

# IS THIS WHAT WYDEN MEANT BY “ALLOWING THE NSA TO DELIBERATELY SEARCH FOR RECORDS OF PARTICULAR AMERICANS”?

A month ago, I noted that after Ron Wyden and Mark Udall criticized Keith Alexander for suggesting the NSA could not deliberately search the records of specific Americans, the NSA Director withdrew the white sheet implying such a claim.

The latest report from Glenn Greenwald, describing how XKeyscore allows analysts – with no court review or other oversight – to review already collected information by indexing on metadata.

The purpose of XKeyscore is to allow analysts to search the metadata as well as the content of emails and other internet activity, such as browser history, even when there is no known email account (a “selector” in NSA parlance) associated with the individual being targeted.

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.

One document notes that this is because “strong selection [search by email address] itself gives us only a very limited capability” because “a large amount of time spent on the web is performing actions that are anonymous.”

The NSA documents assert that by 2008, 300 terrorists had been captured using intelligence from XKeyscore.

Analysts are warned that searching the full database for content will yield too many results to sift through. Instead they are advised to use themetadata also stored in the databases to narrow down what to review.

A slide entitled “plug-ins” in a December 2012 document describes the various fields of information that can be searched. It includes “every email address seen in a session by both username and domain”, “every phone number seen in a session (eg address book entries or signature block)” and user activity – “the webmail and chat activity to include username, buddylist, machine specific cookies etc”.

[snip]

One document, a top secret 2010 guide describing the training received by NSA analysts for general surveillance under the Fisa Amendments Act of 2008, explains that analysts can begin surveillance on anyone by clicking a few simple pull-down menus designed to provide both legal and targeting justifications. Once options on the pull-down menus are selected, their target is marked for electronic surveillance and the analyst is able to review the content of their communications:

Now, one of the graphics included with the story has a drop down menu recording how the analyst decided the target of this collection was outside the US. That is, it should exclude US persons and others located within the US. So I’m not convinced this is what Wyden and Udall referred to (unless there’s a way to get to

targets' interlocutors I can't immediately identify).

But if analysts can access information this easily I can understand why the Senators would be so concerned.