



## FBI Shuts Down Internal FISA Watchdog

FBI Director Kash Patel has quietly shuttered the bureau's Office of Internal Auditing, a unit responsible for monitoring and improving compliance with surveillance laws. The office had been central to policing the FBI's use of Section 702 of the Foreign Intelligence Surveillance Act (FISA), an unconstitutional wiretapping authority set to expire in April 2026 unless Congress acts.

According to a *New York Times* [report](#) quoting officials familiar with the matter, the move is part of a broader internal reorganization. The auditing unit's responsibilities, along with those of the Office of Integrity and Compliance, have been folded into the Inspection Division, a department that typically investigates agent misconduct and shootings.

Cindy Hall, who led the auditing office, abruptly retired. While Congress was told her departure was voluntary, a former official briefed on the matter said she was forced out. Several of Hall's planned hires were canceled due to a Trump administration hiring freeze, and existing staff have been reassigned.

### Office of Internal Auditing

The Office of Internal Auditing (OIA) [was created](#) in 2020 by then-Attorney General William Barr and then-FBI Director Christopher Wray, both Trump appointees, in response to FISA abuse revelations. Those primarily included flawed wiretap applications during the Trump-Russia probe — where the FBI omitted key information and misrepresented sources — and a follow-up audit that uncovered pervasive documentation errors across unrelated FISA cases, revealing systemic compliance failures.

The unit stood high in the FBI's structure. Led by an assistant director reporting directly to the director, OIA operated alongside the Inspection Division and the Office of Integrity and Compliance. Its job was clear: conduct routine, in-depth audits of FISA queries, National Security Letters, surveillance minimization procedures, and the accuracy of FISA applications.

Jonathan Gerber was its first leader. Later, under Cindy Hall, the office uncovered serious misuse of Section 702 data. As reported by the *Times*, FBI personnel had improperly searched for information on lawmakers, BLM protesters, and January 6 defendants. These findings triggered reforms: 702 queries now require supervisory approval and are no longer part of routine database searches.

The results were measurable. According to the [report](#) of the Office of the Director of National Intelligence (ODNI), the FBI's 702 searches involving Americans dropped from 119,383 in 2022 to 5,518 in 2024.



AP Images  
Kash Patel



## Patel's Past Stances

The office's closure is particularly notable given Patel's past as a critic of surveillance abuses. In 2018, while working for the House Intelligence Committee, Patel helped spearhead Republican attacks on the FBI's use of FISA during the Trump-Russia investigation. For instance, he was instrumental in drafting the [Nunes Memo](#), which accused the FBI of abusing FISA to surveil Trump advisor Carter Page by relying on the now-infamous "Steele Dossier" — funded by the Democratic National Committee (DNC) and the Clinton campaign — without fully disclosing its origins or flaws. The memo fueled widespread backlash against the FBI's unchecked surveillance practices.

On numerous podcasts, Patel rightfully blasted the domestic surveillance conducted by the FBI, as well as Congressional approval of such actions. For instance, in September 2024, he [criticized](#) Congress for "bending the knee" and reauthorizing FISA.

He reiterated the same point during a podcast in November. According to the *Times*, Patel further blasted Wray, saying,

Chris Wray was caught last year illegally using 702 collection methods against Americans 274,000 times.

The *Times* continues,

[Patel] appeared to be making a garbled reference to a declassified 2023 opinion by the FISA court, which said there had been 278,000 bad queries of Section 702 information by F.B.I. analysts and agents over several years, including before the internal reforms.

Perhaps ironically, those numbers became public thanks to the office that Patel is now dismantling, as the FISA court apparently relied on the OIA findings.

## Defender of FISA

At his January 2025 confirmation hearing, Patel seemed to fully embrace the surveillance power of the state. He told lawmakers,

702 is a critical tool, and I'm proud of the reforms that have been implemented, and I'm proud to work with Congress moving forward to implement more reforms.

He went further, absolving the statute itself of blame, saying,

The issue, for me, is not with FISA and 702, the issue has been those that have been in government service and abused it in the past.

When Senator John Cornyn (R-Texas) [asked](#) whether a warrant requirement should be added to Section 702, Patel firmly opposed it. He argued that such a measure would slow the FBI's ability to identify links between foreign threats and individuals inside the U.S.

"Having a warrant requirement to go through that information in real time is just not comports with the requirement to protect American citizens," he said.



Written by [Veronika Kyrylenko](#) on May 20, 2025

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## **The Constitutional Cost of FISA**

Section 702 of FISA was never passed with the Constitution in mind. It allows the federal government to collect communications from foreigners abroad without a warrant. Yet Americans are inevitably swept up in the dragnet whenever they appear in the crosshairs. No judge authorizes these searches. No notice is given. And no remedy exists for those wrongly targeted.

The Fourth Amendment requires a warrant supported by probable cause for any search of Americans' private communications. Section 702 bypasses that entirely. Intelligence officials claim the statute only targets foreigners, but the reality is different. Once the data is captured, the FBI and other agencies routinely search it for U.S. person information. These "backdoor searches" happen without consent, oversight, or consequence.

Even the FISA court — secretive by design — has raised alarm. In an aforementioned declassified 2023 opinion, it revealed that FBI agents had improperly queried Americans' communications more than 278,000 times. These included searches related to members of Congress, journalists, protesters, and political donors.

Despite years of documented abuse and calls for reform, a [Republican-led Congress reauthorized](#) Section 702 in April 2024. Lawmakers attached the extension to a must-pass bill, bypassing real debate. Proposals to require warrants for U.S. person queries were gutted in the final hours. Patel, once a loud critic of unchecked surveillance, reversed course and defended it as "essential."

For now, the government's ability to search Americans' private communications stands unchecked. The Fourth Amendment wasn't meant to be optional. Yet in Washington, both parties keep treating it that way. This isn't just a policy drift. It's a pattern — one that consolidates power, sidelines accountability, and leaves liberty on paper, not in practice.

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