AUTHOR OF STORY BASED ON LEAKS ABOUT SURVEILLANCE PARROTS BRENNAN CONDEMNING LEAKS ABOUT SURVEILLANCE

Josh Rogin is among many journalists who covered John Brennan's complaints about how "a number of unauthorized disclosures"and hand-wringing about our surveillance capabilities this morning (which was a response to Rogin asking "what went wrong" in Paris in questions).

> But Brennan also said that there had been a significant increase in the operational security of terrorists and terrorist networks, who have used new commercially available encryption technologies and also studied leaked intelligence documents to evade detection.
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> "They have gone to school on what they need to do in order to keep their activities concealed from the authorities," he said. "I do think this is a time for particularly Europe as well as the U.S. for us to take a look and see whether or not there have been some inadvertent or intentional gaps that have been created in the ability of intelligence services to protect the people that they are asked to serve."
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> The FBI has said that Internet "dark spaces" hinder monitoring of terrorism suspects. That fuels the debate over whether the government should have access to commercial applications that facilitate secure communications.
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> Brennan pointed to "a number of

> unauthorized disclosures" over the past several years that have made tracking suspected terrorists even more difficult. He said there has been "hand wringing" over the government's role in tracking suspects, leading to policies and legal action that make finding terrorists more challenging, an indirect reference to the domestic surveillance programs that were restricted after leaks by Edward Snowden revealed their existence.

I find it interesting that Rogin, of all people, is so certain that this is an "indirect reference to the domestic surveillance programs that were restricted after leaks by Edward Snowden revealed their existence." It's a non-sensical claim on its face, because *no surveillance* ***program*** *has yet been restricted* in the US, though FBI has been prevented from using NSLs and Pen Registers to bulk collection communications. The phone dragnet, however, is still going strong for another 2 weeks.

That reference – as I hope to show by end of day – probably refers to tech companies efforts to stop the NSA and GCHQ from hacking them anymore, as well as European governments and the EU trying to distance themselves from the US dragnet. That's probably true, especially, given that Brennan emphasized international cooperation in his response.

I'm also confused by Rogin's claim Jim Comey said Tor was thwarting FBI, given that the FBI Director said it wasn't in September.

Even more curious is that Rogin is certain this is about Snowden and only Snowden. After all, while Snowden's leaks would give terrorists a general sense of what might not be safe (though not one they tracked very closely, given the Belgian Minister of Home Affair's claim that they're using Playstation 4 to communicate, given that one of Snowden's leaks said NSA and CIA were going after targets use of gaming

consoles to communicate at least as early as 2008).

But a different leak would have alerted terrorists that their specific communications techniques had been compromised. The leak behind this story (which was a follow-up on leaks to the NYT, McClatchy, and WaPo).

> It wasn't just any terrorist message that triggered U.S. terror alerts and embassy closures—but a conference call of more than 20 far-flung al Qaeda operatives, Eli Lake and Josh Rogin report.
> The crucial intercept that prompted the U.S. government to close embassies in 22 countries was a conference call between al Qaeda's senior leaders and representatives of several of the group's affiliates throughout the region.
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> The intercept provided the U.S. intelligence community with a rare glimpse into how al Qaeda's leader, Ayman al-Zawahiri, manages a global organization that includes affiliates in Africa, the Middle East, and southwest and southeast Asia.
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> Several news outlets reported Monday on an intercepted communication last week between Zawahiri and Nasser al-Wuhayshi, the leader of al Qaeda's affiliate based in Yemen. But The Daily Beast has learned that the discussion between the two al Qaeda leaders happened in a conference call that included the leaders or representatives of the top leadership of al Qaeda and its affiliates calling in from different locations, according to three U.S. officials familiar with the intelligence. All told, said one U.S. intelligence official, more than 20 al Qaeda operatives were on the call.

> [snip]
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> Al Qaeda leaders had assumed the conference calls, which give Zawahiri the ability to manage his organization from a remote location, were secure. But leaks about the original intercepts have likely exposed the operation that allowed the U.S. intelligence community to listen in on the al Qaeda board meetings.

That story — by Josh Rogin himself! (though again, this was a follow-up on earlier leaks) — gave Al Qaeda, though maybe not ISIS, specific notice that one of their most sensitive communication techniques was compromised.

It's really easy for journalists who want to parrot John Brennan and don't know what the current status of surveillance is to blame Snowden. But those who were involved in the leak exposing the Legion of Doom conference call (which, to be sure, originated in Yemen, as many leaks that blow US counterterrorism efforts there do) might want to think twice before they blame other journalism.