



Written by [Brian Koenig](#) on July 23, 2013

Secret U.S. Court Extends NSA Authority to Collect Phone Metadata

A chief U.S. intelligence official [affirmed](#) Friday that the National Security Agency (NSA) has been granted authority to continue collecting phone records of millions of Verizon customers. The verdict from the court, authorized by the U.S. Foreign Intelligence Surveillance Act (FISA), renewed the controversial data-collection campaign that has posed serious threats to Americans' right to privacy and, in turn, the U.S. Constitution.



In an action propelled by a disclosure in June of the NSA's collection of Verizon metadata, the Office of the Director of National Intelligence (ODNI) released a [statement](#) asserting that the program has been renewed. The statement reads, in part:

On June 6, 2013, the Director of National Intelligence declassified certain information about this telephony metadata collection program in order to provide the public with a more thorough and balanced understanding of the program. Consistent with his prior declassification decision and in light of the significant and continuing public interest in the telephony metadata collection program, the DNI has decided to declassify and disclose publicly that the Government filed an application with the Foreign Intelligence Surveillance Court seeking renewal of the authority to collect telephony metadata in bulk, and that the Court renewed that authority.

While the ODNI statement does not indicate a time period for the extension, nor does it specifically mention Verizon, it will likely renew the program for another three months, considering previous routine orders from the Foreign Intelligence Surveillance Court. Sen. Dianne Feinstein (D-Calif.), who has [publicly defended](#) the NSA spying program, noted that the Verizon phone surveillance has been active — and renewed every three months — for at least six years, and it has likely applied to other telecommunication companies as well.

The Obama administration has increasingly revealed the extent its secretive mass-communications surveillance since former NSA employee Edward Snowden exposed the scandal earlier this summer. In Snowden's damning exposé, he described the NSA's efforts to extract an array of communications data, including cellphone numbers and information about the length and time of phone calls.

While many observers remain critical of the surveillance program, many also have adamantly defended it, contending that monitoring Americans' phone records is paramount to national security. Former CIA director Michael Hayden, for example, [described](#) Snowden as likely "the most costly leaker of American secrets in the history of the Republic."

The controversy has largely become a bipartisan issue, as lawmakers on both sides of the aisle have offered both support and scrutiny for the NSA spying program. Some lawmakers have championed the program as an opportunity to contain terrorist threats, while others note that the federal government's arbitrary collection and stockpiling of Americans' phone records impede on Americans' right to privacy



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while blatantly violating U.S. law.

At a House Judiciary Committee hearing last Wednesday, Rep. John Conyers (D-Mich.) reprimanded a panel of government officials over the NSA's unprecedented phone-tapping scheme. "It's clear to me that we have a very serious violation of the law," Conyers [asserted](#). "I feel very uncomfortable about aggregated metadata on hundreds of millions of Americans, everybody, including every member of Congress and every citizen who has a phone in the United States of America. This is unsustainable, it's outrageous, and must be stopped immediately."

One of the staunchest critics of the program, Sen. Rand Paul of Kentucky, has also underscored the agency's flagrant abuses of the Constitution. Consequently, Paul has introduced legislation to restore the Fourth Amendment's intention to safeguard Americans' rights from the tyranny of government.

"The revelation that the NSA has secretly seized the call records of millions of Americans, without probable cause, represents an outrageous abuse of power and a violation of the Fourth Amendment to the Constitution. I have long argued that Congress must do more to restrict the Executive's expansive law enforcement powers to seize private records of law-abiding Americans that are held by a third-party," Paul contended when introducing his bill, the [Fourth Amendment Restoration Act of 2013](#).

Sen. Paul's bill underscores the explicit intent of the [Fourth Amendment](#), which states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

There's no room for interpretation, liberty-minded Americans assert, and the law's objective indicates a clear verdict: The Constitution does not permit any agency of the federal government to extract and monitor the phone records of Americans without a warrant based on probable cause.



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