

# NSA documents reveal bulk email collection continues despite official claims

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A series of declassified National Security Agency (NSA) documents have revealed that the government's program of bulk metadata collection of the population's internet communications, known as STELLARWIND, has continued despite claims by the Obama administration to have ended the program in 2011, prior to information of its existence being leaked by NSA whistleblower Edward Snowden.

The heavily-redacted documents, obtained by the *New York Times*' Charlie Savage after submitting a Freedom of Information Act request (FOIA), show that despite official proclamations of concern for civil liberties and democratic rights, the policy of collecting the electronic communications of the world's population en masse by US spy agencies has continued unimpeded.

While Obama administration officials previously claimed that the bulk collection program was ended "for operational and resource reasons and has not been restarted," NSA officials now gather emails and other information from Americans and non-Americans unhindered by restrictions on targeting which existed previously on US-based targets by collecting internet communications stored in data hubs located overseas (the "internet's backbone").

According to the NSA, intelligence officials are allowed to "call-chain [gather emails from contacts of a targeted individual] from, to, or through U.S. person selectors ... under a number of authorities." The document states, "notwithstanding restrictions stemming from the [Foreign Intelligence Surveillance Court's] recent concerns regarding upstream collection, [the FISA Amendments Act of 2008] has emerged as another critical source for collection of Internet communications of foreign terrorists."

The passage concludes by noting that this method of

data collection "addresses one of the original reasons for establishing the ... program in 2004."

Elsewhere, the document warns that senior intelligence officials may not be bothering to pass on important developments regarding "lawful" uses of the bulk collection program. It states that briefings from the Office of General Counsel (OGC) meant to quickly inform agents of the legal parameters of an order do "not constitute advanced training" in the "sensitivity ... and understanding" of the legal limits of the order. "As a result," the report continues, "the SIGINT (Signals Intelligence) Director does not comply with Agency policy and risks violations of the Order."

The bulk email collection program known as STELLARWIND began under the authority of President George W. Bush shortly after the September 11, 2001 terrorist attacks and continued under the administration of President Barack Obama.

Later, as the government's bulk data collection met mounting public criticism, Congress introduced laws which ostensibly sought to restrict the program's parameters to individuals not of US citizenship; supposedly protecting American citizens from the program's reaches.

Despite the rhetoric of reform from President Obama and other politicians and officials, electronic surveillance programs have continued to expand. In 2010, the US government loosened restrictions on the monitoring of Americans' social networking activities, which allowed for the circumventing of bans on metadata collection.

The *Guardian* reported that in 2012 the NSA launched the program codenamed "EvilOlive," which allowed officials to collect communications in bulk as long as one participant was a non-US citizen. The publication quoted a 2012 document released by the

NSA's Special Source Operations (SSO) which reported that communications collections "literally doubled" after the implementation of this modification.

Rather than the NSA having been forced to abandon a valuable tool for unraveling terrorist plots, the document states "examination revealed that the ... [STELLARWIND] program was not producing valuable foreign intelligence information after the program had been reinitiated" in 2010. Here the document is referring to the program in its *expanded* form after a number of restrictions were loosened by the Obama administration.

The revelations of continued bulk email collection emerge as the federal government prepares to implement the so-called USA Freedom Act, which would require US companies to store all communications in a database which NSA officials can then "query" for specific terms. Rather than ending the rampant use of spying following the Snowden revelations, the US government is erecting the framework of a surveillance state with the intention of monitoring the entire population.



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