


## Former NSA executive: Agency used 'blanket' surveillance during 2002 Olympics

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 [washingtonpost.com/sports/former-nsa-executive-agency-used-blanket-surveillance-during-2002-olympics/2017/06/02/95d288fc-47e6-11e7-98cd-af64b4fe2dfc\\_story.html](https://www.washingtonpost.com/sports/former-nsa-executive-agency-used-blanket-surveillance-during-2002-olympics/2017/06/02/95d288fc-47e6-11e7-98cd-af64b4fe2dfc_story.html)  
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### Sports



Former NSA senior executive Thomas Drake, shown in 2013, said federal agencies conducted 'blanket' surveillance during the 2002 Olympics. (Matt McClain/The Washington Post)

By Will Hobson

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Former National Security Agency senior executive and whistleblower Thomas Drake revealed himself this week as the source for a lawsuit alleging the NSA conducted "blanket, indiscriminate surveillance" of Salt Lake City during the 2002 Winter Olympics.

In a [declaration filed in discovery](#) in the case in U.S. district court in Utah, Drake asserted the NSA, in coordination with the FBI, scooped up and stored the content of emails and text messages sent and received by anyone in the city and Olympic venues — including American citizens.

“The mantra was ‘just take it all,’” said Drake, 60, in a Thursday evening phone interview. Drake’s assertions contradict declarations filed in the case in March by former NSA director Michael Hayden and current NSA operations manager Wayne Murphy.

“The NSA has never . . . at any time conducted ‘mass’ or ‘blanket’ surveillance, interception, or analysis . . . of e-mail, text message, telephone, or other telecommunications in Salt Lake City or the vicinity of the 2002 Winter Olympic venues, whether during the 2002 Winter Olympic Games or otherwise,” Murphy stated.

Drake accused Murphy and Hayden of making statements that are “if not literally false, substantially misleading.” His declaration was first reported Friday by the Salt Lake Tribune.

The NSA and the Department of Justice declined to comment Friday on the case, which was filed in 2015 by former Salt Lake City Mayor Rocky Anderson on behalf of six American citizens who alleged their private communications were monitored and likely stored by the NSA during the Winter Games, held in Salt Lake City in February 2002.

“It’s incredibly important that the public be aware of what our government’s doing, and all of us standing up against it,” Anderson said in a telephone interview Thursday evening. “We need to let our elected officials know that we will resist in any way possible this rather sudden transformation of our country, not only to a surveillance state, but to a nation where the rule of law seems to mean very little.”

Drake is a former Air Force and Navy veteran who worked at the NSA from 1989 until 2008, when his career ended amid a leak investigation. Drake had grown uncomfortable with the expansion of the NSA’s surveillance operations, authorized by President George W. Bush after the Sept. 11, 2001, terrorist attacks, and leaked unclassified information to a reporter about waste and fraud in the agency.

In 2007, Drake’s home was raided by the FBI, and, in 2010, federal prosecutors charged him with 10 felonies under the Espionage Act. The case against him ultimately collapsed — Drake pleaded guilty to a misdemeanor in 2011 — and his ordeal is seen by civil liberty advocates as emblematic of overaggressive targeting of whistleblowers by the federal government.

In early 2002, according to Drake, he started hearing rumors from alarmed colleagues at the NSA about the “Salt Lake Olympics Field Op.” Then he started seeing manifest documents, showing shipments of surveillance equipment headed to Utah.

The Winter Games that year were held on American soil just five months after the Sept. 11 attacks, and according to Drake's declaration, the NSA saw the event — which would bring thousands of people, including foreign leaders and international media, to a relatively confined geographic area — as a “golden opportunity to fine-tune a new scale of mass surveillance.”

The mass surveillance program during the 2002 Olympics was first reported in [a 2013 Wall Street Journal article](#) that alleged, based on anonymous officials, that the FBI and the NSA made an arrangement with Qwest Communications International Inc. to monitor the content of all email and text communications in the Salt Lake City region during the Winter Games.

Qwest, a Denver-based telecommunications company, was acquired in 2011 by CenturyLink. Former Qwest chief executive Joseph Nacchio has said he knew nothing about his company cooperating with the NSA during the 2002 Olympics, but that federal authorities could have worked with other executives without his knowledge.

In 2013, one of the secret documents former NSA contractor Edward Snowden leaked to journalists describes NSA discussions about an operation during the Olympics, but not to the extent of what Drake has alleged.

“In early 2002, NSA personnel met with senior vice president of government systems and other employees from Company E,” the document stated. “Under authority of the President's Surveillance Program (PSP), NSA asked Company E to provide call records in support of security for the Olympics in Salt Lake City . . . On 19 February 2002, Company E submitted a written proposal that discussed methods it could use to regularly replicate call record information stored in a Company E facility and potentially forward the same information to NSA.”

The Snowden document makes no mention of capturing content, though, but rather seems to align with previous revelations of NSA operations capturing metadata: information about a phone call or text message, such as the phone numbers, geographical locations of the devices used, and the duration of a call or size of a message.

But Drake said the Salt Lake City operation captured far more than just metadata. Before the Olympics, he said, the NSA set up geofencing — virtual geographic boundaries — around Salt Lake City and nearby Olympic venues.

“Virtually all electronic communication signals that went into or out of one of those designated areas were captured and stored by the NSA, including the contents of emails and text messages,” according to Drake's declaration. The

NSA stored the metadata, as well as text in emails and text messages. Only large attached images or video files to texts and emails would have been spared, Drake said, because of their size.

Anderson, the former Salt Lake City mayor, was in private practice as an attorney when he read the 2013 Wall Street Journal article. He connected with Drake through a mutual friend, and when Drake described the scope of the operation he believed had been conducted, Anderson decided to pursue litigation.

Anderson's case was filed in 2015 on behalf of six people who lived or worked near Olympic venues in Salt Lake City in 2002, including a lawyer, an author and a college professor. Their lawsuit seeks damages, an order to compel the NSA to disclose what communications from the plaintiffs it still has in storage and then the deletion of that information.

Anderson has asked the American Civil Liberties Union and several other electronic freedom and individual rights organizations to take up the case, but all have declined. The Department of Justice has tried to get the case dismissed, but U.S. District Judge Robert Shelby allowed it to proceed with a ruling in January.

Drake expressed dismay Thursday evening that the case has been greatly overshadowed this year by the news, and tweets, coming from the White House.

"If there was anything exceptional about America, it was our Constitution . . . and yet, here I was, seeing it unravel, in secret, from within the government," Drake said. "To me, this still really matters."

Michael E. Miller contributed to this report.

