

READING BETWEEN THE (INTERCEPTED COMMUNICATION) LINES

I'm going to assume (based on abundant evidence) that James Risen and Eric Lichtblau have more logical sense than Pinch and Keller. Therefore, I'm going to also assume that when they present logically inconsistent facts in today's story, they are doing so to tell us some of the super secret stuff about the NSA intercept case that Dick and Bush don't want us to know.

Here's the fundamental illogic in their piece (and again, I'm quite confident this is intentional). The article makes it clear that it is illegal under the program to spy on US to US conversations:

Eavesdropping on communications between two people who are both inside the United States is prohibited under Mr. Bush's order allowing some domestic surveillance.

[snip]

Attorney General Alberto R. Gonzales also emphasized that the order only applied to international communications. "People are running around saying that the United States is somehow spying on American citizens calling their neighbors," he said. "Very, very important to understand that one party to the communication has to be outside the United States."

It goes on to quote our second ranking intelligence official saying there's no way such an intercept would happen by accident.

"The authorization given to N.S.A. by the president requires that one end of these communications has to be outside the United States," General Hayden

answered. "I can assure you, by the physics of the intercept, by how we actually conduct our activities, that one end of these communications are always outside the United States."

But then the article concludes by giving General Hayden a physics lesson.

With roaming cellphones, internationally routed e-mail, and voice-over Internet technology, "it's often tough to find out where a call started and ended," said Robert Morris, a former senior scientist at the N.S.A. who is retired. "The N.S.A. is good at it, but it's difficult even for them. Where a call actually came from is often a mystery."

Logic Lesson Number One: It is not possible to stay completely within the legal guidelines of the program, because NSA doesn't have the technical ability to guarantee they do so.