

WHAT'S NEW IN THE JUNE 2026 EDITION

New features and recent developments in this June 2026 Edition include:

- New case law on types of data that may be considered non-content information acquired by an alleged interception (Ch. 3).
- Enhanced coverage of location-tracking technologies, including the legality of geofence warrants and the use of cell tower dumps (Ch. 4).
- Expanded discussion of the consent exception to interceptions under Title III, including the application of the carveout for criminal and tortious purpose with respect to entities that share personally identifiable customer data (Ch. 8).
- New case law on the FISA minimization requirement obligating the government to make a good-faith effort to minimize the acquisition and retention of irrelevant information (Ch. 9).
- Enhanced coverage of standards for review of the legality of FISA surveillance, including review of FISA certifications to surveil non-U.S. persons (Ch. 9).
- Updated statutory coverage pertaining to the government's use of FISA "physical search" authority for some retrospective acquisition of communications (Appendix D).