

Can the Department of Homeland Security or the FBI Seize Safe Deposit Box Contents Without a Court Order?

“Can the FBI or DHS search my safe deposit box and seize my contents?” If your box renters have not asked this question yet **get ready!**

Because of our struggling economy and growing national debt, many concerned investors are now purchasing gold and silver to protect their wealth against financial uncertainty. Following the recent cash-confiscation hiatus in Cyprus, many Americans fear that a similar takeover could occur in the U.S. These concerns are being fueled by unsubstantiated **rumors** which are being circulated via the Internet and involve the Department of Homeland Security (DHS), and **facts** which are rooted in authenticated Federal Bureau of Investigation (FBI) procedures.

Department of Homeland Security “RUMORS”

First, we shall address the DHS Internet rumors. In 2006, many nationwide bloggers and several widely-read financial newsletters reported that the DHS would utilize the Patriot Act to justify the inspection of safe deposit boxes belonging to people “considered to be hostile to the present government”. **Without** providing a court order, gold bars, coins, silver, jewelry, firearms, passports, foreign deposit account information and any other box contents deemed to be of a “contraband nature” could be confiscated. Employees were prohibited from revealing any of these activities to the media or to the box renters who were being investigated and they were threatened with a penalty of job termination and prosecution under the Patriot Act. Again, in 2011, similar postings by an anonymous blogger were circulated naming California-based Bank of America and Compass Bancshares as two financial institutions that had actually experienced box-seizure requests from the DHS. Now, in 2013, the furor in Cyprus is lending credibility to these 2006 and 2011 allegations, and more rumors are again spreading like wild fire and gaining a new lease on life.

When I attempted to validate these most recent blogs, my research only directed me to more blogs. I could find no DHS government regulations, supporting memos, nor grounds upon which I could legitimize the claims. All indications point to these rumors as being specious and with no legitimate foundation.

Federal Bureau of Investigation “FACTS”

The **facts** reveal that since 2000, clandestine activities have been carried on by the U.S government, specifically the FBI. On March 29, 2013 the Internet search giant Google filed a petition with the United States District Court of Northern California challenging the issuance of National Security Letters (NSL) by the FBI. The purpose of the “letters” was to obtain private data about one or more of Google’s users. These letters imposed a gag provision on the recipients. Only a few days earlier, on March 14, United States Federal District Judge Susan Illston ordered the government to cease issuing NSL’s and ruled that the inherent gag order was a constitutional impingement of free speech under the First Amendment.

NSL's, which have been in use for decades to circumvent the "Right to Financial Privacy Act," have escalated since the Patriot Act was enacted. They are actually written demands from the FBI compelling entities which include, but are most confined to, internet-service providers, credit companies, and financial institutions, to submit information about their clientele: phone numbers, e-mail addresses, web-sites visited and more. It should be noted that **NSL's do not require court approval**. According to Department of Justice reports, the FBI has sent out nearly 300,000 National Security Letters since 2000.

Why has so little been done to challenge these intrusive practices by our government? Many recipients of NSL's are small businesses who lack the resources, and perhaps the will to fight. Therefore, only a few of these "requests" have been challenged

Conclusion

In both rumor and fact, the Patriot Act is frequently blamed or referenced as giving our government legitimacy to operate in the shadows.

It's 2013, eight decades after President Franklin Roosevelt's 1933 Executive Order outlawing private gold ownership. President Gerald Ford overturned this gold ban with an Executive Order in 1975. President Obama and our current administration have not given any indication that they plan to implement any new gold, cash or safe deposit box seizure legislation, and, if they did, such a move would face vigorous legal challenges and congressional opposition.

Fortunately our gold and our safe deposit box contents appear to be off limits to the federal government. . . **for now**.