

MARK WARNER CONFIRMS USA FREEDUMBER EXPANDS SURVEILLANCE

The Senate Intelligence Committee is in the middle of its Snowden Day hearing on the USA Freedumber Act. I'll have more to say about it later (spoiler alert: the hearing has proven that the overseers don't understand the program they're currently overseeing).

The highlight was, surprisingly, when Mark Warner questioned the government witnesses.

Warner (who used to be a telecom mogul) got the government witnesses to concede to two key points.

First, Warner noted that under the new scheme, every telecom would be subject to government requests. As a result, he said, "On factual basis, the number of calls scrutinized universe will be exponentially larger." Deputy Attorney General James Cole at first tried to prevaricate. But then admitted that more records would be exposed.

Then, Warner noted that telecoms have to keep cell location, and that the current Section 215 program does not obtain cell location. He asked if the NSA could use or obtain cell location going forward. Cole did not deny that; he admitted that sometimes it is very helpful.

Thanks to Mark Warner for getting these two details on the record, as I have been arguing both were true, but now can confirm they are.