

US official admits testing US cellphone tracking

October 2 2013, by Kimberly Dozier



Senate Judiciary Committee Chairman Sen. Patrick Leahy, D-Vt., left, talks with Sen. Dianne Feinstein, D-Calif., on Capitol Hill in Washington, Wednesday, Oct. 2, 2013, during the committee's oversight hearing on the Foreign Intelligence Surveillance Act. U.S. intelligence officials say the government shutdown is seriously damaging the intelligence community's ability to guard against threats. (AP Photo/ Evan Vucci)

National Security Agency chief Gen. Keith Alexander revealed

Wednesday that his spy agency once tested whether it could track Americans' cell phone locations, in addition to its practice of sweeping broad information about calls made.

Alexander and Director of National Intelligence James Clapper testified at a Senate Judiciary Committee hearing on proposed reforms to the NSA's surveillance of phone and internet usage around the world, exposed in June by former NSA analyst Edward Snowden. But neither spy chief discussed proposed reforms; instead they were questioned about new potential abuses that have come to light since then.

Alexander denied a New York Times report published Saturday that said NSA searched social networks of Americans searching for foreign terror connections, and detailed 12 previously revealed cases of abuse by NSA employees who used the network for unsanctioned missions like spying on a spouse. He said all employees were caught and most were disciplined.

Alexander and Clapper also told lawmakers that the government shutdown that began Tuesday over a budget impasse is seriously damaging the intelligence community's ability to guard against threats. They said they're keeping counterterrorism staff at work as well as those providing intelligence to troops in Afghanistan, but that some 70 percent of the civilian workforce has been furloughed. Any details on the jobs held by the furloughed employees is classified.

Congress is mulling changes to the Foreign Intelligence Surveillance Act that some believe allows the NSA too much freedom in gathering U.S. data as part of spying on targets overseas.

Alexander told the committee that his agency once tested, in 2010 and 2011, whether it could track Americans' cellphone locations, but he says the NSA does not use that capability, leaving that to the FBI to build a

criminal or foreign intelligence case against a suspect and track him.



Protestors hold signs on Capitol Hill in Washington, Wednesday, Oct. 2, 2013, during a Senate Judiciary Committee oversight hearing on the Foreign Intelligence Surveillance Act with National Security Agency Director Gen. Keith Alexander and National Security Agency Directory Gen. Keith Alexander. (AP Photo/ Evan Vucci)

"This may be something that is a future requirement for the country but it is not right now because when we identify a number, we give it to the FBI," Alexander said. "When they get their probable cause, they can get the locational data."

He said if the NSA thought it needed to track someone that way, it would go back to the Foreign Intelligence Surveillance Court—the secret court that authorizes its spying missions—for approval. He added that

his agency reported the tests to both House and Senate intelligence committees, and that the data was never used for intelligence analysis.

Only last week, Alexander refused to answer questions from Sen. Ron Wyden, a Democrat, about whether his agency had ever collected or planned to collect such "cell-site" data, as it is called, saying it was classified, but the general said the NSA released the information in letters to the House and Senate Intelligence Committees ahead of the Judiciary Committee meeting Wednesday.

Wyden was not satisfied with Alexander's answer.

"After years of stonewalling on whether the government has ever tracked or planned to track the location of law abiding Americans through their cell phones, once again, the [intelligence](#) leadership has decided to leave most of the real story secret—even when the truth would not compromise national security," he said.

Alexander acknowledged his agency collects data from social networks and other commercial databases to hunt foreign terror suspects but is not using the information to build private files on Americans. He said the operations are only used in pursuing foreign agents and sweeping up information on Americans if they are connected to those suspects by phone calls or other data.



National Security Agency Director Gen. Keith Alexander pauses while testifying on Capitol Hill in Washington, Wednesday, Oct. 2, 2013, before the Senate Judiciary Committee oversight hearing on the Foreign Intelligence Surveillance Act. U.S. intelligence officials say the government shutdown is seriously damaging the intelligence community's ability to guard against threats. (AP Photo/ Evan Vucci)

Alexander said that not all social network searches are authorized by the secret FISA court, but he added the agency's searches are proper and audited internally. The authority flows from a presidential executive order on [national security](#) dating back to the Reagan administration in 1981, he said, adding: "It allows us to understand what the foreign nexus is."

Alexander called a recent New York Times report on the searches "inaccurate and wrong." The Times said the NSA was exploiting huge collections of personal data to create sophisticated graphs of some

Americans' social connections. The Times said the private data included Facebook posts and banking, flight, GPS location and voting records.

Even though the Times report never suggested the NSA was collecting personal information, Alexander denied the NSA was building "dossiers," or personal files, on Americans. He said collecting such private metadata is "the most important way" to track a potential terrorist once they have been identified. He also said Americans are only directly targeted by such searches when they are under investigation for possible terror ties or they are the targets of terror activities. He added that suspected terrorists operating inside the U.S. could also be targeted under those private data searches.

As for the incidents when NSA analysts did abuse their spying powers, Alexander told senators none of them involved the programs that collect American telephone records or email [data](#).

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