



Report: FBI Surveillance Has Decreased Since Snowden Leaked Details

Joe Crowe

September 30, 2016

The FBI has decreased its use of a surveillance statute to collect phone and email records from Americans since Edward Snowden leaked details of the program in 2013, according to a Justice Department inspector general report.

The Washington Times reported that use of Section 215 of the Patriot Act peaked in 2012, when 212 orders seeking records were sent.

In June 2013, Snowden, a former National Security Agency contractor, leaked information that the program existed. Since then, orders for Section 215 have declined to 142 in 2015.

The program gave authorities the ability to collection email and phone records from service providers. Snowden's revelation led to outcry about the program, and Congress since blocked bulk collection and storage of data. Now authorities have to submit a narrower search for a specific person, number, or group.

A deputy chief in the FBI's National Security Division partly blamed the decrease on Snowden's revelation. The report said:

"He attributed the decline in part to revelations by Edward Snowden about the U.S. government's use of Section 215 to collect bulk telephone metadata, both in terms of the stigma attached to use of Section 215 and increased resistance from providers," the report said.

FBI officials said that it was speculation to put blame on Snowden for the decrease. They rely more on Section 702 of the Foreign Intelligence Surveillance Act, which allows surveillance of foreigners.

The report said agents were frustrated with the slowness of getting approvals. They said criminal cases and grand juries got the information more quickly and with less oversight.

American Civil Liberties Union legislative counsel Neema Singh Guliani said the ACLU would prefer a high level of oversight.

The inspector general's report recommends looking for a way to make the process more efficient. It said that the business record requests were used more for counterintelligence than counterterrorism, but the exact figures were redacted.

The CATO Institute said the report provides clearer evidence that Snowden's disclosures served the public interest.