

**EXCERPT OF PRESIDENT OBAMA'S DISCUSSION
WITH CHARLIE ROSE ON MONDAY, JUNE 17, 2013:**

Found at: <http://www.charlierose.com/download/transcript/12981>

*This picks up after earlier discussions about Afghanistan, Syria and Obama's meeting with the Chinese president. **Boldface underlining for emphasis** is added by Bill Densmore.*

CHARLIE ROSE: Let's turn to NSA.

BARACK OBAMA: Yes.

CHARLIE ROSE: You famously talked about the -- what you called the wrong choice between security and freedom. Where do you put what NSA is doing in that balance between security and freedom?

BARACK OBAMA: Well --

CHARLIE ROSE: A false choice is what you called it.

BARACK OBAMA: Let me start with the fact that at National Defense University several weeks ago when most of the focus was around the drone program and my plans in Afghanistan and the need for us to move away from a perpetual war footing that I specifically said one of the things we need to debate and examine is our surveillance programs because those were set up right after 9/11, it's now been over a decade and we have to examine them.

CHARLIE ROSE: And what should the debate be?

BARACK OBAMA: Well and what I've said and I continue to believe is that we don't have to sacrifice our freedom in order to achieve security. That's a false choice. That doesn't mean that there are not trade-offs involved in any given program, any given action that we take.

So all of us make a decision that we go through a whole bunch of security at airports which, when we were growing up that wasn't the case, right? You ran up to the gate --

CHARLIE ROSE: Exactly. You're there.

BARACK OBAMA: You're at the plane, you're running on.

CHARLIE ROSE: Right I've been there.

BARACK OBAMA: And you know it's been a while since I went through commercial flying but I guess the experience is not the same anymore, right.

CHARLIE ROSE: It is not. It's gotten worse.

BARACK OBAMA: Right and so that's a trade-off we make. The same way we make a trade-off about drunk driving. We say occasionally there are going to be checkpoints. They may be intrusive. To say there's a trade-off doesn't mean somehow that we've abandoned freedom. I don't think anybody

says we're no longer free because we have checkpoints at airports.

CHARLIE ROSE: But there is a balance here.

BARACK OBAMA: But there is a balance. So -- so I'm going to get to your -
- get to your question.

The way I view it -- my job is both to protect the American people and to protect the American way of life which includes our privacy. And so every program that we engage in, what I've said is let's examine and make sure that we're making the right tradeoffs.

Now, with respect to the NSA, a government agency that has been in the intelligence-gathering business for a very long time --

CHARLIE ROSE: Bigger and better than everybody else.

BARACK OBAMA: -- bigger and better than everybody else and we should take pride in that because they're extraordinary professionals. They're dedicated to keeping the American people safe. What I can say unequivocally is that if you are a U.S. person the NSA cannot listen to your telephone calls and the NSA cannot target your e-mails.

CHARLIE ROSE: And have not?

BARACK OBAMA: And have not. They cannot and have not -- by law and by rule. And unless they -- and usually it wouldn't be they, it would be the FBI -- go to a court and obtain a warrant and seek probable cause. The same way it's always been. The same way when we were growing up and we were watching movies, you know, you wanted to go set up a wiretap, you've got to go to a judge, show probable cause and then the judge --

CHARLIE ROSE: But have any of those been turned down? All the requests to FISA courts, have they been turned down at all?

BARACK OBAMA: Let me finish here, Charlie, because I want to make sure -- this debate has gotten cloudy very quickly.

CHARLIE ROSE: Exactly.

BARACK OBAMA: So point number one: if you're a U.S. person then NSA is not listening to your phone calls and it's not targeting your e-mails unless it's getting an individualized court order. That's the existing rule.

There are two programs that were revealed by Mr. Snowden -- allegedly, since there's a criminal investigation taking place and that caused all the ruckus. Program number one called the 2015 program. What that does is it gets data from the service providers -- like a Verizon -- in bulk. And basically you have call pairs. You have my telephone number connecting with your telephone number. There are no names, there's no content in that database. All it is, is the number pairs, when those calls took place, how long they took place. So that database is sitting there.

Now, if the NSA through some other sources -- maybe through the FBI, maybe through a tip that went to the CIA, maybe through the NYPD -- gets a number that -- where there's a reasonable, articulable suspicion that this might involve foreign terrorist activity related to al Qaeda and some other international terrorist actors -- then what the NSA can do is it can query that database to see does this number pop up. Did they make any other calls? And if they did those calls will be spit out, a report will be

produced, it will be turned over to the FBI. At in no point is any content revealed because there's no content in the database.

CHARLIE ROSE: So I hear you saying I have no problem with what NSA has been doing.

BARACK OBAMA: Well, let me finish, because I don't. So what happens is then the FBI -- if, in fact it now wants to get content, if, in fact, it wants to start tapping that phone -- it's got to go to the FISA court with probable cause and ask for a warrant.

CHARLIE ROSE: But has FISA court turned down any request?

BARACK OBAMA: Because -- first of all, Charlie, the number of requests are surprisingly small, number one. Number two -- folks don't go with a query unless they've got a pretty good suspicion.

CHARLIE ROSE: Should this be transparent in some way?

BARACK OBAMA: It is transparent, that's why we set up the FISA court. The whole point of my concern before I was president -- because some people say well, Obama was this raving liberal before, now he's Dick Cheney. Dick Cheney sometimes says, "Yes, you know, he took it all, lock stock and barrel." My concern has always been not that we shouldn't do intelligence gathering to prevent terrorism but rather are we setting up a system of checks and balances?

So, on this telephone program you have a federal court with independent federal judges overseeing the entire program and you've got Congress overseeing the program. Not just the intelligence committee, not just the judiciary committee but all of Congress had available to it before the last reauthorization exactly how this program works.

Now one last point I want to make because what you'll hear is people say "OK, we have no evidence that it has been abused so far," and they say "Let's even grant that Obama's not abusing it. There are all these processes, DOJ is examining it, it's being audited, it's being renewed periodically, et cetera.

The very fact that there's all this data in bulk it has enormous potential for abuse because they'll say, you know, "when you start look at metadata even if you don't know the names you can match it up. If there's a call to an oncologist and if there's a call to a lawyer and you can pair that up and figure out maybe this person is dying and they're writing their will and you can yield this information."

All of that is true. Except for the fact that for the government under the program right now to do that it would be illegal. We would not be allowed to do that.

CHARLIE ROSE: So what are you going to change? Are going to issue any kind of instructions to the director of National Intelligence, Mr. Clapper, and say "I want you to change it at least in this way"?

BARACK OBAMA: Here's what we need to do. But before I say that -- and I know that we're running out of time but I want to make sure I get very clear on this because there's been a lot of misinformation out there. There's a second program called the 702 program. And what that does is that does not apply to any U.S. person, has to be a foreign entity, it can only be narrowly related to counterterrorism, weapons proliferation, cyber

hacking or attacks and a select number of identifiers, phone numbers, e-mails, et cetera, those and the process has all been approved by the courts, you can send to providers the Yahoos or the Googles and what have you. And in the same way that you present essentially a warrant and what will happen then is you there can obtain content but again that does not apply to U.S. persons and it's only in these very narrow bands.

So, you asked, what should we do?

CHARLIE ROSE: Right.

BARACK OBAMA: What I've said is that what is a legitimate concern, legitimate critique is that because these are classified programs, even though we have all these systems of checks and balances, Congress is overseeing it, federal courts are overseeing it, despite all that the public may not fully know and that can make the public kind of nervous right. Because they say, "Well, Obama says it's OK or Congress says it's OK. I don't know who this judge is, I'm nervous about it."

What I've asked the intelligence community to do is see how much of this we can declassify without further compromising the program, number one. And they're in that process of doing so now. So that everything that I'm describing to you today -- people, the public, newspapers, et cetera, can look at because frankly people are making judgments just based on these slides that have been leaked they're not getting the complete story.

Number two, I've stood up a privacy and civil liberties oversight board made up of independent citizens, including some fierce civil libertarians. I'll be meeting with them and what I want to do is to set up and structure a national conversation not only about these two programs but also about the general problem of these big data sets because this is not going to be restricted to government entities.

CHARLIE ROSE: Let me just ask you this: if someone leaks all this information about NSA surveillance, as Mr. Snowden did, did it cause national security damage to the United States and therefore should he be prosecuted?

BARACK OBAMA: I'm not going to comment on prosecutions.

CHARLIE ROSE: OK.

BARACK OBAMA: He -- the case has been referred to the DOJ for criminal investigation.

CHARLIE ROSE: And possible extradition.

BARACK OBAMA: And possible extradition. I will leave it up to them to answer those questions.

CHARLIE ROSE: So what's your fear -- what's your fear about this?

BARACK OBAMA: **Look, we have to make decisions about how much classified information and how much covert activity we are willing to tolerate as a society.** And we could not have carried off the bin Laden raid if it was on the front page of papers. I think everybody understands that. So that will be --

CHARLIE ROSE: Of course that, but I don't want to say what the relevance of that is.

BARACK OBAMA: Well no, no, the reason I'm saying that is that we're going to have to find ways where the public has an assurance that there are checks and balances in place, that they have enough information about how we operate. That they know that their phone calls aren't being listened into, their text messages aren't being monitored, their e-mails are not being read by some Big Brother somewhere. They have to feel that confidence and that it is not potentially subject to abuse because there's sufficient checks and balances on it while still preserving our capacity to act against folks who are trying to do us harm.

And it's not just terrorists. We already talked about cyber theft. We already talked about potentially critical infrastructure that could be compromised. You know, there were a handful of yokels up in New York who stole \$45 million out of ATMs over the course of I think it was 18 hours and the public expects me and the Justice Department and others to protect them from those things. To make sure that their bank accounts aren't being compromised, their medical records aren't being compromised. All that stuff requires the government to have some capacity to engage with the private sector and to have some of --

(CROSSTALK)

CHARLIE ROSE: And we ought to have a debate about it all.

BARACK OBAMA: So we have to have a debate about it.

CHARLIE ROSE: Let me turn to a number of things. Let me just -- before I do, though, the notion of -- that you have simply continued the policies of Bush/Cheney. Does it -- how do you -- how does that make you feel? How do you assess it? Because many people say, you know, you're Bush/Cheney light and then people write columns saying, "No, no, he's not that at all. He's tougher in terms of drones, in terms of surveillance, in terms of many things, Guantanamo Bay."

BARACK OBAMA: Well, look. I haven't yet closed Guantanamo so one of the things you learn as president is "What have you done for me lately?" If you didn't get it done, then it's your problem and I accept that. That's my job. So ideal I close Guantanamo Bay, they're right. I haven't closed Guantanamo Bay. When it comes to --

CHARLIE ROSE: Drones?

BARACK OBAMA: -- when it comes to drones I gave an entire speech on this and what I have said is -- and this is absolutely true -- is that we have put in place a whole series of measures that are unprecedented and we will continue to do so. You know, we ended enhanced interrogation techniques. We ended some of the detention policies that had been in place that violated our values.

There are a whole range of checks and balances that we put in place. But I think it's fair to say that there are going to be folks on the left and -- you know, what amuses me is now folks on the right who were fine when it was a Republican president but now Obama's coming in with a black helicopter.

CHARLIE ROSE: Politics makes strange bedfellows, doesn't it?

BARACK OBAMA: Who are not yet going to be satisfied, I've got to tell you, though, Charlie, generally I think this is a healthy thing because it's a

sign of maturity that this debate would not have been taking place five years ago. And I welcome it. I really do.

(CROSSTALK)

BARACK OBAMA: Because I -- because I -- contrary to what I think some people think the longer I'm in this job the more I believe on the one hand that most folks in government are actually trying to do the right thing. They work really hard, they're really dedicated --

CHARLIE ROSE: But you are frustrated --

BARACK OBAMA: -- but let me say this. That's on the one hand. On the other hand what I also believe is, you know, it's useful to have a bunch of critics out there who are checking government power and who are making sure that we're doing things right so that if we triple checked how we're operating any one of these program, let's go quadruple check it. And I'm comfortable with that and I'm glad to see that we are starting to do that.

The one thing people should understand about all these programs though is they have disrupted plots. Not just here in the United States but overseas as well. You have a guy like Najibullah Zazi --

CHARLIE ROSE: Right.

BARACK OBAMA: -- who was driving across country trying to blow up a New York subway system. We might have caught him some other way. We might have disrupted it because a New York cop saw he was suspicious. Maybe he turned out to be incompetent and the bomb didn't go off.

But at the margins, we are increasing our chances of preventing a catastrophe like that through these programs and then the question becomes can we trust all the systems of government enough, as long as they're checking each other, that our privacy is not being abused but we are able to prevent some of the tragedies that, unfortunately, there are people out there who are going to continue to try to strike against us.

CHARLIE ROSE: We've talked mostly about national security and talked about the responsibilities around the world and you certainly indicated by the last answer that the number one responsibility of a president is national security to keep the American people safe.

BARACK OBAMA: Right.

CHARLIE ROSE: Correct?

BARACK OBAMA: Well it's my number one priority because if I don't get right obviously, we don't get anything right. I will say, though, that I think that the biggest challenge we face right now in addition to the ongoing challenge of national security is having recovered from the worst recession since the Great Depression, having dug our way out, with the economy now growing, jobs being created, auto industry back, stock market back, housing recovering by about 10 percent in terms of prices. How do we now go back to the issue that led me to run for president in the first place -- which is the fact that the economy is not working for everybody, that we have the structural problems that could lead us to second-rate status if they continue.

CHARLIE ROSE: The level of debt and all that.

BARACK OBAMA: Well, here's what I would say. Number one we've got to make sure that we have an education system that is meeting the challenge of the 21st century; number two, that we've got a great infrastructure; number three that our lead in research and development continues; number four that we are ensuring that we've got a tax code that's sensible and allows us to grow; and number five, in addition to deficits and a stable fiscal system, that we also have a country where the idea that anybody can make it if they work hard and that there are ladders of opportunity and a middle-class is growing, that that continues.

And, you know, one of the biggest challenges that I see -- along with some things like climate change, by the way, that we haven't had time to talk about so far -- is the fact that we have recovered from the worst of the crisis but the underlying problem -- which is growing inequality, wages and incomes stagnant or even going down in some cases for middle-class families, that trend line has continued. It's not unique to America. We're seeing it worldwide. It's partly because of globalization, partly because of technology.

We've got to address that if we are going to continue to be the greatest nation on earth. And that is the thing that I'm going to be focused on for the remainder of my presidency, along with the basics like making sure nobody blows us up.

CHARLIE ROSE: Some people would like to see you announce that you are reappointing Ben Bernanke as chairman of the fed.

BARACK OBAMA: Well, I think Ben Bernanke's done an outstanding job. Ben Bernanke's a little bit like Bob Mueller, the head of the FBI --

CHARLIE ROSE: Yes.

BARACK OBAMA: -- where he's already stayed a lot longer than he wanted or he was supposed to. But I think he's --

CHARLIE ROSE: But if he wanted to be reappointed you would reappoint him?

BARACK OBAMA: He has been an outstanding partner along with the White House in helping us recover much stronger than, for example, our European partners from what could have been an economic crisis of epic proportions.

CHARLIE ROSE: I'm at the end of my time but I do take this opportunity to say "Happy Father's Day". You're off to a recital by Sasha or Malia -- I'm not sure which one.

BARACK OBAMA: Sasha, yes. She's the dancer in the family.

CHARLIE ROSE: And you have spoken well about fatherhood and what it means and the absence of having a father, you know, has given you a sense of appreciation of what a father can mean to the life of children. And I thank you for taking time on this day to share a conversation about the country.

BARACK OBAMA: Well, I appreciate it very much, Charlie. Thank you so much.

CHARLIE ROSE: Thanks. Great to see you.

(END VIDEOTAPE)

CHARLIE ROSE: A footnote to my interview with the President on Sunday. When he came into the room I mentioned to him that I just had the Irish author Colum McCann talking about his new book "Transatlantic". McCann won the National Book Award for his earlier book, "Let the Great World Spin". I thought the President would be particularly interested because the book in part is about Frederick Douglass who went on a speaking trip to Ireland in 1845 and because it is in part about George Mitchell after negotiating peace in Northern Ireland.

Obviously the President knows the work of Colum McCann and the life of Frederick Douglass. Having said that -- surprise, surprise -- and assuming no connection between our conversation and his speech, here's what the President said today in Belfast.

(BEGIN VIDEO CLIP)

BARACK OBAMA: All of you, every single young person here today possess something the generation before yours did not and that is an example to follow. When those who took a chance on peace got started they didn't have a successful model to emulate, they didn't know how it would work but they took a chance. And so far it has succeed and the first steps are the hardest and requires the most courage. The rest now is up to you.

"Peace is indeed harder than war" -- the Irish author, Colum McCann, recently wrote that -- "And its constant fragility is part of its beauty." A bullet need happen only once but for peace to work we need to be reminded of its existence again and again and again.

And that's what we need from you. That's what we need from every young person in Northern Ireland and that's what we need from every young person around the world. You must remind us of the existence of peace, the possibility of peace. You have to remind us of hope again and again and again. Despite resistance, despite setbacks, despite hardship, despite tragedy -- you have to remind us of the future again and again and again.

I have confidence you will choose that path. You will embrace that task. And to those who choose the path of peace I promise you the United States of America will support you every step of the way. We will always be a wind at your back and as I said when I visited two years ago, I am convinced that this little island that inspires the biggest of things, this little island, its best days are yet ahead.

(END VIDEO CLIP)

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