

# US Intel Director says Prism 'is not a data mining programme'

[POLITICS \(/BROAD-TOPICS/POLITICS\)](#) / 10 JUNE 13 /

by [KIM ZETTER \(/SEARCH/AUTHOR/KIM+ZETTER\)](#) [↗](#)

Following a storm of media headlines and company denials, he-saids and he-saids, the US Director of National Intelligence has entered the fray to release a statement setting the record straight on the nature of its Prism programme, sort of.

"Prism is not an undisclosed collection or data mining programme," James R. Clapper, wrote in the three-page statement

([http://www.wired.com/images\\_blogs/threatlevel/2013/06/PRISM-FAQ.pdf](http://www.wired.com/images_blogs/threatlevel/2013/06/PRISM-FAQ.pdf)) (.PDF) released late on 8 June.

"It is an internal government computer system used to facilitate the government's statutorily authorised collection of foreign intelligence information from electronic communication service providers under court supervision," he wrote.

The statement brought hours of Twitter speculation to an end, but still left unanswered many pressing questions about how the government uses FISA to conduct surveillance and obtain records and why the secret FISA Court found in 2011 that the government was in violation of the spirit of FISA in conducting its collection activities.

Directly addressing the inaccuracies in articles published by the *Guardian* and *Washington Post*, which asserted that Prism was a bulk-collection programme that allowed the National Security Agency to tap directly into the servers of nine internet companies, including Google, Facebook, and Yahoo, Clapper wrote that in a rush to publish "there are significant misimpressions that have resulted from the recent articles."

"Not all the inaccuracies can be corrected without further revealing classified information," he said. "I have, however, declassified for release the attached details about the recent unauthorised disclosures in hope that it will help dispel some of the myths and add necessary context to what has been published."

The CEOs of Google and Facebook denied that the government had a backdoor

(<http://www.wired.com/threatlevel/2013/06/prism-google-facebook/>) into their systems or that they provided the government with bulk data. Other companies listed by the *Guardian* and *Washington Post* as being part of the programme denied participating in it as well. The newspapers based their reporting on a 41-slide PowerPoint presentation obtained via whistleblower Edward Snowden, which apparently made assertions that the two media outlets misinterpreted to mean the NSA had direct access to private company servers.

The details are sparse in Clapper's FAQ and don't really shed much more light on the Prism system, focusing more on justifying the government's data collection activities than explaining how much data gets collected by the system.

But he does say that Prism is essentially a government software tool for facilitating the collection of targeted acquisition of information concerning foreign targets located outside the United States, as authorised by Section 702 of the Foreign Intelligence Surveillance Act.

Though he doesn't elaborate on the nature of the tool, privacy experts like independent technologist Ashkan Soltani have speculated, based on published descriptions of the system, that it is likely some kind of API to automate the process of submitting court orders to the internet companies and receiving their responses and data.

It's "basically a data-ingestion API," he told Mashable (<http://mashable.com/2013/06/08/prism-nsa-direct-access/>) for submitting FISA data requests and getting responses in a machine-readable form.

Left unsaid in the government's FAQ is exactly how targeted the FISA requests are and how much data it obtains each year from using them. Companies like Google and Facebook are prohibited from disclosing even generic statistics on the numbers of FISA requests they get each year, or the number of Gmail account holders and Google search users, to name just two of Google's services, that are affected by the requests.

All that's known about FISA requests are disclosed in an annual report by the Justice Department to Congress, which gives only a bare-bone stat. In 2012, we know from that report, the government made 1,856 applications to the Foreign Intelligence Surveillance Court to obtain records. None of those requests for electronic surveillance were denied by the court. That figure was about 5 percent higher than the 1,745 applications in 2011.



DIRECTOR CLAPPER

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US Director of National Intelligence James Clapper says the Security Agency's PRISM programme is "not a data mining program" but instead "an intelligence computer system used to facilitate the government's authorized collection of foreign intelligence." (AP Photo/Chris Wedel)

The Electronic Frontier Foundation has been fighting to obtain a secret FISA court opinion (<https://www.eff.org/deeplinks/2013/06/government-says-secret-court-opinion-law-underlying-prism-program-needs-stay>) that found the National Security Agency's surveillance under the FISA Amendments Act to be unconstitutional.

Senators Ron Wyden and Mark Udall revealed the existence of the opinion, but have been unable to discuss it publicly. The FISA Court reportedly found that the government's collection activities under FISA Section 702 "circumvented the spirit of the law" and violated the Fourth Amendment's prohibition on unreasonable searches and seizures.

*This story originally appeared on Wired.com  
(<http://www.wired.com/threatlevel/2013/06/prism-faq/>)*

*Image: Medill DC*

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Edited by KADHIM SHUBBER

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### 5 comments



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**Anne Marie Barkulis Evans** · Winter Park, Florida

If we want the Government to try to keep us safe from terrorism - HOW should the gov. do it?

Notwithstanding our current administration that has done everything possible NOT to merit any trust; the very documents that many complain are being violated were established not only to give us 'rights', but also, so we would not HAVE to trust the gov.

Maybe, the internet should not be considered a personal vehicle. upon which we can rely for privacy? (...ya think? to my way of thinking, a big "DUH" should come to mind).

Where is our Common Sense? You don't blab about things you want kept personal.

[Reply](#) · [Like](#) · June 24 at 10:00am



**John Othniel McDonald** · Mountain House, California

Clapper is the same guy who said the Muslim Brotherhood was secular - a 40 watt bulb in a 120 watt socket. But he's got the face for the job and that's all that matters in our TV culture.

[Reply](#) · [Like](#) · June 12 at 8:14am



**Ian Chen** · University of Illinois at Urbana-Champaign

The most disconcerting part about PRISM is that the technique will logically give way to abuse. Let's say there is 100k potential threats in the country, that equates to less than 0.1% of the adult population. So even if data mining algorithms is 99% accurate, every one guilty person the algorithm finds will also falsely identify 10 innocent ones. So reduce the false positive, the algorithm will need MORE data. So the "logical" government action will be to persecute the innocent while getting more intrusive in data collection.

[Reply](#) · [2](#) · [Like](#) · June 12 at 9:02am



**John Othniel McDonald** · Mountain House, California

@Ian ... I don't even think terrorism is really what they care about. I think this is massive dirt digging operation on foreign and domestic diplomats - they want to have dirt on anyone who they want to be made compliant. After \$80B/yr. and years of work they almost have no counter terror successes. And back in 2008 they were busted for listening in on things like phone sex and telling other analyst about the most interesting callers, etc. The NSA needs to get shut down.

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