

FBI Under Fire for 'Widespread' Spying on Americans

What is the Federal Bureau of Investigation doing spying on American citizens?

The FBI has been seriously abusing its "warrantless" electronic surveillance authority on American citizens. This should alarm you.

Congressmen Jim Jordan and Andy Biggs are demanding answers from FBI Director Christopher Wray after a newly declassified opinion from the Foreign Intelligence Surveillance Court revealed "widespread" Foreign Intelligence Surveillance Act violations. These violations include a variety of incidents regarding searches of section 702 FISA information without first obtaining court permission. The FISA court is letting the FBI get away with this by blaming it on COVID-19. National Intelligence officials claim people targeted by FISA warrants plummeted due to the pandemic.

As the Congressmen stated in their letter to the FBI director, these concerns are particularly disturbing in light of prior FBI misconduct suggesting a pattern of abuses and deficiencies in the FBI's FISA processes.

Here are more shocking details directly from the congressional letter:

The FISC [FISA Court] determined that the FBI had misused its section 702 surveillance powers, finding that "the FBI's failure to properly apply its querying standard when searching section 702-acquired information was more pervasive than was previously believed." The FISC noted that an FBI official responsible for "limited background investigations"

conducted over 120 queries of section 702-acquired data using the names and other identifiers of individuals who had requested to participate in the FBI's "Citizens Academy"—a community outreach program. The FBI also queried the names and other identifiers of individuals who needed access to an FBI field office for office repairs, and others who sought to report tips or were victims of a crime. Other violations involved FBI personnel who failed to opt out of querying raw FISA-acquired information for reasons that did not meet its intent, such as an FBI analyst who conducted more than 100 "queries for analytic paper."

That the FBI's "failure" was "more pervasive than was previously believed" is putting it mildly. These "warrantless" surveillance abuses, gathering information about Americans unrelated to national security, raise serious questions about the intentions of the FBI and its ability to conduct its mission in a constitutional manner.

This is a blatant violation under section 702 of the Foreign Intelligence Surveillance Act which authorizes the attorney general and the director of National Intelligence to jointly authorize "warrantless" surveillance of non-U.S. persons reasonably believed to be located outside the United States, subject to limitations.

This isn't the first time this has happened. Wray described the bureau's bungling of a Foreign Intelligence Surveillance Application for former Trump campaign figure Carter Page as "unacceptable." So, he acknowledges it, but is still letting it continue. Wray specifically said:

The failures highlighted in that report are unacceptable—period. They don't reflect who the FBI is as an institution, and they cannot be repeated.

Apparently, they do reflect the FBI as an institution because they continue to be repeated. So now the question is this: Is

the FBI capable of self-correction? We don't think it is, and we've seen it before.

We have fought systematically corrupt institutions like this before—and won. We defeated the IRS targeting of conservatives. We know how it works.

ACLJ director of policy Harry Hutchison describes the dangers of this situation:

It raises this question. Has Peter Strzok, has Lisa Page, has James Comey been rehired? And somehow the FBI has kept it a secret? Because what we have right in front of our own eyes is the swamp. And the swamp needs to be cleaned up. Basically, what we have is the multiplication of Deep State swamp creatures who continue to violate the 4th amendment of the Constitution and they engage in "warrantless" searches in direct violations of the law.

And to go a step further, the DOJ Office of Inspector General and the FISA Court has warned the FBI repeatedly of this practice.

The FBI is out of control. Everyone is acknowledging that this practice is wrong, but when are they going to say enough is enough? When are the people that are violating these laws going to be held accountable for their actions?

At the ACLJ, we're not just talking about accountability; we're taking action. We're already looking at legal options. For starters, we're preparing Freedom of Information Act requests on what exactly the FBI was doing and who was letting it happen. And if the Biden FBI won't comply, we'll take them to court.

Today's full *Sekulow* broadcast is complete with even more analysis of the FBI abusing its "warrantless" electronic surveillance authority on American citizens.

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