

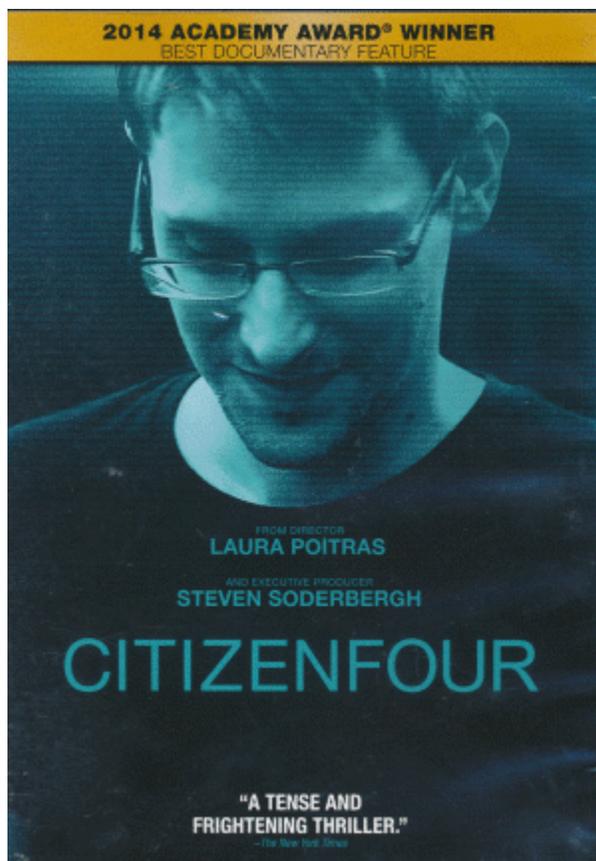
"THE PROGRAM" -- ILLUSTRATED SCREENPLAY

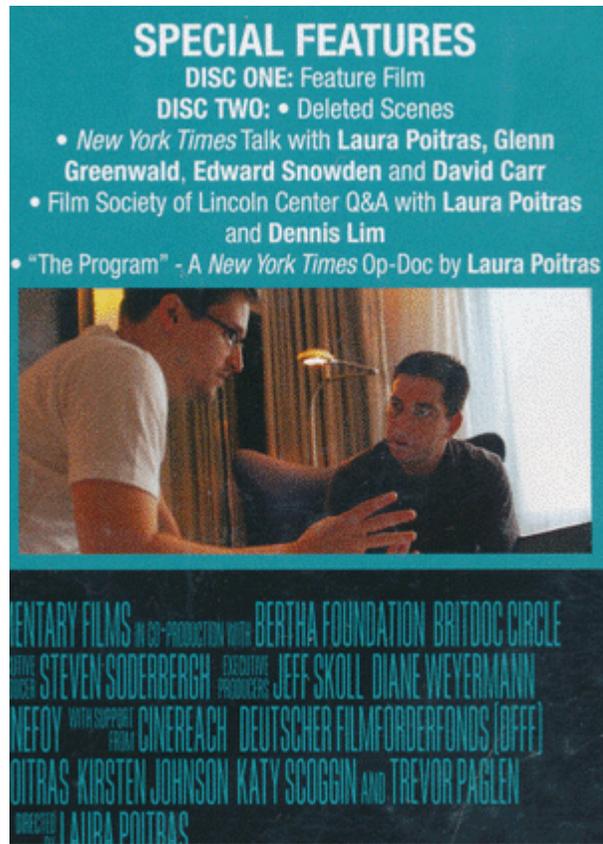
A New York Times Op-Doc

directed by Laura Poitras

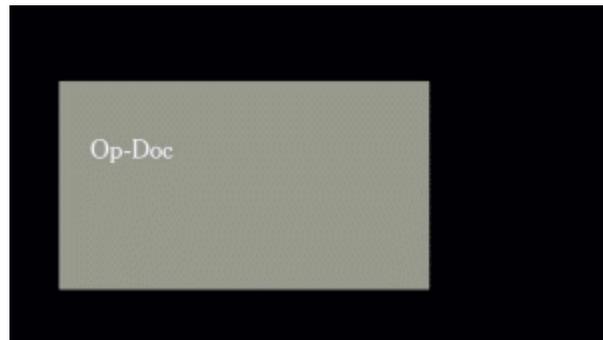
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[transcribed from the movie by Tara Carreon]



Op-Doc



The Program

by Laura Poitras



[Bluffdale, Utah]

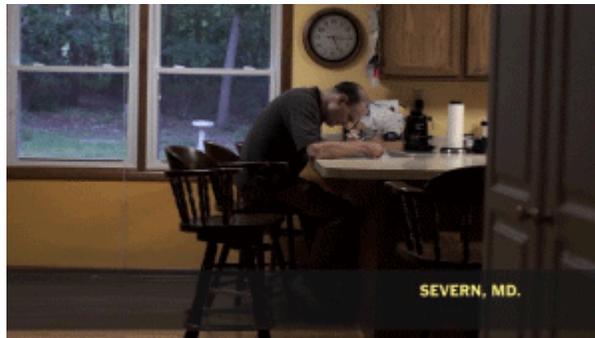


Following 9/11, the National Security Agency began a top-secret surveillance program to spy on U.S. citizens without warrants.

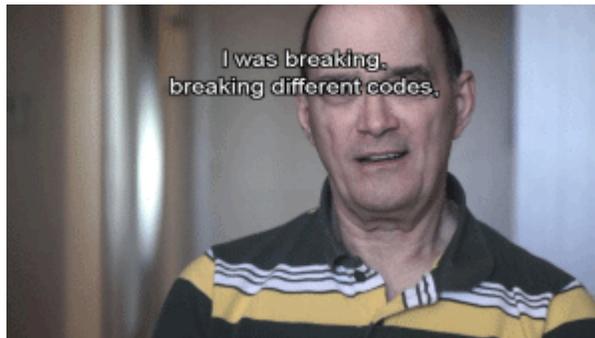
[Narrator] Following 9/11, the National Security Agency began a top-secret surveillance program to spy on U.S. citizens without warrants.

Code-named Stellar Wind, or
"The Program" to insiders, the full
scope of the surveillance has
not been made public.

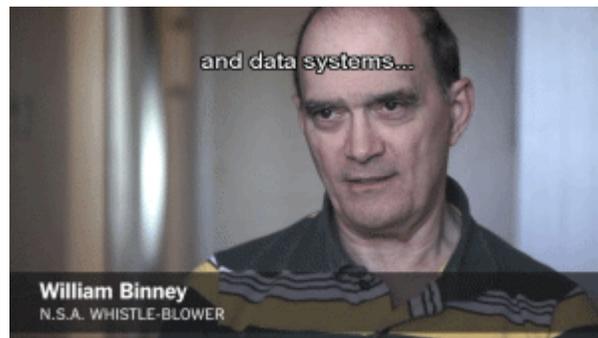
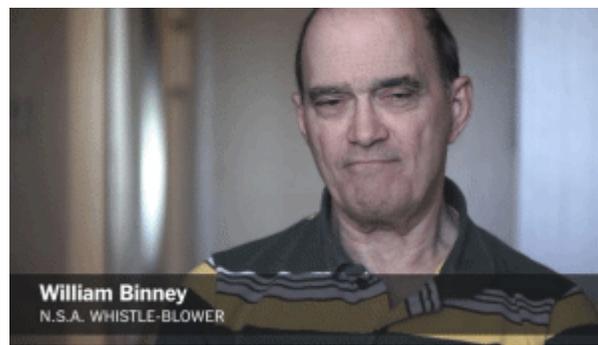
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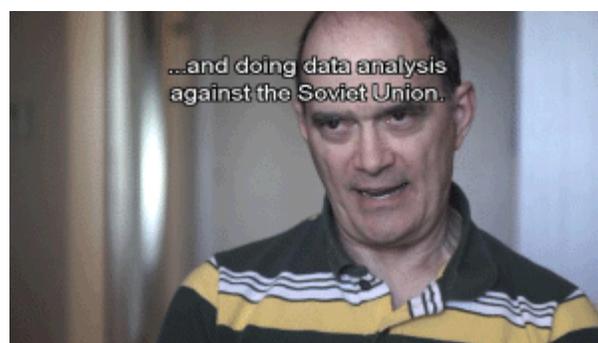
[Severn, MD.]



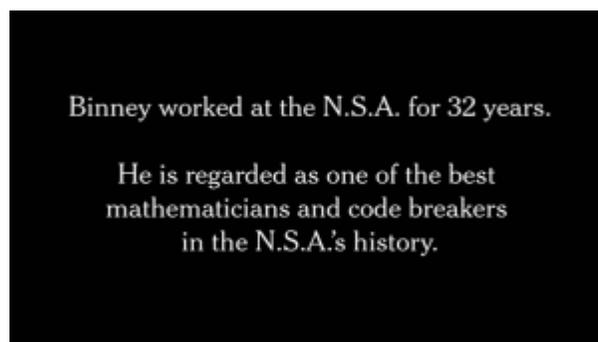
[William Binney, NSA Whistle-blower] I was breaking different codes ...



and data systems ...

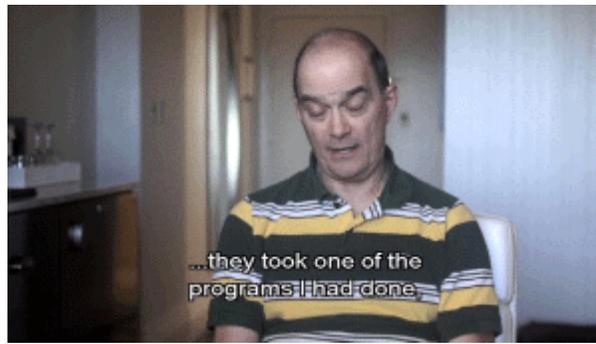


and doing data analysis against the Soviet Union.



[Narrator] Binney worked at the NSA for 32 years. He is regarded as one of the best mathematicians and code breakers in the NSA's history.

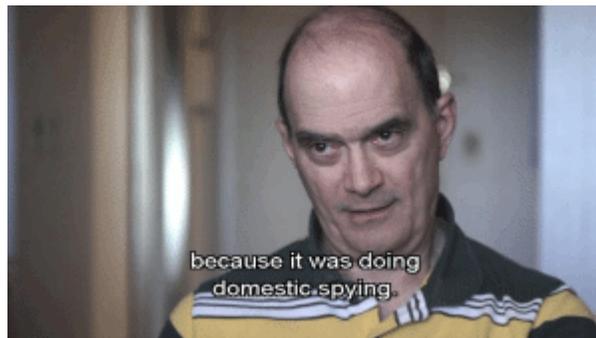
[William Binney, NSA Whistle-blower] After 9/11 ...



they took one of the programs I had done, or the back-end part of it, and started to use it to spy on everybody in this country. So that was a program they created called "Stellar Wind."



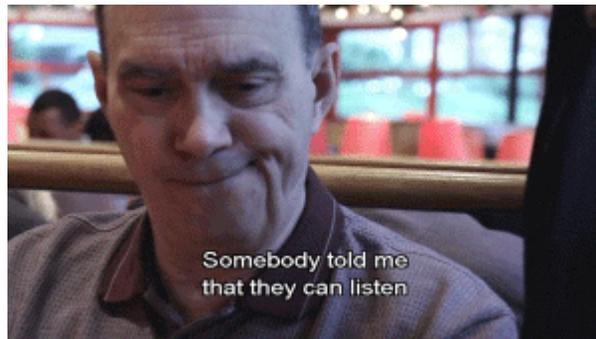
That was separate and compartmented from the regular activity that was ongoing,



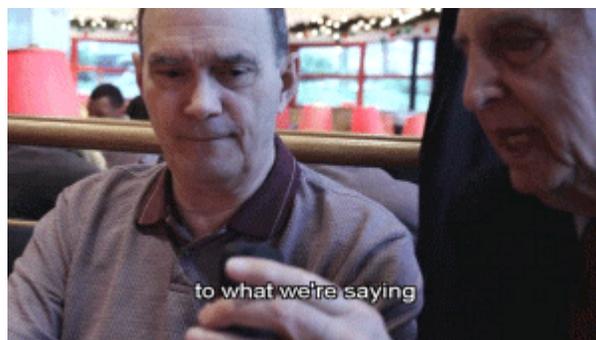
because it was doing domestic spying. All the equipment was coming in. I knew something was happening, but then when the contractors I had hired came and told me what they were doing, it was clear where all the hardware was going and what they were using it to do.



It was simply a different input. Instead of being foreign, it was domestic input.



[Daniel Ellsberg, Pentagon Papers Whistle-Blower] Somebody told me that they can listen ...



to what we're saying by my having this, even if it's turned off.



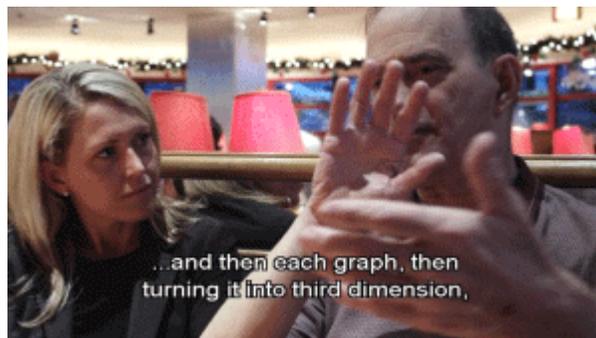
[William Binney, NSA Whistle-blower] Yes. Here's the real grand design.



Every domain, think of a domain as an activity, a specific type of activity, phone calls or banking is another domain.



So, if you think of graphing each domain,



and then each graph, then turning it into a third dimension,



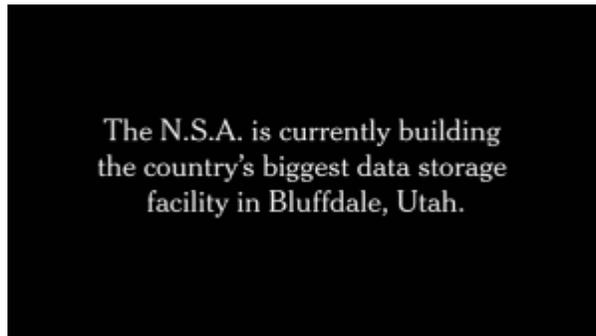
the trick now is to map through all the domains in that third dimension, pulling together all the attributes that any individual has ...



in every domain. So that now I can pull your entire life together from all those domains and map it out ...



and show your entire life over time.



[Narrator] The NSA is currently building the country's biggest data storage facility in Bluffdale, Utah.



Binney calculates the facility has the capacity to store 100 years' worth of the world's electronic communications.

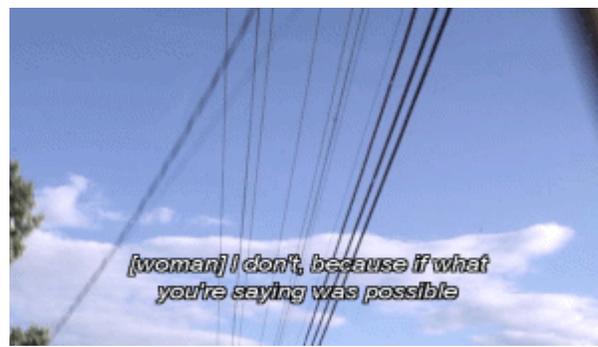
Binney calculates the facility has the capacity to store 100 years' worth of the world's electronic communications.



[woman] Why... I don't understand why you're not afraid.

[Woman] Why ... I don't understand why you're not afraid.

[William Binney, NSA Whistle-blower] Why should I be?



[Woman] I don't know, because if what you're saying was possible, it would be revolutionary, and people would have a vested interest in preventing that from happening.



[William Binney, NSA Whistle-blower] I'm too old. I'm too old.



[Las Vegas]



[Def Con]

[ACLU Panel, Def Con Hacker Conference]



[Jameel Jaffer, Director, ACLU Center for Democracy] I'm not sure how many of you got a chance to hear Keith Alexander yesterday, the head of the NSA,



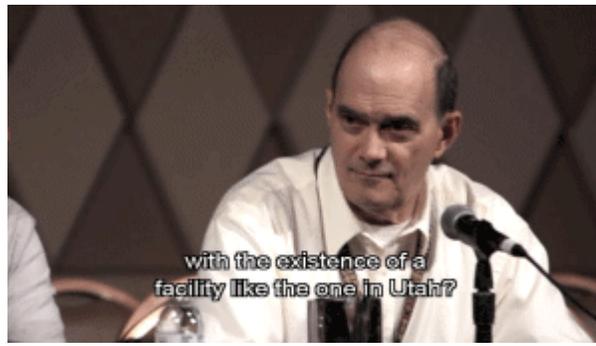
talk about the NSA's activities.



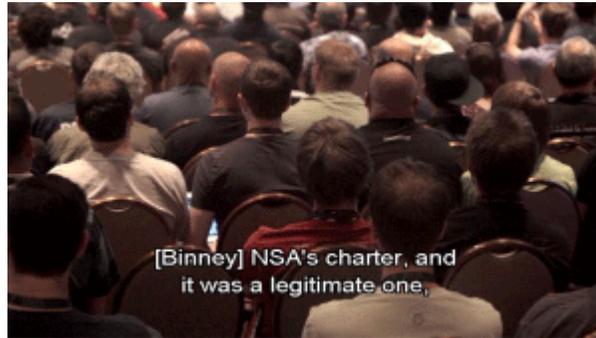
Bill, how do you reconcile?



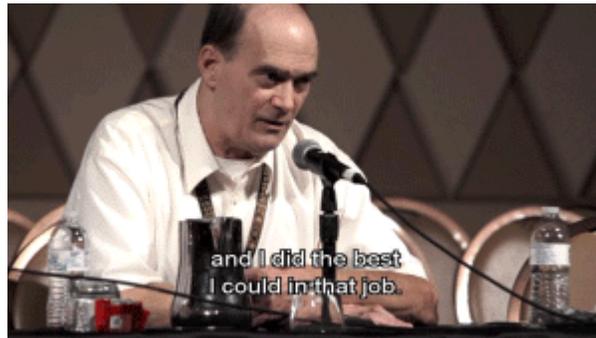
Is there some way to reconcile General Alexander's statement that the NSA isn't keeping track of every American ...



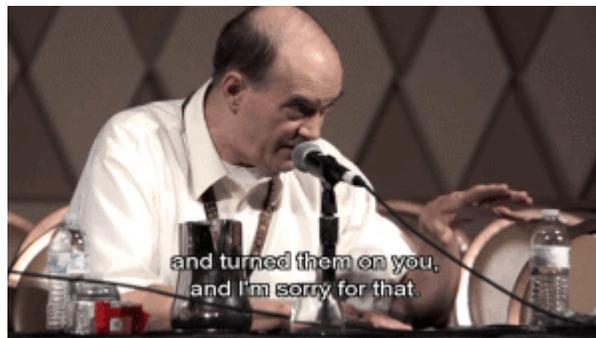
with the existence of a facility like the one in Utah?



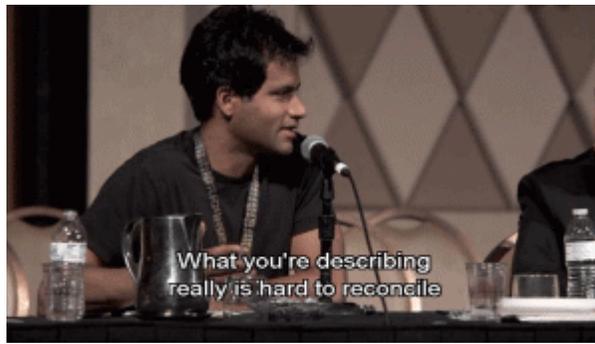
[William Binney, NSA Whistle-blower] NSA's charter, and it was a legitimate one, was to do foreign intelligence, and I was with that all the way,



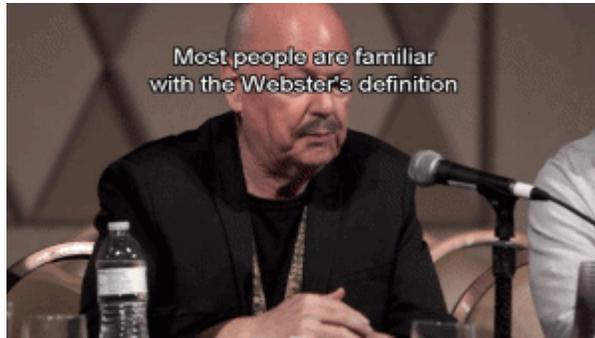
and I did the best I could in that job. Unfortunately, they took those programs that I built ...



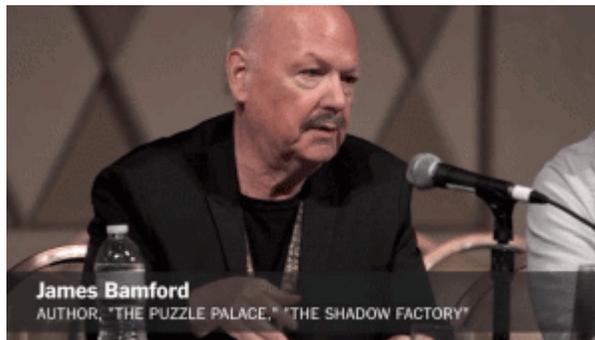
and turned them on you, and I'm sorry for that. I didn't intend that. But they did that.



[Jameel Jaffer, Director, ACLU Center for Democracy] What you're describing really is hard to reconcile with the laws as the laws are generally understood by the lawyers who work with them.



[James Bamford, Author, "The Puzzle Palace," "The Shadow Factory"] Most people are familiar with the Webster's definition of "intercept."



"USSID 18" has a different definition,



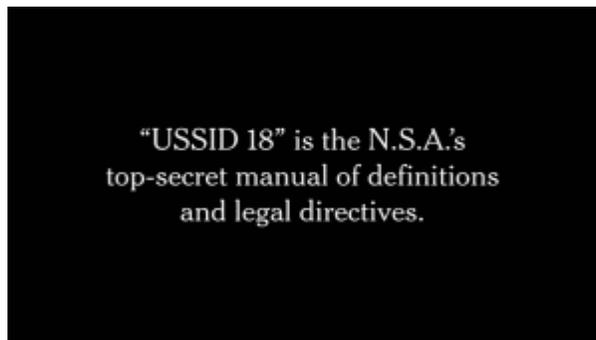
and that's: an intercept doesn't take place until it's actually listened to, until somebody puts on some earphones,



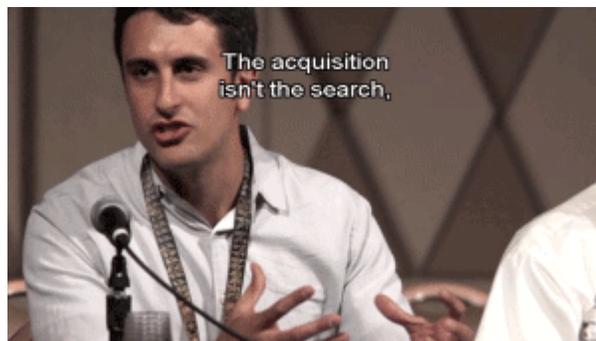
or actually reads some text on a screen.



So, you can pull in all the communications you want.



[Narrator] "USSID 18" is the NSA's top-secret manual of definitions and legal directives.



[Alexander Abdo, Staff Attorney, ACLU National Security Project] The acquisition isn't the search, the querying later on is the search.



They can then keep it in their database, and target after the fact by going back and conducting data-mining searches afterward.



In other words, to get the information that they couldn't target from the outset.



[William Binney, NSA Whistle-blower] And there is another real problem. Unfortunately, the software will, once it takes in data, it will build profiles on everybody in that data.



The purpose is to monitor, be able to monitor what people are doing.



You build social networks for everybody, that then turns into the graph, and then you index all that data to that graph,



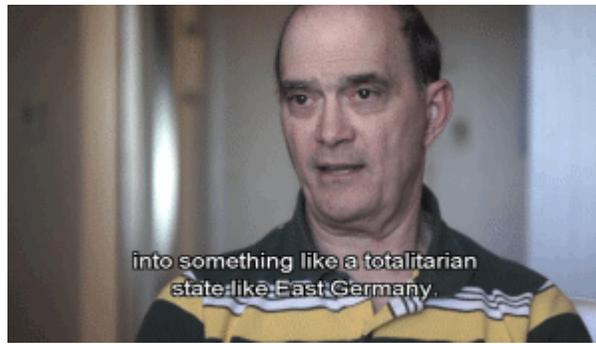
which means you can pull out a community. That gives you the outline of the life of everybody in the community,



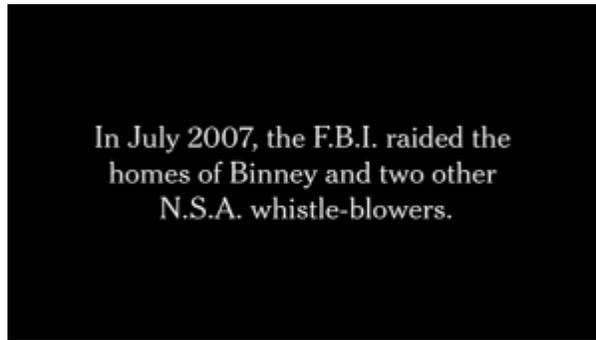
and if you carry it over time from 2001 up, you have that ten years worth of their life that you could lay it out in a timeline. That involves anybody in the country.



Even Senators, and House of Representatives, all of them. The dangers here are that we fall ...



into something like a totalitarian state like East Germany.



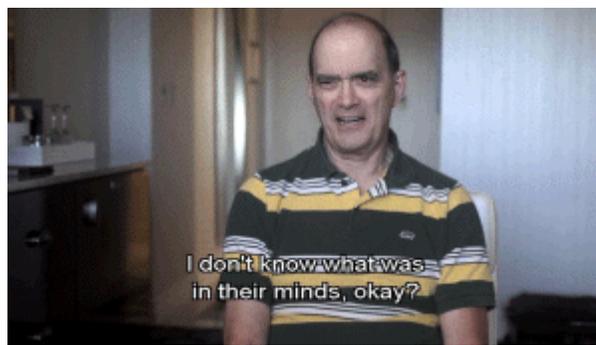
[Narrator] In July 2007, the FBI raided the homes of Binney and two other NSA whistle-blowers.



[William Binney, NSA Whistle-blower] Oh, well, they came in with guns drawn, you know, in my house. They didn't do that to the others, but they did it to me.



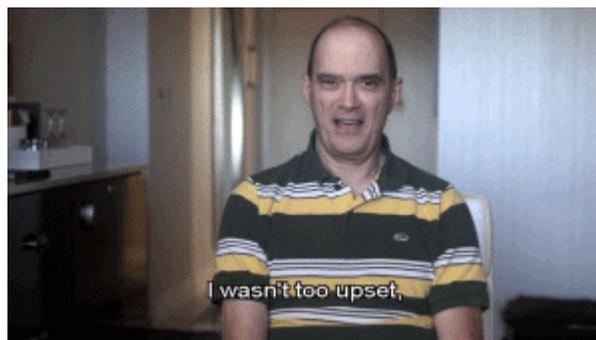
I guess, I don't know, they thought I was probably the most dangerous of all. So, I don't know.



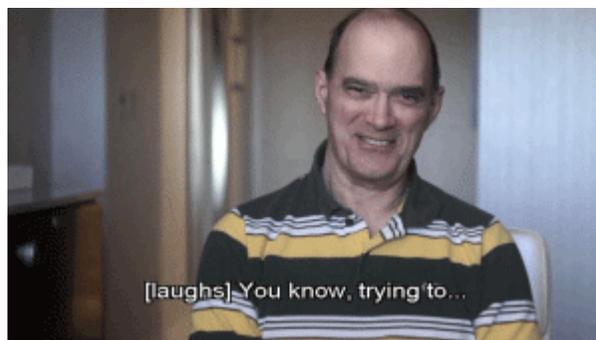
I don't know what was in their minds, okay? So, but they did that, and they came in and pointed a gun at me. I was getting out of the shower at the time,



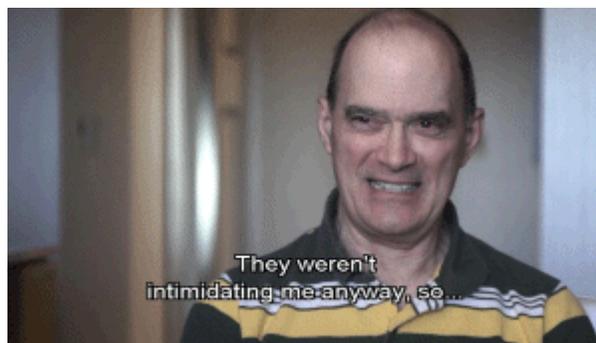
so they pointed a gun right at my old head, and you know, said, "Hey ..." So [laughs] ...



I wasn't too upset, I just said, "I suppose I could get dressed here?"



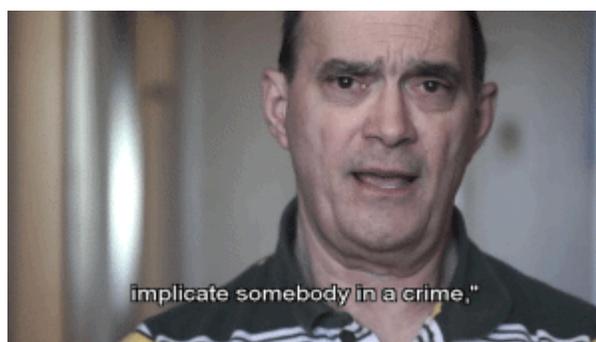
[Laughs] You know, trying to --



they weren't intimidating me anyway,



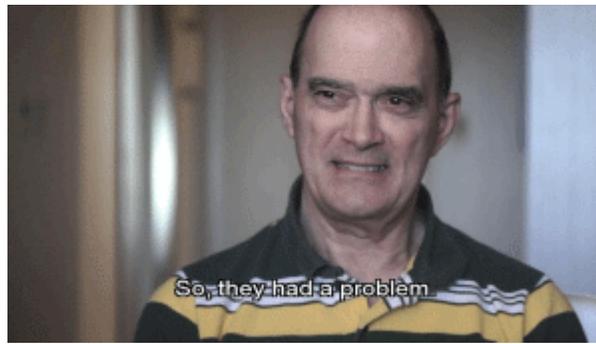
so "Tell me something that will ...



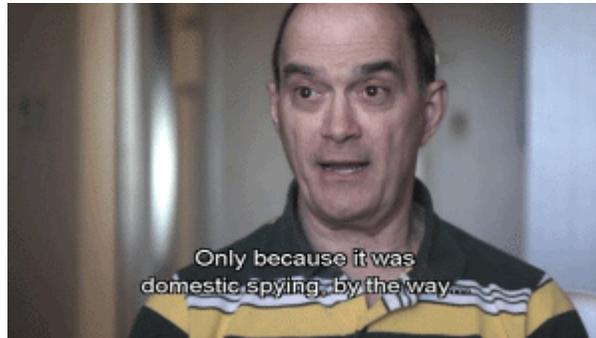
implicate somebody in a crime," that's what they asked me. So, I told them what the crime was that I knew about, and that was that ...



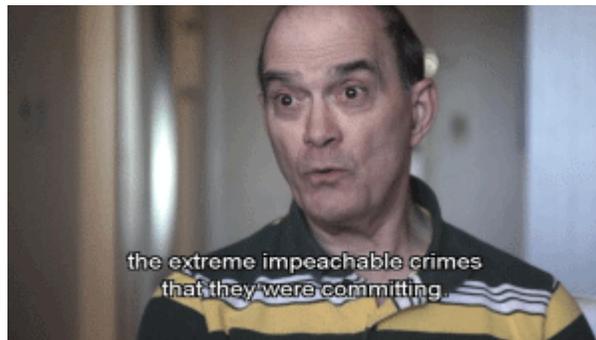
George Bush, Dick Cheney, Tenet and Hayden conspired to subvert the Constitution, the constitutional process, and any number of laws, and here's how they did it, and I explained Stellar Wind on my back porch to all the FBI agents who weren't cleared.



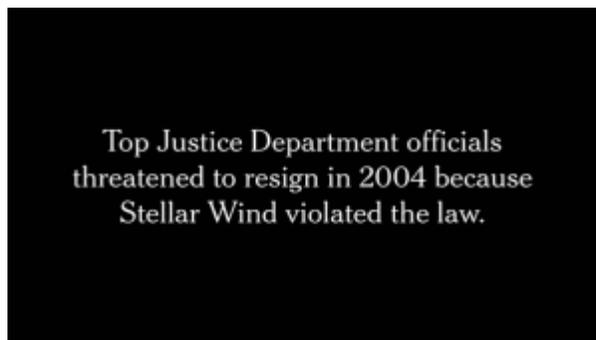
So they had a problem. I created a problem for them, 'cause they had a bunch of people now who weren't cleared for a very highly classified --



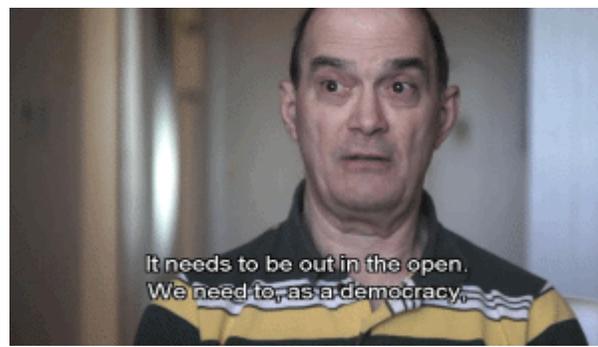
only because it was domestic spying by the way was the reason it was highly classified. You know, they wanted to highly classify...



the extreme impeachable crimes that they were committing.



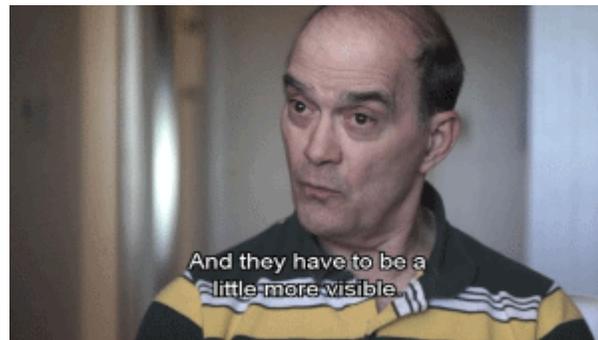
[Narrator] Top Justice Department officials threatened to resign in 2004 because Stellar Wind violated the law. Their legal objections to the program are not public.



[William Binney, NSA Whistle-blower] It needs to be out in the open. We need to, as a democracy, we need to say, "Do we want our government doing this or not?"



And, "Do we want our government to have this data or not?" And if so, if we want them to have it, then what kind of controls?



And they have to be a little more visible. It can't all be done in secret. You can't have secret interpretations of laws and run them in secret and not tell anybody.



We can't make up kill lists and not tell anybody what the criteria is for being on the kill list.



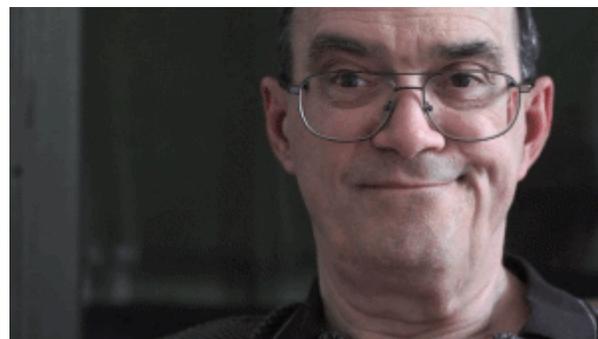
This is something the KGB, the Stasi ...



or the Gestapo would have loved to have had about their populations. So, I mean, you know,



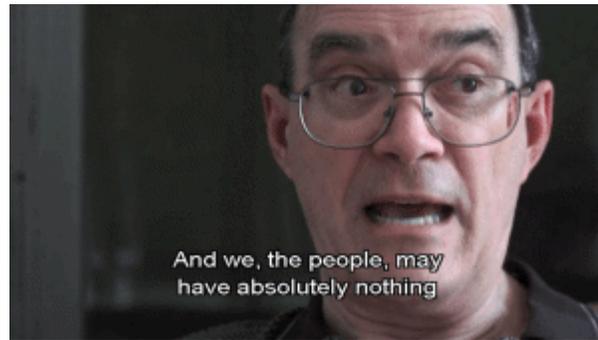
and just because we call ourselves a democracy,



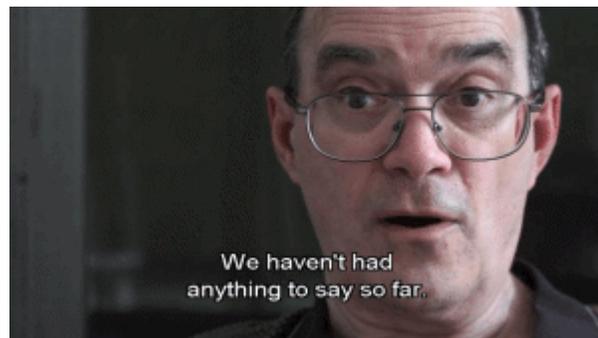
right,



doesn't mean we will stay that way. That's the real danger.



And we, the people, may have absolutely nothing to say about it.



We haven't had anything to say so far.



No charges have ever been
filed against Binney.

[Narrator] No charges have ever been filed against Binney.

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