

CIA Pays AT&T to Spy on Phone Data

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The report Thursday of a CIA-AT&T operation exposes a whole new layer of state-corporate spying on the people of the United States and the world.

Details of the operation, first published by the *New York Times*, make clear that AT&T, the largest US telecommunications provider, is allowing the CIA to sift through its vast call database, not in response to any subpoena or court order, but rather as part of a voluntary contract under which the company is being paid more than \$10 million a year by the intelligence agency.

In addition to its millions of customers, the company also handles connections between long distance carriers and local telephone networks all over the world, with tens of billions of minutes of voice calls per year passing through its facilities around the globe.

The CIA-AT&T operation duplicates some of the massive data-mining and domestic spying operations carried out by the National Security Agency, details of which have been exposed in recent months through documents released by NSA whistleblower Edward Snowden.

The *Times* report cited a “senior intelligence official” who argued that this overlap was justified because the CIA requires “a certain speed, agility and tactical responsiveness that differs from other agencies. The need to act without delay is often best met when the CIA has developed its own capabilities to lawfully acquire necessary foreign intelligence information.”

Acting “without delay” in the CIA’s case increasingly involves launching drone missile attacks to assassinate perceived enemies of Washington, while killing significant numbers of innocent civilians.

AT&T issued a statement Thursday acknowledging that it is paid by the government to provide information, while refusing to comment on the report that it had concluded such a deal with the CIA.

“In all cases, wherever any governmental entity anywhere seeks information from us, we ensure that the request and our response are lawful and proper,” the company said.

This self-serving claim notwithstanding, there is every indication that the CIA-AT&T operation, like its counterparts being directed by the NSA, is being conducted in flagrant violation of international law and the US Constitution’s Fourth Amendment protections against unreasonable searches and seizures.

The CIA’s access to metadata covering tens of millions of Americans who are customers of AT&T also suggests a violation of US statutes barring the agency from conducting domestic

spying operations. In what amounts to less than a fig leaf to cover such violations, unnamed US officials said that when the company provides records of international calls that involve US phones “it does not disclose the identity of the Americans and ‘masks’ several digits of their phone numbers.”

Citing these unnamed officials, the *Times* adds, however, that “the agency can refer such masked numbers to the FBI, which can issue an administrative subpoena requiring AT&T to provide the uncensored data. The bureau handles any domestic investigation, but sometimes shares with the CIA the information about the American participant in those calls.”

The *Washington Post* cited other legal concerns raised by the program. It points out that by law, “Every telecom operator is governed by regulations on CPNI, or customer proprietary network information,” which it is required to protect from third parties. The information AT&T handed over to the CIA falls under this regulation.

Given the absence of a court order or a subpoena, “This suggests that AT&T may have stepped out of bounds when it entered into its deal with the CIA and began providing details of US-based phone numbers.”

The latest revelations, coming on top of the exposure of massive spying on European citizens as well as the tapping of the personal phones of leaders such as Germany’s Chancellor Angela Merkel, will have reverberations across the Atlantic. European regulators and politicians have vowed to subject a bid by AT&T to acquire the European cell phone provider Vodafone to tight scrutiny.

AT&T, Verizon and other telecom companies have a long record of close collaboration in the US government’s illegal domestic spying operations.

Under the Bush administration, a lawsuit brought by the Electronic Frontier Foundation (EFF) established through documents obtained by a former AT&T technician that the company allowed the NSA to set up secret offices inside its facilities, giving it direct access to the “switches” through which phone calls and Internet data are routed.

So egregious was the participation of the telecoms in the Bush administration’s illegal domestic spying operations that the government was compelled to seek legislation (the FISA Amendments Act) granting them retroactive immunity against any legal actions—a measure which, along with expanded spying powers, then US senator and Democratic presidential candidate Barack Obama supported.

Some five years later, this collaboration involves not only the telecoms but Internet companies like Microsoft, Yahoo, Google, Facebook, AOL, YouTube and Apple as well as thousands of other technology, finance and manufacturing firms, which are rewarded with both government funds and access to classified information. Under its Corporate Partner Access Program, revealed in a document released by Snowden last August, the NSA, after obtaining orders from the Foreign Intelligence Surveillance Court, paid out \$278 million last year to pay for access to “high volume circuit and packet-switched networks.”

Far from defending the constitutional rights of their customers, these companies have proven willing accomplices in the establishment of a police-state surveillance system whose real purpose is not to combat terrorism, but to amass information on the general population

with the aim of protecting the banks, corporations and super-rich.

On Tuesday, the US Senate Intelligence Committee, meeting in a closed session, voted 13-to-2 to approve a measure providing annual funding for the NSA and other US intelligence agencies. Thanks to documents leaked by Edward Snowden, it is now known that this so-called "black budget" amounted to \$52.6 billion in 2013, including \$10.8 billion for the NSA alone.

In this year's annual funding measure, the Senate committee includes something extra. According to a press release issued by the panel, the Intelligence Authorization Act for Fiscal Year 2014 provides for "important measures to protect against insider threats by adding necessary funds to deploy information technology detection systems across the Intelligence Community." It empowers the Director of National Intelligence "to improve the government's process to investigate (and reinvestigate) individuals with security clearances to access classified information."

In other words, the response of the Democratic leadership in the US Senate to the public outrage generated by Edward Snowden's revelations of the police-state spying by the NSA is to promote a crackdown and witch-hunt within the US intelligence agencies, aimed at preventing anyone else from exposing criminal state conspiracies to the people of the US and the world.

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