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COMMERCIAL AND ANTITRUST LAW

Congress of the United States

House of Representatives

Mr. James Comey
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Director Comey,

In the wake of the President's signature on a surveillance reform law that ends warrantless bulk collection of Americans' phone records, it is highly disturbing to learn that your agency may be doing just that and more with a secret fleet of aircraft engaged in surveillance missions in the United States.

According to an Associated Press investigation ("FBI behind mysterious surveillance aircraft over US cities," 6/2/2015) the FBI has been using fictitious companies to hide its operation of piloted aircraft equipped with high-tech surveillance devices in cities across the country, including Baltimore, Boston, Chicago, Dallas, Houston, Minneapolis, Phoenix, Seattle, and in Southern California.

At least some of these aircraft were reported to be equipped with advanced surveillance devices that can pick up data from thousands of cell phones and capture high-definition images. It is highly concerning that these surveillance activities are being approved without clear guidelines or judicial oversight to protect Americans from warrantless intrusions of their privacy. In that vein, we request a briefing from your staff on this program, including answers to the following questions, before June 26, 2015.

- Under what legal theory did Justice Department lawyers approve the creation and use of fake companies to hide the government's link to these aircraft?
- Under what circumstances are warrants sought for these surveillance operations?
- How many warrants have been sought and how many obtained in the past year for use of cell-cite stimulators or comparable devices?
- What is the agency's privacy policy with respect to surveillance by piloted aircraft equipped with high-tech cameras and cell phone tracking devices?
- What surveillance technologies or devices are these aircraft equipped with?

- What safeguards are in place to protect the civil liberties of those who aren't the subject of investigation, and what is done with extraneous data captured by these surveillance activities? Are there any limits to the duration of these surveillance activities?

Thank you for your attention to this matter and we look forward to a prompt response.

Sincerely,

Augusta D. Bone

Joe

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