

# Exhibit 1

December 2, 2013



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# Top-Secret Document Reveals NSA Spied On Porn Habits As Part Of Plan To Discredit 'Radicalizers'

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WASHINGTON -- The National Security Agency has been gathering records of online sexual activity and evidence of visits to pornographic websites as part of a proposed plan to harm the reputations of those whom the agency believes are radicalizing others through incendiary speeches, according to a top-secret NSA document. The document, provided by NSA whistleblower Edward Snowden, identifies six targets, all Muslims, as "exemplars" of how "personal vulnerabilities" can be learned through electronic surveillance, and then exploited to undermine a target's credibility, reputation and authority.

The NSA document, dated Oct. 3, 2012, repeatedly refers to the power of charges of hypocrisy to undermine such a messenger. "A previous SIGINT -- or signals intelligence, the interception of communications -- "assessment report on radicalization indicated that radicalizers appear to be particularly vulnerable in the area of authority when their private and public behaviors are not consistent," the document argues.

Among the vulnerabilities listed by the NSA that can be effectively exploited are "viewing sexually explicit material online" and "using sexually explicit persuasive language when communicating with inexperienced young girls."

BACKGROUND (U)

(TS//SI//REL TO USA, FVEY) A previous SIGINT assessment report on radicalization indicated that radicalizers appear to be particularly vulnerable in the area of authority when their private and public behaviors are not consistent. (A) Some of the vulnerabilities, if exposed, would likely call into question a radicalizer's devotion to the jihadist cause, leading to the degradation or loss of his authority. Examples of some of these vulnerabilities include:

- Viewing sexually explicit material online or using sexually explicit persuasive language when communicating with inexperienced young girls,
- Using a portion of the donations they are receiving from the susceptible pool to defray their own personal expenses;
- Charging an exorbitant amount of money for their speaking fees and being singularly attracted by opportunities to increase their stature; or
- Being known to base their public messaging on questionable sources or using language that is contradictory in nature, leaving them open to credibility challenges.

(TS//SI//REL TO USA, FVEY) Issues of trust and reputation are important when considering the validity and appeal of the message. It stands to reason that exploiting vulnerabilities of character, credibility, or both, of the radicalizer and his message could be enhanced by an understanding of the vehicles he uses to disseminate his message to the susceptible pool of people and where he is vulnerable in terms of access.

NSA

The Director of the National Security Agency -- described as "DIRNSA" -- is listed as the "originator" of the document. Beyond the NSA itself, the listed recipients include officials with the Departments of Justice and Commerce and the Drug Enforcement Administration.

"Without discussing specific individuals, it should not be surprising that the US Government uses all of the lawful tools at our disposal to impede the efforts of valid terrorist targets who seek to harm the nation and radicalize others to violence," Shawn Turner,

director of public affairs for National Intelligence, told The Huffington Post in an email Tuesday.

Yet Jameel Jaffer, deputy legal director of the American Civil Liberties Union, said these revelations give rise to serious concerns about abuse. "It's important to remember that the NSA's surveillance activities are anything but narrowly focused -- the agency is collecting massive amounts of sensitive information about virtually everyone," he said.

"Wherever you are, the NSA's databases store information about your political views, your medical history, your intimate relationships and your activities online," he added. "The NSA says this personal information won't be abused, but these documents show that the NSA probably defines 'abuse' very narrowly."

None of the six individuals targeted by the NSA is accused in the document of being involved in terror plots. The agency believes they all currently reside outside the United States. It identifies one of them, however, as a "U.S. person," which means he is either a U.S. citizen or a permanent resident. A U.S. person is entitled to greater legal protections against NSA surveillance than foreigners are.

Stewart Baker, a one-time general counsel for the NSA and a top Homeland Security official in the Bush administration, said that the idea of using potentially embarrassing information to undermine targets is a sound one. "If people are engaged in trying to recruit folks to kill Americans and we can discredit them, we ought to," said Baker. "On the whole, it's fairer and maybe more humane" than bombing a target, he said, describing the tactic as "dropping the truth on them."

Any system can be abused, Baker allowed, but he said fears of the policy drifting to domestic political opponents don't justify rejecting it. "On that ground you could question almost any tactic we use in a war, and at some point you have to say we're counting on our officials to know the difference," he said.

In addition to analyzing the content of their internet activities, the NSA also examined the targets' contact lists. The NSA accuses two of the targets of promoting al Qaeda propaganda, but states that surveillance of the three English-speakers' communications revealed that they have "minimal terrorist contacts."

In particular, "only seven (1 percent) of the contacts in the study of the three English-speaking radicalizers were characterized in SIGINT as affiliated with an extremist group or a Pakistani militant group. An earlier communications profile of [one of the targets] reveals that 3 of the 213 distinct individuals he was in contact with between 4 August and 2 November 2010 were known or suspected of being associated with

terrorism," the document reads.

The document contends that the three Arabic-speaking targets have more contacts with affiliates of extremist groups, but does not suggest they themselves are involved in any terror plots.

Instead, the NSA believes the targeted individuals radicalize people through the expression of controversial ideas via YouTube, Facebook and other social media websites. Their audience, both English and Arabic speakers, "includes individuals who do not yet hold extremist views but who are susceptible to the extremist message," the document states. The NSA says the speeches and writings of the six individuals resonate most in countries including the United Kingdom, Germany, Sweden, Kenya, Pakistan, India and Saudi Arabia.

The NSA possesses embarrassing sexually explicit information about at least two of the targets [by virtue of electronic surveillance of their online activity](#). The report states that some of the data was gleaned through FBI surveillance programs carried out under the Foreign Intelligence and Surveillance Act. The document adds, "Information herein is based largely on Sunni extremist communications." It further states that "the SIGINT information is from primary sources with direct access and is generally considered reliable."

According to the document, the NSA believes that exploiting electronic surveillance to publicly reveal online sexual activities can make it harder for these "radicalizers" to maintain their credibility. "Focusing on access reveals potential vulnerabilities that could be even more effectively exploited when used in combination with vulnerabilities of character or credibility, or both, of the message in order to shape the perception of the messenger as well as that of his followers," the document argues.

[An attached appendix](#) lists the "argument" each surveillance target has made that the NSA says constitutes radicalism, as well the personal "vulnerabilities" the agency believes would leave the targets "open to credibility challenges" if exposed.

One target's offending argument is that "Non-Muslims are a threat to Islam," and a vulnerability listed against him is "online promiscuity." Another target, a foreign citizen the NSA describes as a "respected academic," holds the offending view that "offensive jihad is justified," and his vulnerabilities are listed as "online promiscuity" and "publishes articles without checking facts." A third targeted radical is described as a "well-known media celebrity" based in the Middle East who argues that "the U.S perpetrated the 9/11 attack." Under vulnerabilities, he is said to lead "a glamorous lifestyle." A fourth target, who argues that "the U.S. brought the 9/11 attacks on itself" is said to be vulnerable to accusations of "deceitful use of funds." The document expresses the hope that revealing damaging information about the individuals could undermine their perceived "devotion to the jihadist cause."

The Huffington Post is withholding the names and locations of the six targeted individuals; the allegations made by the NSA about their online activities in this document cannot be verified.

The document does not indicate whether the NSA carried out its plan to discredit these six individuals, either by communicating with them privately about the acquired information or leaking it publicly. There is also no discussion in the document of any legal or ethical constraints on exploiting electronic surveillance in this manner.

While Baker and others support using surveillance to tarnish the reputation of people the NSA considers "radicalizers," U.S. officials have in the past used similar tactics against civil rights leaders, labor movement activists and others.

Under J. Edgar Hoover, the FBI harassed activists and compiled secret files on political leaders, most notably Martin Luther King, Jr. The extent of the FBI's surveillance of political figures is still being revealed to this day, as the bureau releases the long dossiers it compiled on certain people in response to Freedom of Information Act requests following their deaths. The information collected by the FBI often centered on sex -- homosexuality was an ongoing obsession on Hoover's watch -- and information about extramarital affairs was reportedly used to blackmail politicians into fulfilling the bureau's needs.

Current FBI Director James Comey recently ordered new FBI agents to visit the Martin Luther King, Jr. Memorial in Washington to understand "the dangers in becoming untethered to oversight and accountability."

James Bamford, a journalist who has been covering the NSA since the early 1980s, said the use of surveillance to exploit embarrassing private behavior is precisely what led to past U.S. surveillance scandals. "The NSA's operation is eerily similar to the FBI's operations under J. Edgar Hoover in the 1960s where the bureau used wiretapping to discover vulnerabilities, such as sexual activity, to 'neutralize' their targets," he said. "Back then, the idea was developed by the longest serving FBI chief in U.S. history, today it was suggested by the longest serving NSA chief in U.S. history."

That controversy, Bamford said, also involved the NSA. "And back then, the NSA was also used to do the eavesdropping on King and others through its Operation Minaret. A later review declared the NSA's program 'disreputable if not outright illegal,'" he said.

Baker said that until there is evidence the tactic is being abused, the NSA should be trusted to use its discretion. "The abuses that involved Martin Luther King occurred before Edward Snowden was born," he said. "I think we can describe them as historical rather than current scandals. Before I say, 'Yeah, we've gotta worry about that,' I'd like to see evidence of that happening, or is even contemplated today, and I don't see it."

Jaffer, however, warned that the lessons of history ought to compel serious concern that a "president will ask the NSA to use the fruits of surveillance to discredit a political opponent, journalist or human rights activist."

"The NSA has used its power that way in the past and it would be naïve to think it couldn't use its power that way in the future," he said.

*Adriana Usero and Ryan J. Reilly contributed reporting*

**Arguments for which radicalizers are being targeted:**

**Where the report was sent:**

Intelligence gleaned from electronic surveillance:

(TS//SI//REL TO USA, FVEY/FISA) The third chart includes the radicalizers' presumed areas of authority, countries of resonance, and vulnerabilities as reported and documented in 3/RA/501518-12 202017Z JUN 12, "Terrorism/Islamic Radicalization: Global Radicalizers Vulnerable in Terms of Authority."

(TS//SI//REL TO USA, FVEY/FISA)

RADICALIZERS	AUTHORITY	ARGUMENT	COUNTRIES WITH HIGHEST RESONANCE	VULNERABILITIES
name redacted	Imprisoned for inciting hatred against non-Muslims	Non-Muslims are a threat to Islam	Identifying information redacted	Online promiscuity  May misdirect donations  Desire to stay out of jail  results in inconsistent arguments
name redacted	Respected academic, promotes al-Qai'da (AQ) propaganda	Offensive jihad is justified	Identifying information redacted	Online promiscuity  Publishes articles without checking facts

NSA

name redacted	Well-known cleric, extremist (Khanjari, and al-Qai'da supporter	Killing of non-Muslim occupiers is justified	Identifying information redacted	Disagrees with AQ on some issues (e.g., targeting civilians)  Pragmatic on "Arab Spring"
name redacted	Writings appear on numerous jihadi websites	The U.S. brought the 9/11 attacks upon itself	Identifying information redacted	Disrespectful use of funds  Potential for contradictory statements
name redacted	Well-known cleric, famous for hostility towards non-Sunni Muslims	Preaches intolerance for all non-Sunni Muslims	Identifying information redacted	Charges exorbitant speaking fees  Attracted to fame
name redacted	Well-known media celebrity	The U.S. perpetrated the 9/11 attacks	Identifying information redacted	Glamorous lifestyle  Misinterpretations of Qur'an  Possibly misdirects donations

NSA

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Serial: 3/00/532318-12

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NSA

PREFACE (U)

(TS//SI//REL TO USA, FVEY/FISA) This SIGINT assessment examines access as one element in the process of Islamic radicalization in order to identify vulnerabilities. Using six prominent, globally-resonating foreign radicalizers as exemplars, this report focuses on the means they use to reach their intended audience and reveals potential vulnerabilities for exploitation. It should be read in conjunction with NSA report 3/RA/501518-12, which identifies vulnerabilities of authority.

(TS//SI//REL TO USA, FVEY) Information herein is based largely on Sunni extremist communications and includes disseminated SIGINT as well as collateral available between January 2008 and September 2012. The SIGINT information is from primary sources with direct access and is generally considered reliable. Greater specificity on the SIGINT sourcing is provided in the text. Included in the appendix are charts on ways that access has been affected and countermeasures taken, a comparison of radicalizers' access mechanisms, and a matrix that compares their authority, argument, countries where they resonate, and their personal vulnerabilities.

NSA

(TS//SI//REL TO USA, FVEY) Examining how the six radicalizers establish and maintain access with different pools of people susceptible to their message -- and their perceptions of the difficulties in doing so -- suggests that there are vulnerabilities that can be exploited in terms of this access, and emerging radicalizers may be vulnerable on this point as well. Focusing on access reveals potential vulnerabilities that could be even more effectively exploited when used in combination with vulnerabilities of character or credibility, or both, of the message in order to shape the perception of the messenger as well as that of his followers.

NSA

(TS//SI//REL TO USA, FVEY/FISA) Six globally-resonating, radicalizers are used as exemplars in this assessment. The first three listed target an English-speaking audience, while the second three target an Arabic-speaking audience.

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**names redacted**

(TS//SI//REL TO USA, FVEY/FISA) One indicator of the potential effectiveness of these radicalizers is the extent of their resonance, i.e., the number and locations of individuals who respond to a radicalizer's message by contacting him using his publicly-known contact information. A significant proportion of the audience associated with the specified English-language radicalizers is located in Pakistan, yet none of these radicalizers appear to have any communicants in common. In addition, communications profiles of these English-language radicalizers reveal that very few of the contacts noted were associated with terrorism, suggesting that the target audience includes individuals who do not yet hold extremist views but who are susceptible to the extremist message.

NSA

27 November 2013 Last updated at 08:26 ET

## NSA 'planned to discredit radicals over web-porn use'

The US authorities have studied online sexual activity and suggested exposing porn site visits as a way to discredit people who spread radical views, the [Huffington Post](#) news site has reported.

It published a document, leaked by former National Security Agency contractor Edward Snowden, identifying two Muslims said to be vulnerable to accusations of "online promiscuity".

An official said this was unsurprising.

But campaign group Privacy International called it "frightening".

"Without discussing specific individuals, it should not be surprising that the US government uses all of the lawful tools at our disposal to impede the efforts of valid terrorist targets who seek to harm the nation and radicalise others to violence," Shawn Turner, director of public affairs for National Intelligence, told the Huffington Post.

Privacy International said: "This is not the first time we've seen states use intimate and private information of an individual who holds views the government doesn't agree with, and exploit this information to undermine an individual's message."

The report came shortly after a group of United Nations experts adopted a "right to privacy" resolution.

It will be passed by the UN's General Assembly before the end of the year, but is largely symbolic since it is not legally binding.

The UN's Human Rights Committee said it was "deeply concerned at the negative impact" the interception of data "including extraterritorial surveillance" could have "in particular when carried out on a mass scale".

### 'Young girls'

The latest of Mr Snowden's leaked documents is dated October 2012 and says it was distributed by the office of the director of the NSA to other US government officials.

It names six Muslims whom it describes as "prominent, globally resonating foreign radicalisers" about whom surveillance efforts had revealed potential "vulnerabilities that can be exploited".

It says the information is largely based on gathered "Sunni extremist communications", including material sourced by the FBI.

"Some of the vulnerabilities, if exposed, would likely call into question a radicaliser's devotion to the jihadist cause, leading to the degradation or loss of his authority," it says.

One example is evidence of the target "viewing sexually explicit material online or using sexually explicit persuasive language when communicating with inexperienced young girls".

Others include proof of the target:



using donations to pay personal expenses  
charging exorbitant speaking fees  
using questionable sources and contradictory language in public messages  
None of the six individuals who appear in the report are accused of being directly involved in terrorism.

But the document says one of the two said to have been involved in "online promiscuity" had previously been imprisoned for inciting hatred against non-Muslims, and the other had been involved in promoting al-Qaeda propaganda.

Of the four other targets, one is said to be vulnerable to being exposed for being "attracted to fame" and another for having a "glamorous lifestyle".

Privacy International spokesman Mike Rispoli said: "What is frightening about the NSA's capabilities are that they collect massive amounts of information on everyone, including your political beliefs, contacts, relationships and internet histories.

"While these documents suggest this type of personal attacks are targeted in nature, do not forget that the NSA is conducting mass surveillance on the entire world and collecting a vast amount of information on nearly everyone."

A spokeswoman for the NSA's UK equivalent - GCHQ - declined to comment on details of the Huffington Post's report.

But she highlighted the UK government's [Counter-Terrorism Strategy](#), which discusses using the internet to gather evidence against individuals in order to challenge terrorist propaganda.

"All of GCHQ's work is carried out in accordance with a strict legal and policy framework which ensures that its activities are authorised, necessary and proportionate, and that there is rigorous oversight," she added.

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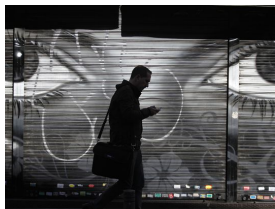


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# NSA spied on porn habits, HuffPo reports

Alistair Barr, USA TODAY [\(/staff/4375/alistair-barr\)](http://staff/4375/alistair-barr) 9:16 a.m. EST November 27, 2013

*NSA found vulnerabilities including "viewing sexually explicit material online" and "using sexually explicit persuasive language when communicating with inexperienced young girls," HuffPo reports*



(Photo: Francisco Seco, AP)

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The National Security Agency collected evidence of online sexual activity and visits to pornographic websites as part of a proposed plan to harm the reputations of six people the agency considered "radicalizers," the Huffington Post reported, citing documents released by former NSA contractor Edward Snowden.

The targets, all Muslims, are described in the document as examples of how "personal vulnerabilities" can be learned through electronic surveillance, and then exploited to undermine a target's credibility, reputation and authority, HuffPo said in its [report](http://www.huffingtonpost.com/2013/11/26/nsa-porn-muslims_n_4346128.html). ([http://www.huffingtonpost.com/2013/11/26/nsa-porn-muslims\\_n\\_4346128.html](http://www.huffingtonpost.com/2013/11/26/nsa-porn-muslims_n_4346128.html))

Among the vulnerabilities are "viewing sexually explicit material online" and "using sexually explicit persuasive language when communicating with inexperienced young girls," according to [the NSA document](http://i.huffpost.com/gen/1484413/original.jpg) (<http://i.huffpost.com/gen/1484413/original.jpg>), dated Oct. 3, 2012.

None of the six individuals targeted by the NSA is accused in the document of being involved in terror plots. The agency believes they all currently reside outside the United States, HuffPo reported.

However, the agency identifies one of them as a "U.S. person," which means he is either a U.S. citizen or a permanent resident. A U.S. person is entitled to greater legal protections against NSA surveillance than foreigners are, HuffPo noted.

"The NSA scandal turns a dangerous corner," Ben Wizner, director of the ACLU Speech, Privacy & Technology Project, wrote on Twitter after reading the HuffPo report. "I bet Washington is full of nervous people."

The latest revelations come as the European Union reviews a commercial data-sharing agreement with the U.S. known as Safe Harbor. One EU executive threatened to [freeze the pact](http://www.theguardian.com/world/2013/nov/26/nsa-surveillance-europe-threatens-freeze-us-data-sharing) (<http://www.theguardian.com/world/2013/nov/26/nsa-surveillance-europe-threatens-freeze-us-data-sharing>), which covers commercial swaps between U.S. and European companies, information exchanged to limit international terrorist funding, and the supply of information on transatlantic air passengers.

HuffPo released [an appendix](http://i.huffpost.com/gen/1484431/original.jpg) (<http://i.huffpost.com/gen/1484431/original.jpg>) that was attached to the document which lists the argument each surveillance target has made that the NSA says constitutes radicalism, as well the personal "vulnerabilities" the agency believes would leave the targets "open to credibility challenges" if exposed.

One target's offending argument is that "Non-Muslims are a threat to Islam," and a vulnerability listed against him is "online promiscuity."

Another target, a foreign citizen the NSA describes as a "respected academic," holds the offending view that "offensive jihad is justified," and his vulnerabilities are listed as "online promiscuity" and "publishes articles without checking facts."

The Huffington Post said it withheld the names and locations of the six people and noted that the allegations made by the NSA about their online activities in the document cannot be verified.

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