

FBI Conducted Millions of Warrantless Data Searches Last Year - US Govt. Report

April 30, 2022 - According to a report released this week by the Director of National Intelligence, the FBI swept up data on American last year in nearly 3.5 million warrantless searches. The searches themselves took place under the auspices of the Foreign Intelligence Surveillance Act (FISA).

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Section 702 of FISA allows US intelligence and law enforcement agencies to monitor communications with certain foreign nationals located outside of the United States who are associated with suspected terrorist activities. But in many cases, the people being monitored are actually in communications with people located in the United States; thus leading them to be included in monitoring programs.

The fact that Americans are having their data reviewed by the government without a warrant, while disturbing, is not surprising. But the sheer volume of searches that include data on Americans is raising eyebrows. Even the FBI is admitting that the number of such searches is likely to raise disturbing questions.

Section 702 is up for renewal in congress this year. It is quite likely that some members of congress will be pushing for modifications to the law.

While the federal government can use FISA to monitor Americans and other residing in the United States by using FISA, any searches conducted here are required to have a federal search warrant that is issued by a federal judge who sits on the FISA court. This is the first time a US law enforcement agency has issued a report such as this, and we now know that search warrant requirements currently used are far from adequate to protect US civil liberties.

by Jim Malmberg

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