



FISA Court "Has Quietly Become Almost A Parallel Supreme Court," Issuing Secret Rulings Which Give The NSA Broad Powers

July 8th, 2013 • 10:06 AM

An [article in the Sunday New York Times](#) [1] cites unnamed former government officials who report that the FISA Court has issued secret rulings which have given broad powers to the NSA which have severely compromised the Fourth Amendment to the U.S. Constitution. Confirming and expanding on revelations made by Edward Snowden, a *Times* source reports that FISA "has quietly become almost a parallel Supreme Court." The court's rulings have not only approved espionage in terrorism cases, but also more broadly, under the so-called "special needs" doctrine established by the Supreme Court in 1989, which provides for exclusions to the Fourth Amendment in specific cases such as drunk driving tests, airport security checks, etc. As result, the court "has created a secret body of law giving the National Security Agency the power to amass vast collections of data on Americans ... [which has] carved out an exception to the Fourth Amendment's requirement of a warrant for searches and seizures, the officials said."

"Unlike the Supreme Court, the FISA court hears from only one side in the case — the government — and its findings are almost never made public ... No case has ever been taken to the Supreme Court ... None of the requests from the intelligence agencies was denied, according to the report."

Links:

[1] http://www.nytimes.com/2013/07/07/us/in-secret-court-vastly-broadens-powers-of-nsa.html?nl=todaysheadlines&emc=edit_th_20130707&_r=0

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