US spy programs raise ire both home and abroad

LARA JAKES, AP National Security Writer

WASHINGTON (AP) — The Obama administration faced fresh anger Monday at home and abroad over U.S. spy programs that track phone and Internet messages around the world in the hope of thwarting terrorist threats. But a senior intelligence official said there are no plans to end the secretive surveillance systems.

The programs causing the global uproar were revealed by Edward Snowden, a 29-year-old employee of government contractor Booz Allen Hamilton. Snowden, whose identity was revealed at his own request, has fled to Hong Kong in hopes of escaping criminal charges. Sen. Dianne Feinstein of California, who heads the Senate Intelligence Committee and supports the surveillance, accused Snowden of committing an "act of treason" and said he should be prosecuted.

Coolly but firmly, officials in Germany and the European Union issued complaints over two National Security Agency programs that target suspicious foreign messages — potentially including phone numbers, email, images, video and other online communications transmitted through U.S. providers. The chief British diplomat felt it necessary to try to assure Parliament that the spy programs do not encroach on U.K. privacy laws.

And in Washington, members of Congress said they would take a new look at potential ways to keep the U.S. safe from terror attacks without giving up privacy protections that critics charge are at risk with the government's current authority to broadly sweep up personal communications.

"There's very little trust in the government, and that's for good reason," said Rep. Adam Schiff, D-Calif., who sits on the House Intelligence Committee. "We're our own

worst enemy."

Independent Sen. Angus King of Maine, who sits on the Senate Intelligence Committee, said he was considering how Congress could limit the amount of data spy agencies seize from telephone and Internet companies — including restricting the information to be released only on an as-needed basis.

"It's a little unsettling to have this massive data in the government's possession," King said.

A senior U.S. intelligence official said there are no plans to scrap the programs that, despite the backlash, continue to receive widespread if cautious support within Congress. The official spoke on condition of anonymity to discuss the sensitive security issue.

The programs were revealed last week by The Guardian and The Washington Post newspapers. National Intelligence Director James Clapper has taken the unusual step of declassifying some of the previously top secret details to help the administration mount a public defense of the surveillance as a necessary step to protect Americans.

One of the NSA programs gathers hundreds of millions of U.S. phone records to search for possible links to known terrorist targets abroad. The other allows the government to tap into nine U.S. Internet companies and gather all communications to detect suspicious behavior that begins overseas.

Snowden is a former CIA employee who later worked as a contractor for the NSA on behalf of Booz Allen, where he gained access to the surveillance. Republican Sen. Susan Collins of Maine said it was "absolutely shocking" that a 29-year-old with limited experience would have access to this material.

The first explosive document he revealed was a top secret court order issued by the U.S. Foreign Intelligence Surveillance Court that granted a three-month renewal for a massive collection of American phone records. That order was signed April 25. The Guardian's first story on the court order was published on June 5.

In a statement issued Sunday, Booz Allen said Snowden had been an employee for fewer than three months, so it's possible he was working as an NSA contractor when the order was issued.

He also gave the Post and the Guardian a PowerPoint presentation on another secret program that collects online usage by the nine Internet providers. The U.S. government says it uses that information only to track foreigners' use overseas.

Believing his role would soon be exposed, Snowden fled last month to Hong Kong, a Chinese territory that enjoys relative autonomy from Beijing. His exact whereabouts were unknown Monday.

"All of the options, as he put it, are bad options," Guardian journalist Glenn

Greenwald, who first reported the phone-tracking program and interviewed Snowden extensively, told The Associated Press on Monday. He said Snowden decided to release details of the programs out of shock and anger over the sheer scope of the government's privacy invasions.

"It was his choice to publicly unveil himself," Greenwald told the AP in Hong Kong. "He recognized that even if he hadn't publicly unveiled himself, it was only a matter of time before the U.S. government discovered that it was he who had been responsible for these disclosures, and he made peace with that. ... He's very steadfast and resolute about the fact that he did the right thing."

Although Hong Kong has an extradition treaty with the U.S., the document has some exceptions, including for crimes deemed political. Any negotiations about his possible handover will involve Beijing, but some analysts believe China is unlikely to want to jeopardize its relationship with Washington over someone it would consider of little political interest.

Snowden also told The Guardian that he may seek asylum in Iceland, which has strong free-speech protections and a tradition of providing a haven for the outspoken and the outcast.

The Justice Department is investigating whether his disclosures were a criminal offense — a matter that's not always clear-cut under U.S. federal law.

A second senior intelligence official said Snowden would have had to have signed a nondisclosure agreement to gain access to the top secret data. That suggests he could be prosecuted for violating that agreement. Penalties could range from a few years to life in prison. The official spoke on condition of anonymity to describe the process of accessing classified materials more frankly.

On Monday afternoon two agents visited the Upper Macungie Township, Pa., home of Snowden's father, Lonnie Snowden. A man who showed FBI identification as he was leaving the home referred questions to the bureau's Philadelphia office, which declined to comment.

The leak came to light as Army Pfc. Bradley Manning is being tried in military court under federal espionage and computer fraud laws for releasing classified documents to WikiLeaks about the wars in Iraq and Afghanistan, among other items. The most serious charge against him is aiding the enemy, which carries a potential life sentence. But the military operates under a different legal system.

If Snowden is forced to return to the United States to face charges, whistleblower advocates said Monday that they would raise money for his legal defense.

Clapper has ordered an internal review to assess how much damage the disclosures created. Intelligence experts say terrorist suspects and others seeking to attack the U.S. all but certainly will find alternate ways to communicate instead of relying on systems that now are widely known to be under surveillance.

The Obama administration must also now deal with the political and diplomatic fallout of the disclosures. Privacy laws across much of Western Europe are stricter than they are in the United States.

On Tuesday, the European Parliament, through its 27-nation executive arm, will debate the spy programs and whether they have violated local privacy protections. E.U. officials in Brussels pledged to seek answers from U.S. diplomats at a trans-Atlantic ministerial meeting in Dublin that begins Thursday.

"It would be unacceptable and would need swift action from the EU if indeed the U.S. National Security Agency were processing European data without permission," said Guy Verhofstadt, a leader in the Alde group of liberal parties.

Additionally, German government spokesman Steffen Seibert told reporters Monday that Chancellor Angela Merkel would question President Barack Obama about the NSA program when he's in Berlin on June 18 for his first visit to the German capital as president. In Germany, privacy regulations are especially strict, and the NSA programs could tarnish a visit that both sides had hoped would reaffirm strong German-American ties.

In London, British Foreign Secretary William Hague was forced to deny allegations that the U.K. government had used information provided by the Americans to circumvent British laws. "We want the British people to have confidence in the work of our intelligence agencies and in their adherence to the law and democratic values," Hague told Parliament.

White House spokesman Jay Carney said Obama is open for a discussion about the spy programs, both with allies and in Congress. His administration has aggressively defended the two programs and credited them with helping stop at least two terrorist attacks, including one in New York City.

But privacy rights advocates say Obama has gone too far. The American Civil Liberties Union and Yale Law School filed legal action Monday to force a secret U.S. court to make public its opinions justifying the scope of some of the surveillance, calling the programs "shockingly broad." And conservative lawyer Larry Klayman filed a separate lawsuit against the Obama administration, claiming he and others have been harmed by the government's collection of as many as 3 billion phone numbers each day.

Army records indicate Snowden enlisted in the Army around May 2004 and was discharged that September.

"He attempted to qualify to become a Special Forces soldier but did not complete the requisite training and was administratively discharged from the Army," Col. David H. Patterson Jr., an Army spokesman at the Pentagon, said in a statement late Monday.

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