



New rule gives feds more access to computers, smartphones

December 1, 2016

Americans woke up Thursday with less privacy than they had the day before.

A new rule took effect, making it easier for the government to access people's computers and smartphones during cybercrime investigations.

Privacy advocates said they are concerned about the new rule, which lets federal investigators access millions of devices at once by obtaining just one warrant. Some people are also concerned the rule change will give the government unlimited power for unlimited hacking.

The rule expands the ability of investigators to get warrants for potentially large-scale hacking of computers. The rule is meant for cybercrime investigations like child pornography. It also applies to computers and smartphones that were infected by cyber criminals.

“It should be cause for concern that someone who has done nothing wrong is going to have federal agents poking around their computer as a sort of penalty for having been a crime victim,” said Julian Sanchez, a senior fellow at Cato Institute.

The Department of Justice said the rule is needed to keep up with changes in technology, especially when it comes to the use of botnets, where hackers infect up to millions of computers at the same time to steal financial or personal data.

The deputy assistant attorney general wrote that the new rule does not violate the constitution and the rule states the government needs to make “reasonable efforts” to notify Americans when their devices are being searched.

The rule did not require congressional approval, but Congress can decide whether to roll back the rule changes. The rule was approved by the Supreme Court last spring.