



Written by [Joe Wolverton, II, J.D.](#) on August 17, 2013

Verizon Given \$10 Billion Contract After Records Release

Verizon's willingness to give the federal government unfettered access to its customers' phone records is paying off handsomely for the telecommunications giant.

[Verizon announced](#) on August 16:

The [U.S. Department of the Interior](#) has selected Verizon to participate in a \$10 billion, 10-year contract to provide cloud and hosting services. This is potentially one of Verizon's largest federal cloud contracts to date.



Verizon is one of 10 companies that will compete to offer cloud-based storage, secure file transfer, virtual machine, and database, Web, and development and test environment hosting services. The company is also one of four selected to offer SAP application hosting services.

Each of the 10 agreements awarded under the Foundation Cloud Hosting Services contract has a potential maximum value of \$1 billion.

Put simply, not only has Verizon not suffered a loss of customers since revelations of its collusion with the National Security Agency's dragnet surveillance of millions of Americans' phone records, but now the company is being paid billions for its cooperation.

The press release issued by Verizon boasts of its buddy-buddy relationship with departments of the federal government.

"Verizon has a history of successfully providing advanced networking and security solutions to the Department of the Interior," said Susan Zeleniak, senior vice president, public sector markets, Verizon Enterprise Solutions. "The Foundation Cloud Hosting Services contract represents an expansion of Verizon's engagement with the department and will enable it to leverage Verizon's significant cloud investments and expertise to help the department achieve its long-term objectives."

Verizon's participation in the construction of the Panopticon is well known.

According to a [court order labeled "TOP SECRET,"](#) federal judge Roger Vinson ordered Verizon to turn over the phone records of millions of its U.S. customers to the National Security Agency (NSA).

The order, issued in April by the U.S. Foreign Intelligence Surveillance Court and leaked on the Internet by the Guardian (U.K.), compels Verizon to provide these records on an "ongoing daily basis" to hand over to the domestic spy agency "an electronic copy" of "all call detail records created by Verizon for communications (i) between the United States and abroad; or (ii) wholly within the United States, including local telephone calls."

This information includes the phone numbers involved, the electronic identity of the device, the calling card numbers (if any) used in making the calls, and the time and duration of the call.

In other words, if you are a Verizon customer, your detailed phone records secretly have been handed over — and will continue to be handed over — to NSA agents.



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This wholesale dragnet of personal electronic communication data proves beyond dispute that the Obama administration is keeping millions of Americans under constant surveillance regardless of whether the targets are suspected of committing crimes.

In other words, millions of innocent Americans have had their call records shared with a federal spy agency in open and hostile defiance of the [Fourth Amendment's](#) guarantee of “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,” and “no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

What is reasonable? Legally speaking, “the term reasonable is a generic and relative one and applies to that which is appropriate for a particular situation.”

Even if the reasonableness threshold is crossed, though, there must be a warrant and suspicion of commission or intent to commit a crime. Neither the NSA nor Verizon has asserted that even one of the millions whose phone records were seized fits that description.

Again, the government has made no attempt to demonstrate that any of those whose phone records have been seized are suspected of committing some crime. It is a plain and simple violation of the Fourth Amendment in the hope of finding something that one day might be found to qualify as suspicious. That is putting the cart of culpability before the horse of the Constitution, and it should not be abided by the American people.

How far are the citizens of this Republic willing to let the federal surveillance apparatus go toward constructing a Panopticon? At this accelerated rate of construction, how long until every call, every text, every e-mail, every online message, and every movement fall under the all-seeing eye of federal overlords?

When contacted by *The New American*, a spokesman for Verizon declined to comment on his company's compliance with the order.

Such a demur is expected in light of the provision of the order which prohibits Verizon, the FBI, or the NSA from revealing to the public — including the Verizon customers whose phone records now belong to the Obama administration — that the data is being given to the government.

Glen Greenwald of the Guardian (U.K.) [details the data being seized](#) by the NSA:

The information is classed as “metadata”, or transactional information, rather than communications, and so does not require individual warrants to access. The document also specifies that such “metadata” is not limited to the aforementioned items. A 2005 court ruling judged that cell site location data — the nearest cell tower a phone was connected to — was also transactional data, and so could potentially fall under the scope of the order.

While the order itself does not include either the contents of messages or the personal information of the subscriber of any particular cell number, its collection would allow the NSA to build easily a comprehensive picture of who any individual contacted, how and when, and possibly from where, retrospectively.

Greenwald's accurate analysis raises a couple of very important questions.

First, why would agents of the federal government willingly violate the Fourth Amendment to the Constitution by seizing phone logs of millions of innocent Americans?



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As quoted by Greenwald, the Cato Institute's Julian Sanchez remarked, "We've certainly seen the government increasingly strain the bounds of 'relevance' to collect large numbers of records at once — everyone at one or two degrees of separation from a target — but vacuuming all metadata up indiscriminately would be an extraordinary repudiation of any pretence [sic] of constraint or particularized suspicion."

Can anyone doubt that?

Readers should recall that as required by provisions of the Foreign Intelligence Surveillance Act Amendments of 2008 (FISA) and the Patriot Act (as amended in 2005), the Department of Justice revealed to Congress in April the number of applications for eavesdropping received and rejected by the FISA court.

To no one's surprise (least of all to the architects and builders of the already sprawling surveillance state), [the letter addressed to Senator Harry Reid](#) (D-Nev.) reports that in 2012, of the 1,789 requests made by the government to monitor the electronic communications of citizens, not a single one was rejected.

That's right. The court, established specifically to judge the merits of applications by the government to spy on citizens, gave a green light to every government request for surveillance.

Not content to be a mere formality for electronic surveillance, the FISA court (officially called the Foreign Intelligence Surveillance Court) also held the coats of the FBI while that agency carried out the searches and seizures set out in 212 applications.

Perhaps the most disturbing take-away from the leak of this secret court document ordering Verizon to hand over customer call logs and other data to a federal surveillance agency is the fact that the government considers the protections of the Fourth Amendment to be nothing more than a "[parchment barrier](#)" that is easily torn through. The Obama administration regards the Constitution — as did the Bush administration before it — as advisory at best.

Far from running scared from repercussions from its betrayal of customers' privacy and constitutional protections of the right of people to be free from unwarranted searches and seizures, Verizon's August 16 statement demonstrates the sort of brazen boasts that are the prerogative of those under the protections of government.

Photo: AP Images

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