



## Snowden: Obama Has Expanded NSA Warrantless Surveillance

Former NSA contractor and whistleblower Edward Snowden has just shared a document with both the *New York Times* and the non-profit news organization ProPublica, revealing that the Obama administration has expanded the National Security Agency's (NSA) warrantless surveillance of Americans' international Internet traffic for the stated purpose of searching for evidence of malicious computer hacking. Snowden has cited his source as classified NSA documents.



The report notes that in mid-2012, attorneys with the Justice Department wrote two secret memos permitting the NSA to begin monitoring Internet cables without obtaining a warrant and on American soil. The NSA was authorized to collect data linked to computer invasions originating outside the United States — including traffic that flows to Internet addresses the spy agency regards as suspicious or which contain “malware” (malicious software designed to disrupt computer operation, gather sensitive information, or gain access to private computer systems).

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The secret memos said that the Justice Department allowed the NSA to monitor only addresses and “cybersignatures” — unique data patterns that can be used to determine the source of computer intrusions — that it could identify as originating with foreign governments. However, the documents also note that the NSA sought permission to target hackers even when it could not prove they were linked to foreign governments.

The *Times*/ProPublica report noted that while the USA Freedom Act signed into law on June 2 limited some of the NSA's authority, it involved only some provisions in the USA PATRIOT Act dealing with the collection of phone records and did not curtail the warrantless wiretapping program. This point was confirmed in an AP article (“Questions and answers about newly approved USA Freedom Act”) published on June 3 that asked and answered the following question:

Q: Does [the USA Freedom Act] address the concerns raised by the disclosures of former NSA contractor Edward Snowden?

A: It addresses the most controversial program he revealed, the domestic phone records collection. But it does nothing to affect another major Snowden revelation: the NSA's collection of foreign Internet content from U.S. tech companies, a program that sweeps up lots of American communications. And it doesn't address the bulk of Snowden disclosures about foreign intelligence gathering and the NSA's attempts to exploit technology, such as encryption, for the benefit of U.S. intelligence.

The report noted that the FBI has also obtained a new type of wiretap order from the Foreign Intelligence Surveillance Court (FISA) for cybersecurity investigations, permitting it to target Internet



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data flowing to or from specific Internet addresses linked to certain governments.

In order to implement these activities, the FBI in 2012 obtained permission to use the NSA's surveillance system monitoring Internet traffic crossing "chokepoints operated by U.S. providers through which international communications enter and leave the United States," stated a 2012 NSA document. Under the interagency agreement, the NSA would send the intercepted traffic to the FBI's "cyberdata repository" in Quantico, Virginia.

The report noted:

None of these actions or proposals had been disclosed to the public. As recently as February, when President Obama spoke about cybersecurity at an event at Stanford University, he lauded the importance of transparency but did not mention this change.

Listed as a contributor to the *Times*/ProPublica report was Laura Poitras, who, along with Glenn Greenwald, was one of the two journalists to whom Edward Snowden provided his first reports of classified NSA documents exposing the agency's secret surveillance activities in 2013.

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