

Non-Terrorist Communications Collected

WASHINGTON (AP) — The National Security Agency declassified three secret court opinions Wednesday showing how it scooped up as many as 56,000 emails and other communications by Americans not connected to terrorism annually over three years, revealed the error to the court and then fixed the problem.

Director of National Intelligence James Clapper authorized the release.

The opinions show that when the NSA reported its inadvertent gathering of American-based Internet traffic to the court in 2011, the Foreign Intelligence Surveillance Court ordered the agency to find ways to limit what it collects and how long it keeps it.

Three senior U.S. intelligence officials said Wednesday that national security officials realized the extent of its inadvertent collection of Americans' data from fiber optic cables in September 2011. One of the officials said the problem became apparent during internal discussions between NSA and Justice Department officials about the program's technical operation.

"They were having a discussion and a light bulb went on," the official said.

Hasan Rests Case Calling No Witnesses

FORT HOOD, Texas (AP) — The soldier on trial for the deadly 2009 shooting rampage at Fort Hood refused to put up a fight on Wednesday, resting his case without calling a single witness or testifying in his own defense.

Maj. Nidal Hasan could face the death penalty if convicted for the attack that killed 13 people and wounded more than 30 others at the Texas military base. But when given the chance to rebut prosecutors' lengthy case — which included nearly 90 witnesses and hundreds of pieces of evidence — the Army psychiatrist declined.

About five minutes after court began Wednesday, a day after prosecutors rested their case, the judge asked Hasan how he wanted to proceed. He answered: "The defense rests."

The judge, Col. Tara Osborn, then asked Hasan: "You have the absolute right to remain silent. You do not have to say anything. You have the right to testify if you choose. Understand?"

Hasan said he did. When the judge asked if this was his personal decision, he answered: "It is."

Manning Gets Stiffest Punishment For Leaks

BY DAVID DISHNEAU AND
PAULINE JELINEK

Associated Press

FORT MEADE, Md. — Army Pfc. Bradley Manning stood at attention in his crisp dress uniform Wednesday and learned the price he will pay for spilling an unprecedented trove of government secrets: up to 35 years in prison, the stiffest punishment ever handed out in the U.S. for leaking to the media.

Flanked by his lawyers, Manning, 25, showed no reaction as military judge Col. Denise Lind announced the sentence without explanation in a proceeding that lasted just a few minutes.

A gasp could be heard among the spectators, and one woman buried her face in her hands. Then, as guards hurried Manning out of the courtroom, about a half-dozen supporters shouted from the back: "We'll keep fighting for you, Bradley!" and "You're our hero!"

With good behavior and credit for the more than three years he has been held, Manning could be out in as little as seven years, said his lawyer, David Coombs. The soldier was also demoted and will be dishonorably discharged.

The sentencing fired up the long-running debate over whether Manning was a whistleblower or a traitor for giving more than 700,000 classified military and diplomatic documents, plus battlefield footage, to the anti-secrecy website WikiLeaks. By volume alone, it was the biggest leak of classified material in U.S. history, bigger even than the Pentagon Papers a generation ago.

In a statement from London, WikiLeaks founder Julian Assange decried Manning's trial and conviction as "an affront to basic concepts of Western justice." But he

called the sentence a "significant tactical victory" because the soldier could be paroled so quickly.

Manning could have gotten 90 years behind bars. Prosecutors asked for at least 60 as a warning to other soldiers, while Manning's lawyer suggested he get no more than 25, because some of the documents he leaked will be declassified by then.

Military prosecutors had no immediate comment on the sentence, and the White House said only that any request for a presidential pardon would be considered "like any other application."

The case was part of an unprecedented string of prosecutions brought by the U.S. government in a crackdown on security breaches. The Obama administration has charged seven people with leaking to the media; only three people were prosecuted under all previous presidents combined.

Manning, an Army intelligence analyst from Crescent, Okla., digitally copied and released Iraq and Afghanistan battlefield reports and State Department cables while working in 2010 in Iraq. He also leaked video of a 2007 Apache helicopter attack in Baghdad that mistakenly killed at least nine people, including a Reuters photographer.

Manning said he did it to expose the U.S. military's "bloodlust" and generate debate over the wars and U.S. policy.

He was found guilty by the judge last month of 20 crimes, including six violations of the Espionage Act, but was acquitted of the most serious charge, aiding the enemy, which carried a potential life in prison without parole.

Whistleblower advocates said the punishment was unprecedented in its severity. Steven Aftergood of the Federation of

American Scientists said "no other leak case comes close."

The American Civil Liberties Union, Amnesty International and other activists condemned the sentence.

"When a soldier who shared information with the press and public is punished far more harshly than others who tortured prisoners and killed civilians, something is seriously wrong with our justice system," said Ben Wizner, head of the ACLU's speech and technology project.

Gabriel Schoenfeld, a senior fellow at the conservative Hudson Institute think tank and author of the book "Necessary Secrets," welcomed Manning's punishment.

"The sentence is a tragedy for Bradley Manning, but it is one he brought upon himself," he said. "It will certainly serve to bolster deterrence against other potential leakers."

But he also warned that the sentence will ensure that Edward Snowden — the National Security Agency leaker who was charged with espionage in a potentially more explosive case while Manning's court-martial was underway — "will do his best never to return to the United States and face a trial and stiff sentence."

Coombs said that he was in tears after the sentencing and that Manning comforted him by saying: "Don't worry about it. It's all going to be OK. I'm going to get through this."

Coombs said Manning will seek a presidential pardon or a commuted sentence.

"The time to end Brad's suffering is now," the defense attorney said. "The time for our president to focus on protecting whistleblowers instead of punishing them is now."



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