, un-analyzed thought. That's a problem because privacy matters; [it] allows us to determine who we are, and who we want to be." On the debate initiated by his leaks, he stated:

"The conversation occurring today will determine the amount of trust we can place both in the technology that surrounds us and the government that regulates it. Together we can find a better balance, end mass surveillance and remind the government that if it really wants to know how we feel asking is always cheaper than spying."^{[418][419]}

The piece was filmed, edited and produced by Laura Poitras.^[420]

Snowden Effect

The *Economist* printed, "the big consequence" of the "Snowden Effect" will be that "countries and companies will erect borders of sorts in cyberspace."^[421] In *The Nation*, the Snowden Effect was described thusly: "[Snowden's] actions have sparked a debate about the intersection of national security and individual privacy that we weren't having six months ago, but should have been."^[422] In *Forbes*, the Effect was seen as evidenced by a rare bipartisan movement in the US Congress: "a divided, intransigent Congress seems nearly united over the idea that the massive domestic intelligence gathering system that grew after 9/11 has simply gone too far."^[423]

Tech

In the technology industry, the Snowden Effect had a profound impact after it was revealed that the NSA was tapping into the information held by some US cloud-based services. Google, Cisco, and AT&T lost business internationally due to the "outcry" over their role in NSA spying. It has been estimated that the cloud-based computing industry could lose up to \$35 billion in the next three years.^[424] *Wall Street Journal* reported that the "Snowden Effect" was the top tech story of 2013, saying the Snowden leaks "taught businesses that the convenience of the cloud cuts both ways". The *Journal* predicted the 'effect' would top 2014 news as well, given the amount of documents yet to be revealed.^[425] In China, the most profitable country for US tech companies, all are "under suspicion as either witting or unwitting collaborators" in the NSA spying, and are "on the defensive", according to the director of the Research Center for Chinese Politics and Business at Indiana University.^[426] The effect was also seen in changes to investment in the industry, with security "back on the map".^[427]

After revelations that German Chancellor Angela Merkel's mobile was being tapped, the tech industry rushed to create a secure cell phone.^[427] According to *TechRepublic*, revelations from the NSA leaks have "rocked the IT world" and have had a "chilling effect". The three biggest impacts were seen as: increased interest in encryption, business leaving US companies, and a reconsideration of the safety of cloud technology.^[428]

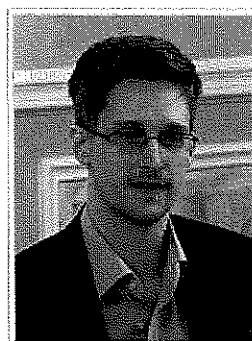
The Blackphone, which the *New Yorker* called "a phone for the age of Snowden", and described as "a smartphone explicitly designed for security and privacy", was created by the makers of GeeksPhone, Silent Circle, and PGP, and is designed to provide encryption for phone calls, emails, texts, and internet browsing.^{[429][430]}

Lavabit

The owner of a secure email service which Snowden used, Lavabit, shut down the business after being forced to release the secure keys to his site to the FBI, exposing all 410,000 users to FBI's resulting ability to read all email routed via Lavabit.^[431] The move was mirrored days later by a similar email provider called Silent Circle.^[432] Three months later, owners of the two companies joined forces and announced their new email service, "Dark Mail Alliance",^[433] designed to be resistant to government surveillance.^{[434][435]}

In popular culture

Snowden's passage through Hong Kong inspired a local production team to produce a low-budget five-minute film entitled *Verax*. The film, depicting the time Snowden spent hiding in the Mira Hotel while being unsuccessfully tracked by the CIA and China's Ministry of State Security, was uploaded to YouTube on June 25, 2013.^{[436][437]}



Edward Snowden during the Sam Adams Award ceremony in Moscow, October 2013

A dramatic thriller about Edward Snowden, *Classified: The Edward Snowden Story*, is scheduled for release on September 19, 2014. The film is being crowdfunded and plans are to release the final product as a free download. The feature-length film is directed by Jason Bourque and produced by Travis Doering; actor Kevin Zegers plays the character of Edward Snowden. Michael Shanks stars as journalist Glenn Greenwald and Carmen Aguirre plays filmmaker Laura Poitras.^[438]

In September 2013, the TV series *South Park* parodied the Snowden revelations, with Eric Cartman standing in for Snowden. The episode, titled "Let Go, Let Gov", received the highest ratings for the show in two years.^{[439][440]}

See also

- 2013 global surveillance disclosures
 - Timeline of mass surveillance disclosures
 - Aftermath of the global surveillance disclosure
 - Global surveillance and journalism
- NSA warrantless surveillance (2001–07)
- Classified information in the United States
- Extraordinary rendition
- Information sensitivity
- List of people granted asylum
- List of people who have lived at airports
- List of United States extradition treaties
- List of whistleblowers
- Martin and Mitchell defection
- Mass surveillance
 - Mass surveillance in the United Kingdom
 - Mass surveillance in the United States
- NSA warrantless surveillance (2001–07)
- NSA whistleblowers
 - William Binney
 - Thomas Andrews Drake
 - Perry Fellwock
 - Mark Klein
 - Thomas Tamm
 - Russ Tice
- Stellar Wind (code name)
- Terrorist Surveillance Program

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External links

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- "Free Snowden" (<http://freesnowden.is/>). (Journalistic Source Protection Defense Fund)
- "NSA leaks: a timeline" (<http://america.aljazeera.com/watch/shows/fault-lines/FaultLinesBlog/2013/11/1/nsa-leaks-a-timeline.html>). Al Jazeera. November 1, 2013.
- "The NSA Files" (<http://www.guardian.co.uk/world/the-nsa-files>). *The Guardian*. (Index of articles)
- "DNI Statement on Recent Unauthorized Disclosures of Classified Information" (<http://www.dni.gov/index.php/newsroom/press-releases/191-press-releases-2013/868-dni-statement-on-recent-unauthorized-disclosures-of-classified-information>). (Archive (<http://www.webcitation.org/6HI2NS9XS>)) Office of the Director of National Intelligence. June 6, 2013. PDF Version (<http://www.dni.gov/index.php/newsroom/press-releases/191-press-releases-2013/868-dni-statement-on-recent-unauthorized-disclosures-of-classified-information?tmpl=component&format=pdf>) (Archive (<http://www.webcitation.org/6HI2KVOzq>))
- "Global Surveillance" (<http://www.ub.uio.no/fag/informatikk-matematikk/informatikk/faglig/bibliografier/no21984.html>). An annotated and categorized "overview of the revelations following the leaks by the whistleblower Edward Snowden. There are also some links to comments and followups". By Oslo University Library.

Notes

- ¹ ^ Hong Kong's Secretary for Justice Rimsky Yuen argued that government officials did not issue a provisional arrest warrant for Snowden due to "discrepancies and missing information" in the paperwork sent by US authorities. Yuen explained that Snowden's full name was inconsistent, and his US passport number was also missing.^[208] Hong Kong also wanted more details of the charges and evidence against Snowden to make sure it was not a political case. Secretary for Justice Rimsky Yuen said he spoke to US Attorney General Eric Holder by phone to reinforce the request for details "absolutely necessary" for detention of Snowden. Yuen said "As the US government had failed to provide the information by the time Snowden left Hong Kong, it was impossible for the Department of Justice to apply to a court for a temporary warrant of arrest. In fact, even at this time, the US government has still not provided the details we asked for."^[209]

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- ⁷ ^ U.S. won't seek death penalty for NSA leaker Snowden (<http://www.cbc.ca/news/world/u-s-won-t-look-death-penalty-for-nsa-leaker-snowden-1.1358839>) *Associated Press* 26 July 2013
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- ⁹ ^ ^a ^b "Venezuela Offers Asylum to Snowden" (http://www.nytimes.com/2013/07/06/world/snowden.html?_r=0). *The New York Times*. July 5, 2013.
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