



Written by [Michael Tennant](#) on December 5, 2013

NSA Keeping Massive Database of Worldwide Cellphone Locations

As part of a “mass surveillance tool” on a “planetary scale,” the National Security Agency (NSA) is tracking the whereabouts of “at least hundreds of millions of [mobile] devices,” such as cellphones, at a rate of “nearly 5 billion records a day,” according to the [Washington Post](#).

“In scale, scope and potential impact on privacy, the efforts to collect and analyze location data may be unsurpassed among the NSA surveillance programs that have been disclosed since June,” the *Post* reports on the basis of the latest document dump from former NSA contractor Edward Snowden. “Analysts can find cellphones anywhere in the world, retrace their movements and expose hidden relationships among the people using them.”



In other words, if you have a mobile device of any kind, the U.S. government can tell where you are, where you’ve been, and whom you know. Supposedly this will enable the government to locate and monitor previously unknown associates of intelligence targets, but it’s not hard to imagine its being used to intimidate domestic political opponents or even to give drones a fix on those the president has decided are deserving of death — even if, as in the case of the [teenaged son of Anwar al-Awlaki](#), the victim is chosen on the basis of guilt by association.

The NSA collects the location data “by tapping into the cables that connect mobile networks globally and that serve U.S. cellphones as well as foreign ones,” writes the *Post*. “Additionally, data are often collected from the tens of millions of Americans who travel abroad with their cellphones every year.”

Much, if not all, of this is done in cooperation with telecommunications companies. One of the NSA’s 10 major data-collection points “relies on two unnamed corporate partners,” the *Post* explains. “According to an NSA site inventory, the companies administer the NSA’s ‘physical systems,’ or interception equipment, and ‘NSA asks nicely for tasking/updates.’”

“The agency’s access to carriers’ networks appears to be vast,” the paper adds. Merely by gaining the cooperation of a few carriers, the NSA can obtain access to complete databases of customer information, including device locations. Those locations, by the way, can be determined even if the devices are idle: As long as a mobile device is on, it is usually transmitting location signals to nearby towers.

As the *Post* observes, “The NSA has no reason to suspect that the movements of the overwhelming majority of cellphone users would be relevant to national security,” which would suggest that collecting location data on these individuals violates the Fourth Amendment, which prohibits unreasonable



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searches and seizures. The NSA, naturally, begs to differ. Since the program is “tuned to be looking outside the United States,” an intelligence lawyer told the newspaper, “when U.S. cellphone data are collected ... the data are not covered by the Fourth Amendment.”

Civil-liberties advocates remain unconvinced.

“Location information can be incredibly revealing,” Greg Nojeim of the Center for Democracy and Technology said in a statement. “It shows with whom you associate, where you live, the places you visit, and your movements throughout the day. It can also show if you attended a political protest or visited a medical clinic. Cell phone location tracking has profound implications on privacy and potential chilling effects on the right to association.”

“It is staggering that a location-tracking program on this scale could be implemented without any public debate, particularly given the substantial number of Americans having their movements recorded by the government,” Catherine Crump, an attorney with the American Civil Liberties Union, said in a [statement](#). “The government should be targeting its surveillance at those suspected of wrongdoing, not assembling massive associational databases that by their very nature record the movements of a huge number of innocent people.”

Her colleague Chris Soghoian told the *Post*, “One of the key components of location data, and why it’s so sensitive, is that the laws of physics don’t let you keep it private.” There are ways to encrypt e-mails, for instance, but “the only way to hide your location is to disconnect from our modern communication system and live in a cave.”

Indeed, as the *Post* makes clear, it’s virtually impossible for a mobile-device user to keep his location and relationships a secret from the NSA: “Like encryption and anonymity tools online, which are used by dissidents, journalists and terrorists alike, security-minded behavior — using disposable cellphones and switching them on only long enough to make brief calls — marks a user for special scrutiny. CO-TRAVELER [the NSA’s program] takes note, for example, when a new telephone connects to a cell tower soon after another nearby device is used for the last time.”

Nojeim and others are calling on Congress to rein in the out-of-control surveillance state.

“Congress should wake up from its post-holiday food coma and get to work passing legislation to reform the program,” said Amnesty International’s Zeke Johnson.

Lawmakers are “considering three separate bills that would to varying extents clips [sic] the wings of the NSA or reform the secret courts ... intended to hold the agency to account,” reports the U.K. [Guardian](#), though it notes that “none of the proposed reforms substantially [alters] the NSA’s ability to surveil ordinary foreigners living outside of the U.S.”

Passing these bills would be a good start, although the NSA needs to be shrunk drastically or even shuttered entirely. But with the agency having the goods on all of us, who will dare to take it on?



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