

# **YET MORE CELL PHONES IDED IN PROGRAM THAT PURPORTEDLY DOESN'T GET CELL PHONES**

For another purpose, I'm reviewing Robert Mueller's declaration in support of the government's report to the FISA Court in 2009, attempting to get full phone dragnet privileges turned back on. (starting on PDF 91)

As part of it, Mueller provides narratives about 4 FBI investigations that became full investigations as a result of phone dragnet data.

One of those (the first, starting on PDF 102) is Basaaly Moalin. As I've already noted, that involved the connection of at least one and almost certainly two T-Mobile cell phone users to a phone used by Somali warlord Aden Ayro.

While the declaration's redaction on this point is inconsistent, it does confirm cell phones were involved in the chain between Ayro and Moalin (and may suggest Moalin was identified on a 3rd degree connection, not 2nd as court documents had seemed to imply).

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But the description of another case, ultimately involving a selector who got killed off, involved another cell phone.

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indicating that a [REDACTED] cellular telephone number used by several extremists associated with the [REDACTED] had been in contact with several U.S. telephone numbers, including [REDACTED] cellular number [REDACTED]. The FBI's

Of course, in this case, the newly identified cell phone could be an AT&T cell, and there seems to be no claim that those aren't collected under the phone dragnet.

Altogether, unredacted sections of Mueller's narrative mention cell phones 6 times, and a number of the redactions appear likely to hide others. A number of those, mind you, are probably foreign cells, which were likely collected under EO 12333. But given that 12333 data was mixed with (and, indeed, indistinguishable from to the NSA at that point) Section 215 data, claims the database couldn't accept cell data seem clearly wrong.

Still, given all the credulous claims that the phone dragnet has not been collecting cell data, it seems rather relevant that FBI's own discussions of the phone dragnet successes involve so many cell phones.