

EVERYTHING IN THE WAR ON TERROR CAME FROM THE WAR ON DRUGS

bmaz has long insisted, correctly, that all the tricks they have used in the war on terror came first from the war on drugs.

The USA Today's Brad Heath demonstrates how true that is with a blockbuster story on a DEA dragnet, called the USTO, of US to international calls covering up to 116 countries that operated similarly to the NSA dragnet. It dates back to the last days of Poppy Bush's administration. And key figures – especially Robert Mueller, but also Eric Holder – played roles in it in their earlier Executive Branch careers. And, no surprise, the DEA never gave discovery on the collection to defendants.

Definitely read the whole thing. But I'm particularly interested in the last paragraphs, which explain what happened to it. After Snowden exposed the NSA version of the dragnet (which includes the US, as well as foreign countries) and the government kept arguing that was justified because of its special intelligence purpose, the claims they made to justify the DEA dragnet started to fall apart. Plus, it has become less useful anyway, now that more people use the Intertooz.

It was made abundantly clear that they couldn't defend both programs," a former Justice Department official said. Others said Holder's message was more direct. "He said he didn't think we should have that information," a former DEA official said.

By then, agents said USTO was suffering from diminishing returns. More criminals – especially the sophisticated cartel operatives the agency targeted – were

communicating on Internet messaging systems that are harder for law enforcement to track.

Still, the shutdown took a toll, officials said. "It has had a major impact on investigations," one former DEA official said.

The DEA asked the Justice Department to restart the surveillance program in December 2013. It withdrew that request when agents came up with a new solution. Every day, the agency assembles a list of the telephone numbers its agents suspect may be tied to drug trafficking. Each day, it sends electronic subpoenas – sometimes listing more than a thousand numbers – to telephone companies seeking logs of international telephone calls linked to those numbers, two official familiar with the program said.

The data collection that results is more targeted but slower and more expensive. Agents said it takes a day or more to pull together communication profiles that used to take minutes.

This lesson is instructive for the NSA dragnet. It points to one reason why the NSA dragnet may not get all the "calls" it wants: because of messaging that bypasses the telecom backbone. And it shows that an alternative approach can be used.