

Obama Govt Defends Collecting Phone Records

The Associated Press

The U.S. government has been secretly collecting the telephone records of millions of Americans under a top secret court order, according to a document disclosed by a British newspaper. The Obama administration defended the government's need to collect telephone records of U.S. citizens, but critics said it was a huge over-reach.

Democratic Sen. Dianne Feinstein said Thursday that the top secret court order for telephone records is a three-month renewal of an ongoing practice. She spoke to reporters at a news conference.

The sweeping roundup of U.S. phone records has been going on for years and was a key part of the Bush administration's warrantless surveillance program, a U.S. official said Thursday.

The White House offered no immediate on-the-record comment. A senior administration official did not confirm the Guardian newspaper report that the NSA has been collecting the records, but the authenticity of the document was not disputed by the White House. The administration official insisted on anonymity because the official was not authorized to discuss the matter publicly by name.

The disclosure was likely to bring questions from both Republicans and Democrats of how far the government's surveillance of Americans goes, following the Obama administration's tracking of Associated Press journalists' phone records in a leak investigation.

The president has also faced questions over the federal tax agency's improper targeting of conservative groups and the administration's handling of the terrorist attack on a consulate in Benghazi, Libya, that left four Americans dead.

The controversies collectively could erode the American people's trust in Obama and derail his second term agenda.

The court order to collect phone records was granted by the secret Foreign Intelligence Surveillance Court on April 25 and is good until July 19, the Guardian reported. The order requires Verizon, one of the largest U.S. telecommunications companies, on an "ongoing, daily basis," to give the National Security Agency information on all landline and mobile telephone calls of Verizon Business in its systems, both within the U.S. and between the U.S. and other countries.

The newspaper said the document, a copy of which it had obtained, shows for the first time that under the Obama administration the communication records of millions of U.S. citizens are being collected indiscriminately and in bulk, regardless of whether the people are suspected of any wrongdoing.

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The disclosure raised a number of questions: What was the government looking for? Were other big telephone companies under similar orders to turn over information? How was the information used?

Former Vice President Al Gore tweeted that privacy was essential in the digital era.

"Is it just me, or is secret blanket surveillance obscenely outrageous?" wrote Gore, the Democrat who lost the 2000 presidential election to George W. Bush.

Democratic Sen. Ron Wyden said the Obama administration should disclose the facts.

"I think that they have an obligation to respond immediately," said Wyden, a frequent critic of government actions dealing with Americans' privacy.

Under Bush, the National Security Agency built a highly classified wiretapping program to monitor emails and phone calls worldwide. The full details of that program remain unknown, but one aspect was to monitor massive numbers of incoming and outgoing U.S. calls to look for suspicious patterns, said an official familiar with the program. That official spoke on condition of anonymity because he was not authorized to discuss it publicly.

After The New York Times revealed the existence of that wiretapping program, the roundup continued under authority granted in the USA Patriot Act, the official said.

The official did not know if the program was continuous or whether it stopped and restarted at times.

The official had not seen the court order released by the Guardian newspaper but said it was consistent with similar authorizations the Justice Department has received.

Verizon spokesman Ed McFadden said Wednesday the company had no comment.

The NSA had no immediate comment. The agency is sensitive to perceptions that it might be spying on Americans. In a brochure it distributes, which includes a DVD for reporters to view video that it provides for public relations purposes, it pledges that the agency "is unwavering in its respect for U.S. laws and Americans' civil liberties — and its commitment to accountability," and says, "Earning the American public's trust is paramount."

Verizon Communications Inc. listed 121 million customers in its first-quarter earnings report this April — 98.9 million wireless customers, 11.7 million residential phone lines and about 10 million commercial lines. The court order didn't specify which customers' records were being tracked.

Under the terms of the order, the phone numbers of both parties on a call are handed over, as are location data, call duration, unique identifiers, and the time and duration of all calls. The contents of the conversation itself are not covered, The

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Guardian said.

The administration official said, "On its face, the order reprinted in the article does not allow the government to listen in on anyone's telephone calls."

The broad, unlimited nature of the records being handed over to the NSA is unusual. FISA court orders typically direct the production of records pertaining to a specific named target suspected of being an agent of a terrorist group or foreign state, or a finite set of individually named targets. NSA warrantless wiretapping during the George W. Bush administration after the Sept. 11, 2001, attacks was very controversial.

The FISA court order, signed by Judge Roger Vinson, compelled Verizon to provide the NSA with electronic copies of "all call detail records or telephony metadata created by Verizon for communications between the United States and abroad" or "wholly within the United States, including local telephone calls," The Guardian said.

The law on which the order explicitly relies is the "business records" provision of the USA Patriot Act, which passed after the Sept. 11 attacks.

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