



## NSA Illegally Collected Thousands of Phone Records of Americans

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For nearly three years, the NSA illegally accessed data on thousands of domestic phone numbers, and then the NSA lied to the FISA Court about it, in order to get the court to reauthorize the government's surveillance program. New documents, released under an FOIA lawsuit by the Electronic Frontier Foundation, show that NSA analysts routinely exceeded their authority to track only phone numbers with reasonable connections to terrorism.

Federal Judge Reggie Walton, now the presiding judge on the FISA court, imposed a previously-undisclosed restriction on the NSA's ability to access its bulk databases of phone records, after finding that the agency had violated privacy protections "thousands" of times. Walton wrote that there were "daily violations" for more than two years, of call records from Americans who were "not the subject of any FBI investigation and whose call detail information could not otherwise have been legally captured in bulk."

The Wall Street Journal says that of the 17,835 phone numbers checked against phone records between 2006 and 2009, only 1,935 were based on that reasonable-suspicion standard. The nearly 18,000 phone numbers checked daily were on an "alert list" for numbers of "counter-terrorism interest." More than 200 analysts from the FBI, CIA, and National Counterterrorism Center (NCTC) had improper access to this data.

The Guardian says that these new documents shed light on the 2011 court order by another FISA judge, John Bates, who said that the court had been misled by the NSA about what it was collecting (see Aug. 23 briefing).

In a statement issued Tuesday afternoon, Senators Ron Wyden and Mark Udall, said that although these documents provided additional information about NSA violations, "significant information — particularly about violations pertaining to the bulk email records collection program — remains classified."

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