

Former AT&T worker details federal Internet spying in S.F.

Ellen Nakashima, Washington Post

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His first inkling that something was amiss came in summer 2002 when he opened the door to admit a visitor from the National Security Agency to an office of AT&T in San Francisco.

"What the heck is the NSA doing here?" Mark Klein, a former AT&T technician, said he asked himself.

A year or so later, he stumbled upon documents that, he said, nearly caused him to fall out of his chair. The documents, he said, show that the NSA gained access to huge amounts of e-mail, Web search and other Internet records of more than a dozen global and regional telecom providers. AT&T allowed the agency to hook into its network at a facility in San Francisco and, according to Klein, many of the other telecom companies probably knew nothing about it.

Klein is in Washington this week to share his story in the hope that it will persuade lawmakers not to grant legal immunity to telecommunications firms that helped the government in its anti-terrorism efforts.

Klein, 62, said he may be the only person in the country in a position to discuss firsthand knowledge of an important aspect of the Bush administration's domestic surveillance. He is retired, so he isn't worried about losing his job. He carried no security clearance, and the documents in his possession were not classified, he said. He has no qualms about "turning in," as he put it, the company where he worked for 22 years, until he retired in 2004.

"If they've done something massively illegal and unconstitutional - well, they should suffer the consequences," Klein said. "It's not my place to feel bad for them. They made their bed. They have to lie in it. The ones who did (anything wrong), you can be sure, are high up in the company. Not the average Joes, who I enjoyed working with."

In an interview Tuesday, he said the NSA set up a system that vacuumed up Internet and phone-call data from ordinary Americans with the cooperation of AT&T. Contrary to the government's depiction of its surveillance program as aimed at overseas terrorists, Klein said, much of the data sent through AT&T to the NSA was purely domestic. Klein said he believes the NSA was analyzing the records for usage patterns as well as for content.

He said the NSA built a special room to receive data streamed through an AT&T Internet room containing "peering links," or major connections to other telecom providers. The largest of the links delivered 2.5 gigabits of data - the equivalent of one-quarter of the Encyclopedia Britannica's text - per second, said Klein, whose documents and eyewitness account form the basis of one of the first lawsuits filed against the telecom giants after the government's warrantless-surveillance program was reported in the New York Times in December 2005.

Claudia Jones, an AT&T spokeswoman, said she had no comment on Klein's allegations.

The NSA and the White House declined to comment on Klein's allegations.

Klein is urging Congress not to block Hepting vs. AT&T, a class-action suit pending in federal court in San Francisco, as well as 37 other lawsuits charging carriers with illegally collaborating with the NSA program. He was accompanied Tuesday by lawyers for the Electronic Frontier Foundation, which filed Hepting vs. AT&T in 2006. Together, they are urging key senators to oppose a pending White House-endorsed immunity provision that would effectively wipe out the lawsuits. The Judiciary Committee is expected to take up the measure Thursday.

In summer 2002, Klein was working in a Geary Street office responsible for Internet equipment when an NSA representative arrived to interview a management-level technician for a special job whose details were secret.



"That's when my antennas started to go up," he said. He knew that the NSA was supposed to work on overseas signals intelligence.

The job entailed building a "secret room" in another AT&T office 10 blocks away on Folsom Street, he said. By coincidence, in October 2003, Klein was transferred to that office and assigned to the Internet room. He asked a technician there about the secret room on the 6th floor, and the technician told him it was connected to the Internet room a floor above. The technician, who was about to retire, handed him some wiring diagrams.

"That was my 'aha' moment," Klein said. "They're sending the entire Internet to the secret room."

The diagram showed splitters, glass prisms that split signals from each network into two identical copies. One copy fed into the secret room. The other proceeded to its destination, he said.

"This splitter was sweeping up everything, vacuum-cleaner-style," he said. "The NSA is getting everything. These are major pipes that carry not just AT&T's customers but everybody's."

Klein said he decided to go public after President Bush defended the NSA's surveillance program as limited to collecting phone calls between suspected terrorists overseas and people in the United States. Klein said the documents show that the scope was much broader.

The New York Times contributed to this report.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/11/07/MNIST7NS9.DTL>

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