



## Episode 772: NSA Surveillance: Founder of Software Engineers for Liberty Speaks Out

Guest: Brandon Navom

**WOODS:** Tell us about your background, because I want to talk about some issues that are of interest to you and to the audience, and I want people to know why it is that you're hear, like what experience you've had that's given you insight into these questions.

**NAVOM:** Great. So yeah, I think growing up I've always been a libertarian-oriented person, and I'm a software engineer. I had gone to school for computer science, got my master's degree, but I found myself in a very precarious situation as a libertarian working for what's called a Federally Funded Research and Development Center, and this is a fancy way of saying government think-tank. And so I found myself working on projects where I had to keep and hold secret information and got my security clearance, and these two parts of my brain kind of had to coexist in both keeping classified secrets and staying true to my beliefs and to the Constitution.

**WOODS:** All right, so let's talk about a couple things. I mean, I think most people are probably sick of Hillary Clinton's emails, but I bet on the other hand there are still some people who feel like, well, she was after all not convicted of anything, and she does defend herself; she at least seems to have some kind of an argument. So maybe at the very least it's ambiguous what happened. Why is that not a tenable position?

**NAVOM:** Well, here is my – the call this in the military BLUF, bottom line up front, what's your angle. And it's very simple. I as someone who holds a security clearance, who has been trained in how to handle secure documents, if I were to do what Hillary Clinton did, I would be in jail. And I have yet to find a single person who has been trained on classified information who would say no, that's not the case that they as the average person would not be in jail. And I would love to hear the media find anyone who can make that claim, because I don't think there's a single person out there who holds a security clearance who would say what she did was right.

**WOODS:** All right, let's go now to a subject that is a perennial one. Hillary Clinton's emails will be dead and gone soon enough, but the NSA persists. Now, let's talk about, first of all, what contact did you have with the NSA or its programs so that you would know something about it?

**NAVOM:** So one of the biggest things that Edward Snowden spoke about that I believe flies over the head of the average person is that there's a terrible trend in the military

where we are putting contractors, civilians, in place of military personnel. And the reason why that's a problem is the military personnel have taken an oath to the Constitution, and there's at least a little bit of a barrier where they're unwilling to do things that blatantly violate the Constitution, whereas someone who is a government contractor really doesn't even have an understanding of where they're violating your constitutional rights, and many times they either don't care or they are more concerned with advancing their own career.

I think there's no more evident case of this than when I worked on a program that was dealing with flying Predator drones, Reaper drones along the border for border surveillance, and this program needed to deconflict airspace; they needed to understand where the civilian aircraft were in order to not run into them. But the problem was there's this tradition called posse comitatus, where the military is not allowed to track civilian populations, and they felt that this civilian population getting this commercial airline information would be considered tracking a civilian population. And therefore they would go use the web services to get that information, they would deconflict the airspace, and then they would not allow it to go to hard disk. They would just let it go out of scope.

So this is one instance in which a government-run program was not willing to store on its hard disks civilian information for some very legitimate reasons. I mean, not running into airplanes is a good reason to hold it. And yet they wouldn't, because they understood their duty and their responsibility and didn't even want to flirt with violating that trust. And then you compare that to the NSA spying and the blatant constitutional overreach and just flat-out ignoring of the Constitution, and it is a night-and-day difference. And I think a big part of that is having civilians in what are traditionally military roles.

**WOODS:** Now, what about – all right, let me play devil's advocate with the NSA. The program that we found out about after the media sat on it, basically, was that they had this dragnet style of sweeping up information, but it's so overwhelming the amount of information they have; it's not even clear what you could really do with that much information. But all right, they've got it. And they could say, look, we're taking all kinds of precautions and we have no stories of abuse –

**NAVOM:** (laughing)

**WOODS:** – we have no congressmen being blackmailed. We have none of this stuff. What are you people worried about? We have to do something about the potential of people who want to set off a bomb in a shopping mall. What do you suggest?

**NAVOM:** Well, I find that funny, because they talk about all of these protections and things like that. From someone who's on the inside, there are no protections. They don't have the ability to – they don't have a desire to keep your information safe. They are not looking out for you. And on the other hand, it's exactly what you said. They are storing this information, so what are they doing with it? If they can't do anything with it or they don't have the ability to do something positive with it, why are they storing it in the first place? And I think the potential for them to do bad far outweighs the potential for them to do something good. And if you look at, there's this age-old argument where they say, well, if you're not doing anything wrong, if you don't

have anything to hide, if you're not doing anything wrong, why are you opposed to them doing this? I mean, is that the kind of argument that you're putting up, Tom?

**WOODS:** Oh yeah, absolutely. I think a lot of Americans would feel that way. They'd say, look, if you looked at my text messages there might be some, let's say, inappropriate things there, but there'd be nothing that I couldn't live with somebody seeing if it was a matter of life and death.

**NAVOM:** Well, Tom, in response I'd say can you please tell me the last five people you've had sexual intercourse with.

**WOODS:** All right, so what are you saying here? Are you saying that they would be getting access to sensitive information?

**NAVOM:** Yeah, you're not a terrorist, are you? You should be able to readily put that information out there. If you're not a terrorist, you should have nothing to hide.

**WOODS:** All right, so then I would come back with – and of course you know this is not me talking; this is some Schmoie. But I would come back with, if a total stranger finds out the names of strangers who have been intimate with another stranger, what the heck difference does that make?

**NAVOM:** Well, I find it funny that there was a journalist who came up with a document that said the signer gives them the ability to go through all of their email, all of their personal information, and post everything or anything that they would like to publicly. And there is yet to be a single person who has stood up and said I will in fact sign this. I have no problem with any of my personal information being put out there. And it's not just that the personal information is out there. What's going to be done with it, and how is it going to be interpreted? The quote that keeps on ringing in my mind comes from a 17th century French cardinal who says if you give me six lines written by the hand of the most honest of men, I will find something in them which will hang them.

And when you think about this, at the same time Hillary Clinton with all of these emails where she said let's go take out Julian Assange and says, oh no, it was just a joke; I was kidding. So she wants us to give her the most benefit of the doubt, to put it in the best possible light when her information comes out, but yet when our information comes out I assure you it will be judged in the worst possible light. If you look at people like Adam Kokesh, who had his house raided after he had a video where he could potentially have done something illegal with a gun or it could have been a green screen, did the government give him the benefit of the doubt and say let's interpret this in the most favorable possible way, or did they go and SWAT raid his house? I mean, they said let's not wait and see what this information is; let's use this in its worst possible light.

**WOODS:** So you're saying that that's likely the way that information gathered in this manner would also be treated.

**NAVOM:** Absolutely. And when you couple that with just the sheer power of this kind of, what they call, big data analytics, it's funny; being a libertarian I think we're all great and wonderful, beautiful individuals, but when I became a data scientist, part of me said, man, we're all kind of sheep, because we as human beings have a very predictable behavior pattern, and I think when people kind of understand this, they realize just what kind of power we're dealing with here.

So one example is the Target case study, and this is where Target sent some coupons to a 16-year-old girl containing all sorts of cheap diapers and baby products, and her father got enraged and went to the Target and said, how dare you send these advertisements for baby products to my sweet little darling. And the person there said, okay, the manager will call you back tomorrow. When the manager made the phone call the next day, the father was much more apologetic and said, I'm sorry, there's been a life-change event at our house. My daughter is expecting in November. So Target knew that a teenage girl was pregnant before the father did.

Now, the real interesting questions are how and why, and the why is the Target data analytics team realized that people have real, dependable, predictable behavior patterns. But when they go through life-change events, they tend to pick up new habits, and they keep them for a very long time. So they said, hey, if we can identify and target life-change events, we can then get Target customers and then keep them as customers for a very long time. So they said, okay, well, what life-change events can we predict in our buying patterns at Target. And what they realized was that when women become pregnant, they go from buying a lot of scented things to buying a lot of unscented things, and whether it's because they do it consciously or they do it unconsciously because they're nauseated by smells, this is a real clear signal indicator in the data.

So Target did this. They advertised so well that actually people started to get creeped out by the fact that they were getting targeted, and they started having to kind of hide the coupons in with other coupons for tractors and things like that. But they said we'll be the cheapest on diapers; we'll get those women to be Target customers in the future.

So this is what they're capable of doing with just Target product buying habits, and so if you then extrapolate that to what the NSA is doing – and let me preface this by saying I'm not trying to lead up to any kind of Tom Woods awkward segue here. But if I don't agree with what Target is doing, I can disassociate myself from Target. I can stop giving them my money. You know what you can't do with the government? You can't stop giving them your money. You can't disassociate yourself from them, because even if you move out of the country they're going to have even more leeway to track you. So that is just kind of one aspect of the power of big data analytics.

**WOODS:** All right, I want to ask you about your thoughts for a minute on what Kevin Kelly has to say about this. He's an interesting libertarianish tech guy. Let's first thank our sponsor.

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All right, I was telling you about Kevin Kelly. He wrote a very, very interesting book called *The Inevitable* about 12 technological trends that are going to change our world, and it's a very, very persuasive book. But he talks about surveillance and data collection, and he says, look, this is a tool in the state's toolkit, and it's just not going to give it up, so you might as well just get used to it, try to make sure it's done in the public interest, but you're not ever going to get rid of it, so it's a fool's errand to try. What do you think about that?

**NAVOM:** Wow. In addition to just being horribly defeatist, I think that it's probably the most wrong thing I could possibly imagine. I mean, we are a distinct advantage against the state in the realm of technology. If the government decides to tax your brick and mortar institution, it is very difficult and time consuming and costly to get around that regulation, taxation. With technology, there is such an ability to move at such an amazing pace. I believe it was McDonald's when they first starting coming out with toys, and everybody copied them, and their CEO said, don't worry, we can innovate faster than they can steal. And the Internet has been this wonderful, open experience of free exchange precisely because government is too stupid and too slow-moving to be able to keep up with the pace of innovation. So my thought on that is exactly the opposite. So if we all used encryption, if we all communicated in an encrypted manner, that would give a much better ability for everyone to keep what they're doing out of the government and prying eyes. So I think there's more we can do at a quicker pace than in any other area to combat the government.

**WOODS:** You started something called Software Engineers for Liberty. What is it that software engineers can contribute to the cause of liberty?

**NAVOM:** Well, that's great, a great question. I think whether it's in a political realm, the greatest asset the liberty movement has is we have a lot of technically aware folks, so whether it's using bitcoin, whether it's writing an app or helping politicians have a door-knocking app or things like that. Or another big one, my friend Ladar Levison, who's starting Dark Mail, who originally had Lavabit, which was a secure way to communicate that Edward Snowden allegedly used and was shut down by the government. So this is his reincarnation of that. So whether it's finding ways to subvert the government, finding ways where people can communicate in a free and open way, or helping those people who have the biggest voices for promoting liberty, this is all in the mission of Software Engineers for Liberty.

**WOODS:** All right, now I want to ask you about the time that you were in effect, somebody was trying to recruit you for the NSA. Can you tell us about what happened?

**NAVOM:** Yeah. So I was working at my government think-tank job, and some of the technology I was using was very similar to what the NSA was using, and it's really interesting to kind of see this progression, because if you look at the amount of information the NSA is allegedly storing, they couldn't have done that ten years ago. It just wasn't simply technologically possible. So there was this whole NoSQL revolution which allowed us to have linear scalability of systems, which allowed us to scale up the whole massive stores of data. So Google, Facebook, these entities said we need to store more data, and we came up with the solution. So we all started kind of playing around with these NoSQL implementations. And so one of the projects I was working on had that skill set, and I was kind of pushed into the direction for a top secret

project. And top secret interviews are kind of interesting. So you interview for a program, and then you go and do the interview, and then they give you the clearance for that particular SCI clearance. So when you interview, you don't really know what you're interviewing for.

So what happened was I got into this interview, and I figured out about halfway through that it was going to be for the NSA's bulk metadata collection program. And let's just say Edward Snowden's name came up. And I kind of laughed, and they said, well, you realize that you have to hold secrets, and I said, oh, of course I understand there's a work contract, and that means I have to maintain certain secrets and things. And they said, well, what if you were really morally opposed to the secrets you were holding. Would you still keep those secrets then? And I knew what he wanted me to say, and I thought about it for a second, and I said, well, I've been working here at MITRE for five years now, and I love this place, and I respect its integrity. And I trust that MITRE would never put me in a moral position where I would have to compromise my principles. And the guy just had a deer-in-the-headlights look —

**WOODS:** Yeah, because what is going to say to that, the way you phrased it, right?

**NAVOM:** Yeah. And I made him feel like he was the one who was doing something immoral, and he just didn't know how to respond to that. And so needless to say I didn't get the job after that interview, and that was pretty much the time when I realized that I had to stand up for my moral principles and I had to leave that job.

**WOODS:** Wow. Well, I'll tell you, there are a lot of people in the world who would rationalize the situation and say, look, I've got to support myself somehow and at least it'll be good to have one of the good guys on the inside. You could easily imagine. Were you ever tempted by any of those voices in your head?

**NAVOM:** Boy, boy, that's a tough question, because people — I had some influences who were saying, be the next Edward Snowden, go underground, be a mole. And I don't like to talk about my reasoning for that, because my fear would be that the state would create a profile of people and then use that to kind of selectively weed people out. And the other part of that was I had started to become more well known in the liberty movement, and I had for a while tried to maintain a low profile, and certain people in the liberty movement would be like, well, is this guy a mole for the government, and started to kind of not believe the things I was saying.

So at one point I had to make a decision of do I stay quiet, or do I come out and be a kind of activist for liberty and then go on to be someone who kind of explains the voice, explains the story afterwards, and has that ability. Because in my opinion, the problem really isn't in the knowledge of what's happening. Like, the reason people aren't more upset is because there is a real dearth of people who have both the technical knowledge and the domain knowledge, as well as a constitutional understanding. There's an old joke of, how do you tell the extroverted engineers from the engineers? Well, the extroverted engineers are the ones who stare at *your* shoes.

**WOODS:** Yeah. But in your case it seems like you violate that principle, right? I mean, you seem to be —

**NAVOM:** Well, here's the funny part, right? So when I got to this government think-tank, I'm more than happy to be a nerd and sit down in the basement and never see the light of day, just do really cool nerd stuff. And I got to this government think-tank, and I thought it was going to be for engineers, by engineers, and it absolutely was not the case. You had some people who were really smart, but there was this whole giant management layer that they would just go and they would just have this amazing ability to sell. So it wasn't the best ideas that would get funded; it was the people who could present those ideas in the best light.

And so after having some really great ideas be turned down, I said, well, fine, if this is what I have to do, I'm going to then go and learn how to sell, go to Toastmasters, learn how to present in front of people, and be able to sell myself and my ideas. So in a weird way, they kind of created me. They gave me the ability to announce and sound the alarm to this critical, critical violation of our constitutional rights.

And I think Snowden did an amazing job of explaining what was going on, but I think where he lacks is in relating it to the average person's life. I don't know if you saw the John Oliver interview with Edward Snowden, and at first he went around people, and they really didn't care about what was going on. But then he went back and talked to people and said, do you understand that the government is storing your dick pics and can then use them to blackmail you later? And people were just outraged. They were like, oh my God, they have my dick pics. Well, maybe we need to get a little less explaining things on the side of constitutionality and more on the dick pics side, honestly.

And I think there's no more of a perfect time to do that than right now, with Donald Trump and Hillary Clinton, because half of the country is just absolutely dreading the thought of Donald Trump being in the White House, and half of the country is absolutely dreading the thought of Hillary Clinton being in the White House. So let me just kind of take one example from each of them and see how this would affect your life.

So we all know that Hillary Clinton, if she had the opportunity in a perfect world, would take away everyone's guns. She's said this on many occasions. So how could NSA spying affect this? Well, if I had the data that the NSA is allegedly collecting, what I could do is I could make a de facto list of every gun owner in America. All you have to do is go to a gun owner and ask them, have you ever called a gun store or a sportsman's club? Have you ever gone into a gun store with a smartphone in your pocket? Have you ever paid for a gun or ammunition with a credit card? Do you buy *Field & Stream* magazine? All of these different data points can be meshed together to come up with a very coherent picture of who you are and what you do.

Now, there are some extra cautious people who will say I make sure I never do any of that. And to those people I would say, well, even if you don't do any of that, even if you pay for everything in cash, etc., I can come up with a profile in which I could actually model a person based upon their behaviors and then imprint that on other individuals. So say when you go to your local sportsman's association, look at how everyone has the same vehicle. They wear the same clothes. They all go to Bass Pro Shop and Cabela's. They all watch the same TV shows. And I can imprint that, and

what you can do is actually come up with a de facto gun registry in America. So if you are a Second Amendment supporter, you by necessity must be against NSA spying.

Now, I can take that one step further, and I can actually use that data to profile people and say, well, who are the high resistors? Who are the people who are going to, when they get that knock at the door, who are the people who are going to shoot back with their guns? And I could put it on a scale and find the high resistors, and those are the people who get the 3 am no-knock raid, whereas the people who, if they got the knock on the door with the sheriff, they would just give up their guns. And you start the top down, and you could very easily use this technology as an enabler for a complete gun confiscation. So that's for the people who fear Hillary Clinton in the White House.

The people who fear Donald Trump in the White House: he's talked about deporting illegal immigrants. People who have come into this country do so in a very predictable pattern. So they know people who are already in the country. Their movements occur because of predictable patterns of known associations. So you can actually graph these associations through things like telephone calls and things like that to get a picture of who are the people who are in this country illegally and where they currently are. I mean, when you have all of the phone calls in America, it is really not that difficult to figure out who's pressing 2.

So given all of this, there's an Edward Snowden quote which resounds with me and echoes in my head, and it's simply this:

"The greatest fear that I have regarding the outcome of America with these disclosures is that nothing will change. People will see in the media all of these disclosures, they'll know the lengths that the government is going to grant themselves powers unilaterally created to control American society and global society, but they won't be willing to take the risks necessary to stand and fight to change things, to force their representatives to take a stand in their interests. And in the months ahead, in the years ahead, it's only going get worse until eventually there will be a time where politicians will change because the only thing that restricts the activities of the surveillance state are policy. Even our agreements with other sovereign governments we consider a stipulation of policy rather than a stipulation of law, and because of that a new leader will be elected, they'll find a switch, and say because of this crisis, because of the dangers we face in the world, because of some new and unpredicted threat, we need more authority, we need more power. And there will be nothing the people can do at that point to oppose it, and it will be turnkey tyranny."

And I listen to that quote, and I can't help but think that that turnkey tyranny that Snowden talked about could be mere days away.

**WOODS:** Brandon, I've been looking online actually for any way that people can find your or look at work you've done, and I can't find much of an online presence for you. Is there a website I'm missing that people should know about?

**NAVOM:** Yeah, so Software Engineers for Liberty, we actually communicate mostly through Facebook. You can go to [SoftwareEngineersforLiberty.com](http://SoftwareEngineersforLiberty.com). I thought that was

a little bit long of a URL, so I actually just bought FreedomCoders.org, and I am right about to point that at our website.

**WOODS:** Okay, I am writing that down, so we will link to that at TomWoods.com/772. I bet you we've got some kindred spirits here who listen in who might want to join you over there, so I hope you'll get a little bit of a bump from this episode. I'm glad we had a chance to talk and you were able to share what you had to say with the audience, who are very, very interested in all of this stuff. And it's the sort of thing that seems — you know, you read a *National Review* article about it, and they make it sound like it's a whole lot of worrying about nothing. Then you look at it more closely, and you say, what are you, a complete idiot? Of course this isn't worrying about nothing. So I'm glad you came on to remind us of that. Thanks so much.

**NAVOM:** Thank you so much for having me.