



Written by [Thomas R. Eddlem](#) on August 1, 2013

The NSA IS Reading Your E-mails

The London *Guardian*'s Glenn Greenwald revealed in a [July 31 exposé](#) that the NSA has indeed been collecting the full text of every American's e-mails without a warrant under the "XKeyscore" program, [flatly contradicting](#) the claims of congressional opponents of the [Amash amendment](#) last week.

The [Amash amendment](#) would have denied the NSA the ability to snoop on Americans without a warrant or National Security letter under Section 215 of the Patriot Act. The amendment by Michigan congressman Justin Amash [failed by a mere seven-vote margin](#) in the House of Representatives. In the wake of the vote, Amash has [promised](#) to sponsor legislation to ban the NSA from collecting telephone and Internet data on American citizens.

Using NSA PowerPoint presentations provided by whistleblower and former NSA contractor Edward Snowden, Greenwald [explained](#): "One presentation claims the [XKeyscore] program covers 'nearly everything a typical user does on the internet,' including the content of emails, websites visited and searches, as well as their metadata." Greenwald [added](#): "Analysts can also use XKeyscore and other NSA systems to obtain ongoing 'real-time' interception of an individual's internet activity."

Greenwald also [explained](#): "An NSA tool called DNI Presenter, used to read the content of stored emails, also enables an analyst using XKeyscore to read the content of Facebook chats or private messages. Analysts can also search by name, telephone number, IP address, keywords, the language in which the internet activity was conducted or the type of browser used."

The information collected by the NSA's XKeyscore program includes information that congressional opponents of the Amash amendment denied the NSA was collecting just one week ago.

Greenwald's revelations put to lie the words of all the congressmen who [argued against the Amash amendment on the floor of the U.S. House of Representatives last week](#). Among those claims were the following:

- *House Permanent Select Committee on Intelligence Chairman Mike Rogers (R-Mich.)*: "We should have time and education on what actually happens in the particular program of which we speak. And I'll pledge each and every one of you today, and give you my word, that this fall, when we do the Intel authorization bill, we will work to find additional privacy protections with this program, that has no emails, no phone calls, no names and no addresses."
- *Michele Bachmann (R-Minn.)*: "A false narrative has emerged that the federal government is taking in the content of Americans' phone calls. It's not true. It's not happening. A false narrative has emerged that the federal government is taking in the content of the American people's emails.... Consider this,





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there is more information contained in the phone book that sits at home on your kitchen counter about each one of us than the information that is in the national security database that we are talking about today. Your name, your address, is in the phone book. Your name, your address, is not in this national security database.”

• *Tom Cotton (R-Ark.):* “What is it? Meta-data. It sounds kind of scary. It’s nothing more than an Excel spreadsheet with five columns: Called to, called from, date, time, the duration. Five columns, billions of rows.”

The only question that remains is this: Were those representatives misinformed by NSA senior staff, or were they deliberately lying to the American people? Considering Rogers chairs the House Permanent Committee on Intelligence, it’s unlikely he was uninformed.

Before Edward Snowden leaked information about the breadth of NSA surveillance of Americans, U.S. intelligence officials denied that they kept personal information on Americans in their huge databases. Director of National Intelligence Admiral James Clapper famously [lied to Congress](#) about the existence of the surveillance programs that the NSA now admits exist.

Interestingly, throughout the current post-Snowden controversy, the NSA has failed to deny it stores the e-mails and records the telephone calls of American citizens. NSA Director Gen. Keith B. Alexander issued a “non-denial denial” in a June 23 [interview](#) on *This Week with George Stephanopoulos*, stating, “The FISA law makes it clear: in order for the NSA to target the content of a U.S. person’s communications, anywhere in the world — anywhere — NSA requires probable cause and a court order, a specific court order.” Of course, Alexander was continuing to parse words: He used the word “target” rather than “collect,” and collecting the content of Americans’ communications is something he pointedly didn’t deny doing.

Rep. Rogers repeated Bachmann’s “phone book” line on CBS’ *Face the Nation* July 28. “There is more information in a phone book than there is in this particular big pile of numbers,” Rogers [told](#) host Bob Schieffer. Of course, if there really was more personal information in a phone book than in the NSA archives, then — one might sarcastically suggest — the federal government could save the \$20 billion-plus annual cost of NSA surveillance by appropriating \$2,500 in shipping costs for sending a set of the nation’s phone books to NSA headquarters in Fort Meade, Maryland. Rogers — a leading Republican candidate for the open U.S. Senate seat being vacated by Democrat Carl Levin — [continued](#): “There are no recordings of phone calls. There are no dossiers. They do not record your emails. None of that was happening. None of it. I mean, zero.”

Greenwald’s story in the *Guardian* confirms what Snowden said in his [original interview](#) published by the *Guardian* back in June. “I, sitting at my desk,” Snowden [told](#) Greenwald, could “wiretap anyone, from you or your accountant, to a federal judge or even the president, if I had a personal email.”

Such a policy by the NSA clearly violates the [provisions of the Fourth Amendment](#), which requires for a “reasonable search” under the Constitution: 1. a search warrant from a judge; 2. probable cause evidence of a crime being committed; and 3. description of what the search will find and where it will be found. None of those provisions is satisfied by the NSA’s PRISM or XKeyscore programs.

Interestingly, XKeyscore does not deal with audio from telephone calls, which many suspect that the NSA also collects and stores in its huge data centers, including a [mammoth new site in Utah](#) that will open this year. But the NSA has many other surveillance programs, which it calls [“Upstream,”](#) in addition to PRISM and XKeyscore. There may be additional, yet-to-be-revealed NSA programs that grab telephone audio.



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