

ACLJ Files Federal Lawsuit Against Senior Obama Official to Obtain American Unmasking Records

The American Center for Law and Justice (ACLJ) has just filed its fifth lawsuit against the U.S. Department of State (DOS), this time over the bureaucracy's failure to turn over records of Senior Obama Official Samantha Power's unprecedented unmasking of Americans.

As we informed you last month, we issued a Freedom of Information Act Request to lawfully demand that the deep State Department produce records so the American people can be informed about the hundreds of "unmasking" requests that were made by former U.S. Ambassador to the United Nations Samantha Power, including those for names and/or any other personal identifying information of President Trump during his candidacy for president, as well as his family members, staff, transition team members and his family. The DOS—yet again—failed to respond to our lawful request, and, yet again, we are taking the DOS bureaucracy to federal court.

We've repeatedly reported that officials within the Obama administration were engaged in the unscrupulous practice of "unmasking" the names of American citizens incidentally caught up in surveillance. That information was then leaked in violation of federal law. As we have asserted before, this was an unprecedented abuse of power that threatens our constitutional republic.

We already knew from earlier reports that Susan Rice, former National Security Adviser under then-President Barack Obama, requested the unmasking of the names of Trump transition

officials incidentally caught up in surveillance.

Since then, we've learned that Susan Rice wasn't the only one making unmasking requests. According to a congressional report, "one official, whose position had no apparent intelligence-related function, made hundreds of unmasking requests during the final year of the Obama administration." According to numerous reports, "[f]ormer United Nations Ambassador Samantha Power is believed to have made 'hundreds' of unmasking requests to identify individuals named in classified intelligence community reports related to Trump and his presidential transition team."

Think about that: Hundreds of unmasking requests by Obama's U.N. representative. And "[o]f those [hundreds of] requests, only *one* offered a justification that was not boilerplate."

Now, new reports have revealed the unprecedented number of unmasking requests made by former Ambassador Power:

Samantha Power, the former U.S. ambassador to the United Nations, was "unmasking" at such a rapid pace in the final months of the Obama administration that she averaged more than one request for every working day in 2016—and even sought information in the days leading up to President Trump's inauguration. ...

Fox News further reported that "the requests to identify Americans whose names surfaced in foreign intelligence reporting, known as unmasking, exceeded 260 last year. One source indicated this occurred in the final days of the Obama White House."

Such abuse of the United States' intelligence-gathering apparatus is unacceptable. It contravenes the privacy protections enshrined in the Constitution and usurps the proper role of the intelligence gathering services. The rampant unmasking of American citizens for partisan political

purposes must be immediately halted and those responsible must be held accountable.

To that end, we at the ACLJ have taken significant legal action to expose the actions taken by then-Ambassador Power at the State Department that resulted in the unmasking of an unprecedented number of American citizens. Our Government Accountability Project prepared a series of Freedom of Information Act (FOIA) requests designed to expose the disturbing policies and practices of the deep state, Obama holdover bureaucracy that allowed these unmasking requests from a U.N Representative to be granted.

Our FOIA Request seeks:

records pertaining to any and all requests former United Nations Ambassador Samantha Power made to National Security Agency ("NSA") officials or personnel regarding the "unmasking" of the names and/or any other personal identifying information of then candidate and/or President-elect Donald J. Trump, his family, staff, transition team members, and/or advisers who were incidentally caught up in U.S. electronic surveillance.

The State Department bureaucracy, as has become its pattern and practice, acknowledged receipt of our request but failed to provide any documents or comply with the federal FOIA requirements.

Last week, we filed a federal lawsuit in the U.S. District Court for the District of Columbia against the State Department bureaucracy for its continued violation of FOIA and failure to produce records responsive to our FOIA request. This lawsuit will force DOS to answer to a federal judge for its continued and blatant disregard for the law. Our complaint, among other things, asks the Court to "[o]rder that [DOS] shall conduct a diligent search for any and all records responsive to [our] FOIA request and demonstrate that it

employed reasonable search methods most technologically likely to lead to the discovery of records responsive to [our] FOIA request, selected from among those methods available to [DOS].”

Our federal government bureaucracy is not immune from the law—in fact taking the DOS to federal court helps ensure that no one is above the law and even deep state officials are held accountable for wrongful actions.

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