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May 29, 2018 my itinerary until November is fluid

Certified Mail - Return Receipt

The Honorable Jefferson Beauregard Sessions III, Esq.
Attorney General of The United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

Re: Authoritarian Rule By Our Intelligence Services
Comments of a Salt Lake City 12-Year-Old 150-Member Public-Policy Study Group

“Let me tell you, you take on the intelligence community, they have six ways from Sunday at getting back at you” said U.S. Senate Minority Leader Chuck Schumer on the 1/3/2017 Rachel Maddow show on MSNBC.

As a result, three of the monthly meetings of our 150-Member Public Study Group that I have facilitated for the last 12.5 years in the vicinity of my Utah ski house have focused on “Authoritarian Rule By Our Intelligence Services.”

[The group’s attendance averages 11-12 from approximately 150 worldwide recipients of our weekly newsletter (nonresidents can participate by Skype). Participants come from all walks of life but regular attendees include 5 attorneys and 3 scientists. (Our meetings over the years on thorium fission, on nuclear fusion, and on Japan’s Fukushima Daiichi nuclear disaster have been led by a PhD in Nuclear Engineering from the U/Tenn - Oak Ridge National Nuclear-Research Laboratory.) More information about the group is available on www.ReadingLiberally-SaltLake.org.]

Our 5/10/2017 Meeting on “Authoritarian Rule By Our Intelligence Services” and George Orwell’s “1984”

Our meeting focused on Orwell’s “1984” because, per the topic proposal for the meeting (anyone can propose a topic but meeting participants vote on the next meeting’s topic) --

“[B]ecause now we are witnessing the U.S. Intelligence Services committing major-league felonies (i.e., leaks of classified information which, incidentally, betray sources and methods -- and, probably, illegal surveillance without FISA-Court approval of an American citizen) in order to eliminate from our Democratic Government whomever they dislike.”

The topic proposal also recommended the New York Times article whose 1/20/2017 print headline was “Wiretapped Data Used In Inquiry of Trump Aides” as well as posting its text on our website.

The meeting report posted on our website says --

- None of the 11 attendees had any trust in our Intelligence Services to tell the truth, even under oath (since nobody ever seems to get prosecuted for perjury!!!)!!!
- None of the 11 attendees had any confidence in our Intelligence Services (despite the presumable integrity of the overwhelming majority of their “rank and file”) to “do the right thing”!!!
- About half of our attendees spoke up in opposition to the potential invasion of their own privacy by our Intelligence Agencies. This mirrors the discussion at our 8/10/2016 meeting when Yours Truly led the faction who believed that National Security was/is so important, that anyone “with nothing to hide” should have no objection to our Intelligence Services doing whatever is necessary to protect us.

- HOWEVER, there was UNIVERSAL OPPOSITION to the possibility/probability that our Intelligence Services will use their power to zap any of our democratically-elected officials with whom they disagree.
- NONETHELESS, there was a diversity of opinion on (1) whether we are just “around the corner” from Authoritarian Rule by Our Intelligence Services à la George Orwell’s 1984, or (2) whether we are merely (!!!) in a permanent modus vivendi pursuant to which Our Intelligence Services dictate U.S. policy by zapping whichever democratically-elected officials displease them WITHOUT the oppression of Orwell’s 1984.
- THERE WAS UNIVERSAL AGREEMENT that there is NO SOLUTION to the problem “[U]nless, of course, we simply disband entirely our Intelligence Services (because they have already proven to be so ‘lawless’ that there is really nothing that can be done in terms of additional laws because they will ignore those as well).”

Our 12/13/2017 Meeting on FISA Sec. 702(c) Renewal and Ayaan Hirsi Ali’s “Heretic”

Our meeting’s Suggested Discussion Outline contained a quick review of why FISA Sec. 702(c) was enacted --

1. Osama’s fatwā to nuke 10 million Americans was the focus of a famous book by the Founding Dean of Harvard’s Kennedy School of Government, Graham Allison, entitled “Nuclear Terrorism: The Ultimate Preventable Catastrophe.”
2. Graham Allison recommendations have NOT been followed despite the endorsement and exhaustive supportive efforts of former U.S. Senator Sam Nunn (D-GA and Senate Armed Services Committee Chairman 1987-1995), U.S. Senator Richard Lugar (R-IN and Senate Foreign Relations Committee Chairman 2003-2007) and Messrs. Thomas Kean and Lee Hamilton (Chair and Co-Chair of The 9/11 Commission).
3. And despite the efforts of Tim Russert to publicize the efforts of Nunn/Lugar/Kean/Hamilton on Meet The Press and Tom Brokaw’s participation in a Docu-Drama produced by Nunn/Lugar/Kean/Hamilton.
4. Fatwās can NOT be revoked following the death of the person who issued the fatwā – as Ayatollah Ali Khamenei informed the Brits when they sought to have revoked Ayatollah Ruhollah Khomeini’s fatwā to assassinate Salman Rushdie during negotiations to restore diplomatic relations following the death of Ayatollah Khomeini in 1989.
5. Fatwā’s are the solemn religious duty of every follower of the person who issued the fatwā – which in the case of Osama’s fatwā to nuke 10 million Americans includes, inter alia, every member of Al Qaeda and every member of ISIS (formerly Al Qaeda in Iraq).
6. It would appear that even though Dean Graham Allison’s recommendations have not been implemented, the reason why America has not long since suffered a nuclear attack from Al Qaeda and/or ISIS (as most experts were predicting was imminent following 9/11 and, for movie buffs, was the topic of several Hollywood movies) is because of FISA Sec. 702’s extraordinary grant of power to our intelligence services to spy on terrorists, including their communications with American citizens.

FISA Sec. 702(c) was due to expire 12/31/2017. Our meeting materials included a text of Sec. 702(c) “marked” to show changes to its text provided by The USA Liberty Act, a carefully-crafted bi-partisan bill proposed by House Judiciary Committee Chairman Robert Goodlatte and 28 of 35 members of his committee. Our meeting materials contained the following list of “salient” provisions of The USA Liberty Act --

- “IT WOULD SIMPLY PROVIDE ADDITIONAL LAWS THAT OUR ‘LAWLESS’ INTELLIGENCE SERVICES WOULD PROBABLY IGNORE.”
- FISA Sections 702(a) and 702(c)(2) continue to permit the Attorney General and Director of National Intelligence to conduct so-called “WARRANTLESS WIRETAPPING” for ONE YEAR PERIODS. [And query whether the AG and DNI can string together a series of one-year periods!!!]
- FISA Sec. 702 is extended from 12/31/2017 to 9/30/2023.
- It tightens the requirements for a determination, and requires documentation of the determination, that a target is a non-U.S. person and is outside the U.S.

- It requires that an individual, who requests that U.S. persons with whom a foreign target communicated be unmasked, document why s/he needs the unmasking (which must be “legitimate”) -- and the name and position of the individual approving the request, which must also be documented.
- It tightens the requirements for “querying” (Government speak for searching) the “meta data” (who communicated with whom, when and where).
- It tightens the requirements for accessing the CONTENT of the communications identified by the queries.
- It increases “whistle blower” protections for contractors of the intelligence community (NB: Please see Sec. 204 of the USA Liberty Act since it amends Sec. 1004 of the National Security Act of 1947, rather than FISA Sec. 702).
- It increases the criminal penalty from 1 year to 5 years for unauthorized removal and retention of classified documents or material (NB: Please see Sec. 302 of the USA Liberty Act since it amends 18 U.S. Code Sec. 1924, rather than FISA Sec. 702).

You will recall that you testified before the House Judiciary Committee on 11/14/2017 that the U.S. Justice Department (which, of course, includes the F.B.I.) OPPOSED the reforms contained in The USA Liberty Act.

On 1/19/2018, FISA Sec. 702 was extended to 12/31/2023 with only typical Washington DC “Kabuki Theater” changes; for example --

- Sec. 101 of the FISA Amendments Reauthorization Act requires the F.B.I. to obtain a court order for “queries” of the data base of all communications -- BUT the F.B.I. need only CLAIM that the “query” is related to “national security” to avoid this requirement AND there is no requirement for the C.I.A. (or any other intelligence agency) to obtain such court orders!!!
- The F.B.I. can access the content of records identified by a “query” WITHOUT COURT SUPERVISION” if it claims “a reasonable belief that communication contents COULD ASSIST in mitigating or eliminating a threat to life or serious bodily harm”
- Like The USA Liberty Act, Sec. 302 of the FISA Amendments Reauthorization Act increases the maximum criminal penalty for “unauthorized removal and retention of classified documents or material” from one year of incarceration to five -- BUT does NOT increase criminal penalties for unlawful “unmaskings” of U.S. persons whose communications have been accessed!!!

This is unfortunate because the 9 participants of our 12/13/2017 meeting had considered in detail whether to launch one of our “Six Degrees Of Separation E-Mail Campaigns” to America's decision maker(s) which, with only a few computer keyboard key strokes, can be sent by each of our members (1) to the decision maker(s), and (2) to all of the member's friends and acquaintances requesting them to do the same in an unending chain --

- opposing the extension of FISA Sec. 702 “unless the Justice Department institutes prosecutions for such obvious criminal behavior imperiling our national security as (A) the Clinton Foundation in general and Uranium One in particular, (B) Hillary putting top-secret documents on a personal computer server that was less secure than g-mail and that was hacked by at least 5 foreign governments, (C) Hillary and the DNC buying false “opposition research” from the Kremlin and distributing it to the mainstream media while masking their deeds by using the Perkins Coie law firm as their agent to accomplish these illegal activities, and (D) rigging the Democratic Primaries against Bernie Sanders who was the only candidate in 2016, other than Donald Trump, standing up for American workers (which should comprise a “slam dunk” case of criminally defrauding all of Bernie Sanders’ zillions of small campaign contributors)”;

AND

- opposing the extension of FISA Sec. 702 “unless FISA Sections 702(a) and 702(c)(2), which permit the Attorney General and the Director of National Intelligence to conduct so-called “WARRANTLESS WIRETAPPING” for ONE YEAR PERIODS, are amended to provide that (A) the AG and DNI are NOT permitted to string together a series of one-year periods, (B) the AG and DNI are NOT permitted to use the “fruits of the poisonous tree” to obtain de facto “warrantless wiretapping” of a target beyond one year by simply engaging subsequently in “warrantless wiretapping” for yet another year of individuals with whom the original target communicated during the first year, and (C) even during the original one-year period, the AG and DNI must proceed as soon as possible on a “good faith” basis to obtain a FISA warrant.”

After an extensive discussion, the vote was 6-3 in favor of such an E-mail Campaign.

However, we have a rule that such campaigns must be approved with no more than one dissent. And it was clear that the 3 dissenters were more concerned with security than Orwell's "1984"!!!

In other words (which words were featured both in the meeting materials and in the discussion), the three dissenters did NOT believe in "Give Me Liberty Or Give Me Death"!!!

Our 5/16/2017 Meeting and President Trump's "Let Bygones Be Bygones" Proclamation Against Prosecutions

Our pre-meeting materials contained a "last minute" addendum noting that on 4/17/2018, the House Intelligence Committee released its Final 253-page "Report on Active Russian Measures" which included among its many factual findings --

- "When asked directly, none of the interviewed witnesses provided evidence of collusion, coordination, or conspiracy between the Trump campaign and the Russian government."
- "The Committee found no evidence that President Trump's pre-campaign business dealings formed the basis for collusion during the campaign."
- "Possible Russian efforts to set up a 'back channel' with Trump associates after the election suggest the absence of collusion during the campaign, since the communication associated with collusion would have rendered such a 'back channel' unnecessary."

On the following evening (Sat Apr 28) during a campaign rally in Detroit-suburb, Washington MI (scheduled purposely to conflict with the Annual White House Correspondents' Dinner), President Trump said that in the wake of the House Intelligence Report, America should turn the page on all of these "witch hunts" and, instead, "move forward"!!!

It was the unanimous opinion of the participants at our 5/16/2018 meeting that "letting bygones be bygones" IS BAD PUBLIC POLICY!!!

Because it reinforces the attitude of Our Intelligence Services that it can zap any Governmental Official with whom they disagree -- and nothing will be done!!!

Conclusion

Accordingly, it was the unanimous opinion of the participants at our 5/16/2018 meeting that you should institute prosecutions for such obvious criminal behavior imperiling our national security as (A) the Clinton Foundation in general and Uranium One in particular, (B) Hillary putting top-secret documents on a personal computer server that was less secure than g-mail and that was hacked by at least 5 foreign governments, (C) Hillary and the DNC buying false "opposition research" from the Kremlin and distributing it to the mainstream media while masking their deeds by using the Perkins Coie law firm as their agent to accomplish these illegal activities, and (D) rigging the Democratic Primaries against Bernie Sanders who was the only candidate in 2016, other than Donald Trump, standing up for American workers (which should comprise a "slam dunk" case of criminally defrauding all of Bernie Sanders' zillions of small campaign contributors).

Saving our democracy requires no less!!!

And, if you refuse, May God Have Mercy On Your Soul!!!

Sincerely,

John S. Karls
JD, Harvard Law School, 1967
Who's Who in American Law, 1988-2003
Who's Who in America, 1988-2003
Who's Who in the World, 1994-2003