



## **Rand: Obama Spying ‘Incredibly Damaging’ to Separation of Powers**

**Kentucky senator continues quest to determine if NSA collected lawmakers' communications**

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Sen. Rand Paul (R-Ky.) said Monday on Fox News that he's determined to find out from the White House or intelligence committees whether the Obama administration spied on him, and says any such spying would be "incredibly damaging" to the constitutional separation of powers.

"What I would like to know," said Paul, "and one of the questions I asked the White House is: Did anyone in President Obama's administration query my name? Did they look in that database of a million Americans' phone calls and look me up specifically? Did they ask to unmask me? And they have these terms that sounds like, oh, unmasking, how bad is that? It's the same as spying."

Paul sent letters on Friday to the chairmen of the House and Senate intelligence committees asking them to "promptly" investigate whether his name or the names of any other members of Congress or their staffs were searched or unmasked.

He told Fox News host Sean Hannity that he had heard that he was spied on by the Obama administration, and thinks the spying is for political purposes.

"We've been hearing rumors, and anonymous sources have been telling us for a couple of months now that they believe that the Obama administration was spying on other presidential candidates other than President Trump and that it may be politically motivated," said Paul, "I don't have the evidence, I haven't seen the evidence, but I've requested it. I've asked the White House to look into it, and I've asked both of the intelligence committees."

"This is incredibly damaging to the separation of powers and incredibly damaging to all Americans' privacy," he said.

On Friday, in a speech at the 40th-anniversary celebration of the Cato Institute, Paul referred to "specific aspects" of a conversation that he had with President Barack Obama that people had mentioned to him.

"How's anybody know that? How did General Flynn's conversation get reported?" he asked.

"Particularly if someone in the intelligence community uses the media to destroy you ... As an American citizen, I'm horrified that his private conversation was leaked," Paul said, "does the president not have any privacy in who he talks to?"

In his letter, Paul asked the committees to "promptly investigate whether my name or the names of other members of Congress, or individuals from our staffs or campaigns, were included in queries or searches of databases of the intelligence community," and if any of their names were "unmasked."

Attached to his letter was an article from the news website Circa entitled "President Obama's Team Sought NSA Intel on Thousands of Americans During the 2016 Election," reporting that in the five years after President Obama loosened privacy restrictions in 2011, intelligence reports containing the unredacted names of "thousands" of Americans have been distributed "across government."

The article was based on a report issued by the Office of the Director of National Intelligence on May 2, and reported that Obama administration officials conducted 30,355 searches in 2016 for information about Americans in "metadata" that the NSA had intercepted — data such as email addresses and phone numbers.

"The government in 2016 also scoured the actual contents of NSA-intercepted calls and emails for 5,288 Americans, an increase of 13 percent over the prior year and a massive spike from the 198 names searched in 2013," the article says.

In his Friday letter to the intelligence committees, Rand wrote: "Specific to these allegations, I am requesting a clear answer on whether your committee received a Gates notice related to me or to members of my staff," referring to a notice Congress gets if a member's name is included in an intelligence report.

The letter was sent to Sen. Richard Burr (R-N.C.), chairman of the Senate Select Intelligence Committee, and to Sen. Mark Warner (D-Va.), the ranking member of the committee.

A copy also went to Sen. Ron Wyden (D-Wash.), a member of the committee who has been as aggressive in defending the privacy rights of Americans.

Paul sent a similar letter to President Trump on April 10.

The NSA is forbidden by law from spying on Americans, but observers believe the agency circumvents the ban by using loose definitions of "targets" — counting as a "target" a topic of conversation that is discussed by U.S. citizens.

Under this scheme, emails and phone calls could be intercepted, grabbed and stored whenever a name of a foreign country or organization is mentioned in a communication.

Roger Pilon, vice president for legal affairs for the Cato Institute, told LifeZette that if the executive branch is spying on Congress, it's an issue of abuse of power.

"It's not a separation of powers issue," Pilon said, "it's an abuse of power. Therefore, it's the responsibility of Congress to get to the bottom of this."