

JAMES COLE: “OF COURSE WE’D LIKE RECORDS OF PEOPLE BUYING” PRESSURE COOKERS

Now that the Suffolk cops have revealed they investigated Michele Catalano’s family because of a tip from her husband’s former employer about his Google searches and not FBI or NSA analysis of Google data themselves, a lot of people are suggesting it would be crazy to imagine that the Feds might have found Catalano via online searches.

Which is funny. Because just a day before this story broke, this exchange happened in the Senate between Senate Judiciary Chair Patrick Leahy and Deputy Attorney General James Cole. (after 1:45, though just before this exchange Leahy asks whether DOJ could use Section 215 to obtain URLs and bookmarks, among other records, which Cole didn’t deny)

Leahy: But if our phone records are relevant, why wouldn’t our credit card records? Wouldn’t you like to know if somebody’s buying, um, what is the fertilizer used in bombs?

Cole: I may not need to collect everybody’s credit card records in order to do that.

[snip]

If somebody’s buying things that could be used to make bombs of course we would like to know that but we may not need to do it in this fashion.

This is not a surprise. It comes two years after Robert Mueller confirmed they use Section 215 to collect “records relating to the purchase of

hydrogen peroxide," a TATP precursor.

So while we may not know how the government currently collects records relating to the purchase of fertilizer, acetone, hydrogen peroxide or – yes, after Boston, probably also pressure cookers and maybe even fireworks – and we don't know just how broadly it collects such records, we do know that "of course" DOJ "would like to know ... if somebody's buying things that could be used to make bombs."

So just one day ago, Cole didn't deny they could use Section 215 to get search URLs, he affirmed they would want to get records of bomb-making materials.

He just didn't tell us how they might do those things.