



FOR IMMEDIATE RELEASE

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DOJ OIG Releases Report on the FBI's Querying Practices Under Section 702 of the Foreign Intelligence Surveillance Act

Department of Justice (DOJ) Acting Inspector General William M. Blier announced today the release of a report on the Federal Bureau of Investigation's (FBI) querying practices under Section 702 of the Foreign Intelligence Surveillance Act (FISA). Section 702 permits the Attorney General and the Director of National Intelligence to conduct targeted electronic surveillance of non-U.S. persons outside the United States for the purpose of collecting foreign intelligence information. Today's report, which was mandated by the Reforming Intelligence and Securing America Act (RISAA), assesses the FBI's practices and safeguards when searching, or "querying," information collected under the authority of Section 702, particularly when using search terms that are reasonably likely to identify a U.S. person.

The DOJ Office of the Inspector General's (OIG) review found that while the FBI has made progress in reducing the number of U.S. person queries that are identified in DOJ and FBI oversight reports as failing to comply with procedures approved by the Foreign Intelligence Surveillance Court and FBI policy, it is nevertheless critical that the FBI continue to maintain rigorous internal controls over these queries and that there continue to be internal and external oversight of the FBI's querying practices. Specifically:

- **The FBI has implemented all RISAA-required querying reforms.** We found that the FBI had implemented all of the reforms to its querying processes that were required by RISAA, and we identified several reforms, including some that pre-date RISAA, that have been particularly effective at improving the FBI's querying compliance.
- **The number of noncompliant queries has been reduced substantially.** We also found that the number of noncompliant queries identified in DOJ and FBI oversight reports has been reduced substantially post-RISAA. This decrease reverses a significant upward trend in identified noncompliant queries that began in approximately 2016, and it follows a series of reforms that the FBI implemented between 2019 and 2023, and in response to RISAA's enactment in 2024.
- **While continued internal and external oversight is critical, DOJ and FBI oversight could be better aligned.** We found the FBI's Office of Internal Auditing, which is charged with conducting routine audits of the FBI's compliance with Section 702, has contributed to the FBI's internal compliance function, but that it could be more effective if its Section 702 oversight were more complementary to, rather than duplicative of, the DOJ National Security Division's oversight work.



Today's report also makes two observations that may be relevant to the FBI's Section 702 querying compliance. First, the number of queries run by FBI personnel has declined over the past several years, including a continued decline following RISAA's enactment. FBI and NSD personnel expressed concern about whether this decline indicates that FBI personnel are failing to run queries that they should run and potentially missing critical threat information. Second, FBI personnel identified technological limitations with the primary FBI system that is used to conduct queries of Section 702-acquired information and told the OIG that these limitations have negatively impacted the FBI's ability to minimize noncompliant queries.

The OIG's report includes four recommendations to improve internal controls and oversight of the FBI's queries of Section 702-acquired information. The FBI expressed no objection to three of the recommendations, but disagreed with one of the recommendations.

Report: Today's report is attached as a PDF. The DOJ OIG's website has been hosted under a shared services agreement between DOJ OIG and the Council of the Inspectors General on Integrity and Efficiency (CIGIE). CIGIE is not currently funded for Fiscal Year 2026 and is therefore unable to provide website service support. For that reason, the DOJ OIG website is not currently accessible. DOJ OIG will provide reports in PDF format to our media contact list pending our implementation of a solution to the present lack of a public website.

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