

WHAT DATABASES ARE YOU USING? WE WON'T TELL...

I'll be in my Scottie McC daze for one more day yet, but I wanted to point those of you with free time to this Ryan Singel post and the collection of documents he's reporting on. The EFF just got a slew of documents recording the questions the FISA Court asked of the FBI.

Does the FBI track cellphone users' physical movements without a warrant? Does the Bureau store recordings of innocent Americans caught up in wiretaps in a searchable database? Does the FBI's wiretap equipment store information like voicemail passwords and bank account numbers without legal authorization to do so?

That's what the nation's Foreign Intelligence Surveillance Court wanted to know, in a series of secret inquiries in 2005 and 2006 into the bureau's counterterrorism electronic surveillance efforts, revealed for the first time in newly declassified documents.

I'm most intrigued (though not at all surprised) by this question.

In October 2005, the court also asked the FBI to explain how it stored "raw" foreign-intelligence wiretap content and information about Americans collected during those wiretaps.

The government is supposed to "minimize" – that is anonymize or destroy – information gathered on Americans who aren't the targets of a wiretap, unless that information is crucial to an investigation.

The court wanted the FBI to explain what

databases stored raw wiretaps (.pdf),
how those recordings could be accessed,
and by whom, as well as how minimization
standards were implemented.

The documents don't reveal the answer to
that question. The FBI did not respond
to a request for comment by press time.

The question came, of course, just months before
the NYT broke the story on the illegal wiretap
program. You think maybe there's a connection?