NSA Phone Data Control to Come to End

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WASHINGTON (AP) — Seeking to calm a furor over U.S. surveillance powers, President Barack Obama on Friday will call for ending the government's control of phone data from hundreds of millions of Americans and require intelligence agencies to get a secretive court's permission before accessing the records, a senior administration official said.

However, congressional officials say the moves would require approval from lawmakers, raising questions about how quickly - or even whether - the proposals could be enacted by a Congress that is divided over the future of the government's spying operations.

Obama will announce the decisions in a highly anticipated speech at the Justice Department. He will not offer his own plan for where the phone records should be moved and will instead call on the attorney general and intelligence community to recommend a transfer point before March 28, when the collection program comes up for reauthorization. The official says the administration will also consult with Congress on the data transfer.

Privacy advocates say moving the data outside the government's control could minimize the risk of unauthorized or overly broad searches by the NSA. A presidential review panel proposed moving the data to the telephone companies or a third party. However, the phone providers have balked at changes that would put them back in control of the records, citing liability concerns if hackers or others were able to gain unauthorized access to the records.

The moves are more sweeping than what many U.S. officials had been anticipating about the president's surveillance decisions. People close to the White House review process say Obama was grappling with the key decisions on the phone record collections — known as Section 215 of the USA Patriot Act — even in the days leading up to Friday's speech.

But the changes are expected to be met with pushback from some in the intelligence community, who have been pressing Obama to keep the surveillance programs largely intact.

The administration official insisted on anonymity because this person was not authorized to discuss the president's decisions, by name, ahead of his speech.

Reacting to reports of Obama's plan, retired Gen. Michael Hayden, a former NSA director, said "no one will hold it (the phone data) as well."

Appearing on NBC's "Today" show Friday, Hayden said there has been "serious, irreversible harm to the ability" of the National Security Agency to collect intelligence. Obama's review of the nation's surveillance apparatus was spurred by disclosures about the government's sweeping surveillance programs by former National Security Agency analyst Edward Snowden.

But the president's address will still leave many questions about reforms to the surveillance programs unanswered. He is expected to recommend further study on several of the 46 recommendations he received from a presidential review group, including ideas for expanding privacy protections to foreigners.

Obama is also expected to call for the creation of an independent privacy advocate on the secretive court that approves the phone record collections. The court currently hears arguments only from the government.

While the privacy advocate post has broad support, a U.S. district judge this week panned the recommendation as unnecessary and possibly counterproductive.

Many of the changes Obama was expected to announce appeared aimed at shoring up the public's confidence in the spying operations.

In previewing Obama's speech, White House spokesman Jay Carney had said Thursday the president believed the government could make surveillance activities "more transparent in order to give the public more confidence about the problems and the oversight of the programs."

The president also was expected to announce changes in U.S. surveillance operations overseas, including ratcheting up oversight to determine whether the government will monitor communications of friendly foreign leaders. It's unclear whether there will be any changes to how the government access or holds communications records collected from foreigners living overseas.

The leaks from Snowden, a fugitive now living in Russia, sparked intense anger in

Europe, particularly the revelations that the U.S. was monitoring the phone of German Chancellor Angela Merkel.

AP Intelligence Writer Kimberly Dozier contributed to this report.

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