Top senator: NSA is Not Violating Surveillance Law

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Editor's Note: This is a big mess. We know the government was doing this, why the obfuscation? Weren't the Democrats supposed to improve things when they came to office?

WASHINGTON - The National Security Agency has not committed flagrant violations of the rules governing surveillance of American e-mails and phone calls, the chairman of the Senate Intelligence Committee said Wednesday.

Sen. Dianne Feinstein, D-Calif., was responding to a story in The New York Times that said the NSA had conducted more widespread intercepts of private U.S. conversations in 2008 and early this year than has previously been acknowledged.

"Everything that I know so far indicates that the thrust of the story — that there are flagrant actions essentially to collect content of (American e-mails) — is just simply not true, to the best of my knowledge," Feinstein said at a Senate hearing Wednesday.

Oklahoma Republican Sen. Tom Coburn, a member of the Senate Judiciary Committee, also questioned the story's accuracy.

The newspaper article quoted Rep. Rush Holt, D-N.J., who chairs the House Select Intelligence Oversight Panel, as being very concerned about the extent that conversations were over collected. Holt disputed assertions that the violations reported in April were accidental.

"Some actions are so flagrant that they can't be accidental," Holt told the newspaper.

Holt could not be reached for comment Wednesday. His spokesman Zach Goldberg confirmed Holt's quotes and said he had "nothing to add or retract."

Calls to the newspaper were not immediately returned.

The Justice Department said in April that it had reined in NSA electronic surveillance after learning that the monitoring improperly accessed American phone calls and e-mails. Such intercepts require the approval of a Foreign Intelligence Surveillance Court judge.

The House and Senate intelligence committees have looked at the April breach

three times and are continuing to watch the program for potential problems, said a House congressional aide who spoke on condition of anonymity because details about the NSA program are classified.

The House Intelligence Committee is expected to discuss the matter Thursday in a closed session debating the intelligence authorization act for fiscal year 2010.

The newspaper also reported the existence of a secret NSA program called Pinwale that archived foreign and American e-mail messages and allowed NSA analysts to read large volumes of the messages, provided Americans were not explicitly targeted in the searches.

Congress last year loosened the Foreign Intelligence Surveillance Act to allow the government to access — without a court order — foreign e-mails and phone calls that are intercepted as they move through fiber optics cables in the United States.

Some Americans' e-mails are inadvertently scooped up by NSA as part of those intercepts. But those e-mails are supposed to be separated out and identifying markers removed to protect Americans' privacy.

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