



Written by [Kelly Holt](#) on October 15, 2010

Social Networks, Personal Profiles

Electronic Frontier Foundation (EFF), with the help of UC Berkeley's Samuelson Clinic, filed a lawsuit under the Freedom of Information Act (FOIA) against the Department of Homeland Security (DHS) to determine the scope of social network surveillance conducted by the agency during the Obama inauguration.



EFF, a donor-funded non-profit founded to defend consumers' digital freedoms (free speech, privacy, innovation) and educate the press and the public, notes that the FOIA documents reveal two ways government [tracks](#) people online. One is to use social networks to investigate citizenship status and another is to analyze social network communications as was done during Obama's inauguration.

DHS established a Social Networking Monitoring Center to mine social networking sites for "items of interest," and outlined its effort in a series of slides ([pdf](#)). One of the slides emphasized that Personal Identifiable Information (PII) wouldn't be collected or stored, and notes that "openly divulged information excluding PII will be used for future corroboration purposes and trend analysis during the Inauguration period." It is uncertain whether PII was later deleted.

The documents were cause for concern for EFF. "While the slides indicate that DHS scrutinized the information and emphasized the need to look at credible sources, evidence, and corroboration, they also suggest the DHS collected a massive amount of data on individuals and organizations explicitly tied to a political event."

Other groups have expressed concern that U.S. Citizenship and Immigration Services (USCIS) is using deceit in instructing its agents to "friend" citizenship petitioners in an effort to uncover fraudulent activities. While any government agency should use all legal means to detect illegal conduct, [BlackListed News](#) notes, "First, the [memo] makes no mention of what level of suspicion, if any, an agent must find before conducting such surveillance, leaving every applicant as a potential target. Nor does the memo address whether or not DHS agents must reveal their government affiliation or even their real name during the friend request, leaving open the possibility that agents could actively deceive online users to infiltrate their social networks and monitor the activities of not only that user, but also the user's friends, family, and other associates."

In writing on September 14 about the EFF lawsuit, Computerworld observed: "The DHS's monitoring of social networking and other sites for information it considers useful is similar to the current actions of several other federal agencies. Documents obtained by the EFF via FOIA requests have previously shed light on how [law enforcement agencies and the Internal Revenue Service](#) are taking advantage of publicly posted data on [social media](#) sites to ferret out criminals and tax evaders."



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Technological advances are made more quickly than society's governance of it can keep up. Yet in America, age-old constitutional protections are timeless, and those wishing privacy are well served to guard it until our government returns to understanding its role of protecting privacy, not granting it.

Photo: Homeland Security Secretary Janet Napolitano gestures while speaking in Denver: AP Images



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