

IN WHICH THE I CON USES TOP SECRET SPY WEAPON, THE “CONJUNCTION,” AGAINST JOURNALISTS

Man, it looks Mike Rogers and Keith Alexander conducted one hell of an InfoOp against the nation's NatSec journalists today. Congratulations, spooks, you've finally managed successful propaganda.

Before I explain what I understand to have happened, let me be clear: I don't claim to know what the slides and Q&A from Boundless Informant mean. It may well be that the truth lies between what a bunch of reporters are now reporting and what a series of papers around the world have reported. What I am focusing on here is what the I Con has said as compared to how it has been reported.

As I noted last week, James Clapper used a poor translation of a French article which clearly talked about collecting metadata, denied that the NSA was collecting call content, and based on that gimmick claimed Le Monde had made an error.

Then, in remarkable timing that has been replicated several times during this scandal, the WSJ reported just before the hearing on a topic that both Mike Rogers and Keith Alexander had rehearsed answers for during the hearing. I believe the original lede of the WSJ story (it has been updated) read the same as the current article does,

Millions of phone records at the center of a firestorm in Europe over spying by the National Security Agency were secretly supplied to the U.S. by European intelligence services—not

collected by the NSA, upending a furor that cast a pall over trans-Atlantic relations

I don't think the story ever said **all** the records were collected by Europeans, just that millions were. But in any case, I have zero doubt that WSJ's secret sources told them something like this, that Europeans gave us data, which got reported in a way to suggest the Europeans collected all of it.

At the end of a long sequence in the hearing itself, in a comment not read from prepared statement, Alexander said this (all transcriptions here my own – please let me know of any errors):

Those screen shots that show—or at least, lead people to believe that we, NSA, or the United States, collected that information is false. And it's false that it was collected on European citizens. It was neither.

And that statement, which did not accord with what Alexander **had just said** (including a long passage read from a prepared statement), resulted in headlines like this:

NSA Chief Says Phone Records Given to Agency by Cooperating European Intelligence Services, Not Intercepted by NSA

Or, from the WSJ's update, making this conclusion:

In a congressional hearing Tuesday, the National Security Agency director, Gen. Keith Alexander, confirmed the broad outlines of the Journal report, saying that the specific documents released by Mr. Snowden didn't represent data collected by the NSA or any other U.S. agency and didn't include records from

calls within those countries.

I think one of the reasons this InfoOp worked so well is that reporters had almost no time between the hearing and their filing deadline to review what actually got said (I tweeted immediately that Alexander's statement actually didn't confirm the WSJ's early report, but am only now getting this all down).

So let's look carefully at what Alexander really said (this starts at 41:14).

Rogers starts by asking Alexander to elaborate, specifically with regards to the US and NSA (he may be invoking the WSJ story, but he doesn't say so).

Rogers: And to that end, if I can, Mr. Alexander, there was some reporting that the story about French citizens being spied on by a particular slide that was leaked on a slide deck concluded that French citizens were being spied on. Can you expound on that a little bit? By the United States, by the way, specifically the National Security Agency.

Reading from a document of some sort, Alexander repeats the gimmick Clapper used last week, suggesting that the reports said the NSA had collected phone calls (content), then "corrects" their report to say Boundless Informant actually tracks metadata (which is actually what the reports had said).

Alexander: Chairman, the assertions by reporters in France, Le Monde, Spain, El Mundo, and Italy, L'Espresso, that NSA **collected tens of millions of phone calls** are completely false. They cite as evidence screen shots of the results of a web tool used for data management purposes but both they and the person who stole the classified data did not understand what they were looking at. The web tool **counts metadata records**

from around the world and displays the totals in several different formats. [my emphasis]

Alexander then adds to last week's gimmick of claiming the Europeans reported these as calls, not metadata, by denying we, alone, collected this data.

The sources of the metadata include data legally collected by NSA under its various authorities as well as data provided to NSA by foreign partners. To be perfectly clear, this is not information that **we** collected on European citizens. It represents information that we and our NATO allies have collected in defense of our countries and in support of military operations.

This is not information "we" collected (on European citizens, but I'll come back to that), it's data "collected by NSA ... **as well as** data provided ... by foreign partners." It's data "**we and** our NATO allies have collected."

Those conjunctions – "as well as" ... "and" – which in Alexander's written statement make it clear that **both** the Europeans and US collect this intelligence, disappeared from much of the reporting on this.

Alexander also introduced that this information was collected "in defense of our countries **and** in support of military operations," another conjunction that disappeared from much of the reporting, resulting in reports that this was exclusively about military intelligence.

Now Rogers introduces something that Alexander hadn't said (though the WSJ had). This data was collected external to the country in question.

Rogers: So if I understand you correctly this information was likely collected external to the country of which it may

have been reported in defense of operations ongoing in the world in which NATO participates.

Alexander: That is correct.

This could include a great many things, including cable landings that aren't "in" the country in question but collect off a cable exiting the country in question, which is certainly how we do a lot of collection on other countries. But it doesn't address the Boundless Informant claim, which is that this information is collected "on" these countries.

Rogers also sort of restates this muddled defense idea from Alexander, "in defense of operations ongoing in the world in which NATO participates." Some journalists assumed that all NATO operations take place in Afghanistan so these must obviously be Afghan operations. But of course NATO is headquartered – and defensive operations take place in – Europe.

Now Rogers goes through a series that seems utterly incompatible with the claim that this data was collected external to Europe (or at least the countries in question). He gets Alexander to confirm that US targets – Chinese intelligence, Russian intelligence, and Al Qaeda – use European telecom networks.

Rogers: Hmm. And so, let me just ask you this. If, as you study the networks of the world, let's just talk about the European Union for a second if I may. Is it possible for Chinese intelligence services, military or otherwise, to use networks that you would find **in any nation-states of the European Union?**

Alexander: Absolutely, Chairman.

Rogers: How about Russian intelligence services? Is it possible that they could use networks—communication networks, computer networks—**inside the European Union** for what they're up to?

Alexander: Absolutely, Chairman.

Rogers: How about al Qaeda? Would they use, could they use, is it possible for them to use **the networks found in the European Union** to conduct planning, operations, or execution of operations?

Alexander: They could, absolutely, Chairman. [my emphasis]

"In nation-states of the European Union ... inside the European Union ... networks found in the European Union." Having just established that targets (which if they were Russian or Chinese assets or European citizen al Qaeda associates might in fact be European citizens) use European telecom networks, Rogers asks Alexander whether it's the NSA's job to collect this intelligence.

Rogers: And would it be in the purview of the National Security Agency to try to prevent those activities, especially if it went through the European Union, maybe even targeted at the United States, or targeted at one of our allies?

Here, Alexander gives away the game. He admits to sharing this intelligence, which Rogers has just laid out consists of US targets using European networks, with Europeans. US sharing intelligence on people using European networks with Europeans, not vice versa.

Alexander: It is Chairman, and it's something that we share with our allies.

Again, Rogers makes it clear that Alexander – "you" – would collect this.

Rogers: So you would collect information in those cases and share it with our allies in a way that was appropriate, is that correct?

Now Alexander and Rogers carry out a ploy that will be transparent to anyone who has looked at a cable map, but which apparently got a lot of journalists wide-eyed about this great big giant world again.

Alexander: That's correct, and it may not be actually collected in Europe. Because it's a global network.

Rogers: But it could be in Europe, it could be somewhere else. It could be in the Middle East, it could be in Asia, it could be in the United States, by a FISA warrant collected by the FBI, is that correct? Hmm. And so you share information with our European allies and they share sometimes information they have with us?

Alexander: They do, Chairman.

We collect information, including intelligence on targets using networks in the European Union, and share it with European allies and sometimes they do the same with us.

By now, anyone who has covered counterterrorism for a few years should recognize what Rogers has just done, which mimics what a lot of our legal excuses for wiretapping the US do. He has laid out targets that – he has made clear – use networks in the EU, but he has defined them as non-European, as Chinese or Russian or al Qaeda, even though all three might well be European citizens.

Having done that, he now gets Alexander to agree that collecting on US Chinese or Russian or al Qaeda targets (who might be European) in Europe is not collecting on the citizens of the respected nation-states.

Rogers: So the very certain accusation that the National Security Agency was collecting information on these citizens of the respected nation-states, I just want to get on the record again, is

false, that did not happen. Is that correct?

Alexander: That's correct. Those screen shots that show—or at least, lead people to believe that we, NSA, or the United States, collected that information is false. And it's false that it was collected on European citizens. It was neither.

Rogers: Well, it certainly has created an international row, what I would argue is very poor inaccurate report.

Having just heard Alexander admit we collect intelligence on people using European networks and share it with Europe, I'm not sure why people took this last comment, which was not read from his prepared statement, as more truthful than the one he earlier read off something in front of him or his responses to Rogers, but that is what happened.

A superb info op, I Cons! We Americans are finally getting propaganda worth the money we're paying for it.

One more comment about this. Given the tactics surrounding this info op, I'm not surprised it worked as well as it did.

But there is a reason it shouldn't have. The story being told about Boundless Informant would suggest Boundless Informant consists primarily of intelligence collected by particular close allies off their shores having to do with NATO military operations. But we've already seen Boundless Informant in regards to the US, Brazil, and India, countries in which that narrative wouldn't make any sense.

Apparently, however, Rogers and Alexander managed such a superb series of shiny objects that no one remembered we've been hearing about Boundless Informant for months.

Update: One other detail to keep in mind about Alexander's prevarications. "We" collect most of

this, per undenied reports elsewhere, via Tempora, cables off the British coast, which GCHQ shares with us. Thus, saying "The US, NSA" doesn't collect this may well be correct. But if GCHQ does, it's in our pocket with no limits anyway. And, too, it would make it easy to say the "Europeans" collect this. You know? The ones that are members of Five Eyes.