Timeline of Records Surveillance in Violation of FISA*

SEPTEMBER 2001
Terrorist attacks.

OCTOBER 2001
Bush administration starts STELLARWIND program.

OCTOBER 2001
USA PATRIOT Act becomes law, amending the Foreign Intelligence Surveillance Act of 1978.

NOVEMBER 2001
DOJ's Office of Legal Counsel concludes that FISA "cannot restrict the President."

DECEMBER 2005
The New York Times reveals STELLARWIND.

"The record before the Court strongly suggests that, from the inception of this [phone dragnet] program [in 2006], the NSA's data accessing technologies and practices were never adequately designed to comply with the governing minimization procedures."
FISC Judge Reggie Walton, March 2009

MAY 2006 - FEB. 2009
NSA tools "routinely" violate FISC orders by analyzing unapproved data.

MAY 2006 - FEB. 2009
Approximately 3,000 domestic phone identifiers wrongfully designated as potential seed selectors.

May 13, 2011
FBI tells members of Congress Section 215 authorities "have not been abused."
May 26, 2011
Congress reauthorizes Section 215 without reform.

FEBRUARY 2011
HPSCI does not invite GOP members of Congress to read important notice about the phone dragnet.

FEBRUARY 2011
Congress reauthorizes Section 215 without reform.

MARCH 2011
NSA informs FISC of large quantity of unlawfully acquired credit card numbers.

MAY 2011
Congress reauthorizes Section 215 without reform.

SEPTEMBER 2011
NSA informs HJC of location testing under Section 215 occurring during previous three reauthorization debates.

Sen Wyden asks:
Does the NSA collect "any type of data at all on millions or hundreds of millions of Americas?"

Then-DNI Clapper responds:
"No, sir," later adding: "Not wittingly."

MARCH 2013
Then-DNI Clapper tells Senate that government is not collecting records on millions of Americans.

JUNE 2013
Snowden revelations begin: The Guardian reveals the bulk telephone metadata dragnet.

JULY 2013
FBI adopts minimization procedures, seven years after ordered by Congress.

NOVEMBER 2013
NSA unlawfully collects cell site location information.

MAY 2015
The U.S. Court of Appeals for the Second Circuit: Section 215 use "unprecedented and unwarranted."

JUNE 2015
Enactment of the USA FREEDOM Act.

JUNE 2015 - MAY 2018
Unlawful overproduction of CDRs, resulting in deletion of all records collected prior to May 23, 2018.

2017
Three instances of the government withdrawing parts of or whole FISA applications after notice the FISC might appoint an amicus.

MARCH 2019
NSA OIG: NSA failed to delete all wrongfully collected CDR data.

2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019

2004
DOJ tells FISC that Congressional debate "would inevitably compromise the secrecy of the collection program the Government wishes to undertake."

2006
FBI issues National Security Letters for information the FISC twice refused to issue Section 215 orders for because of First Amendment concerns.

MARCH 2006
Section 215 amended to include "relevant to" standard.

MARCH 2006
Government and FISC: "relevant to" standard permits bulk collection of all phone records of all customers on a prospective basis.

SEPTEMBER 2006
FBI fails to establish minimization procedures as mandated by Congress.

FEBRUARY 2010
Congress reauthorizes Section 215 without reform.

AUGUST 2010
DOJ gives Congress significant FISC rulings from before 2009.

2012 - 2014
Unlawful overproduction of email subject lines.

2012 - 2014
"Systemic errors" permit unauthorized FBI personnel access to records.

2012 - 2014
Unlawful overproduction of records beyond the authorized time range.

FEBRUARY 2012
NSA determines it kept 3,032 files of CDRs longer than allowed by law.

OCTOBER 2018
Another unlawful overproduction of CDRs.

2018
NSA shuts down the CDR program.

AUGUST 2019
Director of National Intelligence to Congress:
Section 215 and related authorities "have no history of abuse after more than 18 years, and should be reauthorized without sunset."

Non-violation events | Failure to be transparent with overseers | Minimization procedure violations | Unlawful collection

*This is not a comprehensive list of all violations.