

HOW DOES NSA (AND ITS PARTNERS) CATCH MORE TERRORISTS IN EUROPE WITH LESS METADATA?

In follow-up to yesterday's I Con, Le Monde reports that France's spy agency, DGSE and the US, established a data sharing arrangement in 2011-2012 via which France provides call data to the US. It notes that part of the data the US gets comes from the French (apparently, Le Monde has better mastery of the conjunction than American National Security journalists) and that French citizens, as well as other targets, are included.

I suspect this is where the global dragnet may proceed: where we learn, country by country, that the US has side deals with partners, in addition to massive collections done largely (in Europe, anyway) by GCHQ, that allows it access to a lot of metadata.

But there's something missing.

The US can, so long as it gets away with it, collect as much metadata as it can from France and other foreign countries. In the US, it has to work through the courts (well, that's the law, one the Bush Administration flouted for 5 years).

And yet, the US collects far more metadata in the US than it does in France. In the last month of 2012, the US (and its partners, including GCHQ and DGSE) collected 70.3 million pieces of metadata in France, or roughly 1.07 piece of metadata on every French person. According to the Guardian, Boundless Informant shows the NSA (and its partners) collected 2.89 billion pieces of data in the month ending March 2013, or roughly 9.32 pieces of metadata on every American. And all that's apparently before you

consider the billions or trillions of pieces of metadata collected in the phone dragnet (which of course collects on “substantially all” the 310 million Americans (though in France, investigators can access phone metadata more readily)).

That is, legally, the NSA (and its partners, including GCHQ) are not bound by legal limits on what they collect. But it collects more on Americans than it does on the French.

And yet ... NSA finds more terrorists in Europe than in America.

More terrorists, less metadata.

I am sure this is a matter of comparing oranges to orange bouncy balls. Different times of the year, different numbers of terrorists in the country, different complementary tools and investigative skills. That is, there are nuances in all this data that neither the Snowden document recipients nor the NSA are going to be able to explain anytime soon. But they both seem to agree Boundless Informant does provide some picture of how much data the NSA (and its partners) collect where. And that does seem to show that NSA collects relatively more in the US than it does in Europe.

If that's the case, then why is having a complete haystack of metadata here in the US pursuant to the Section 215 dragnet necessary? Doesn't the European case show you can find even more terrorists without it?