



The FBI has suffered a dramatic setback in its use of hyper-secret gagging orders in the name of national security to obtain the private data of US citizens, after a federal court struck down the practice.

A judge in a California US district court ordered the US government to stop issuing what are called "national security letters". Susan Illston said the letters, which have mushroomed since 9/11 under the Patriot Act, were unconstitutional as they breached the first amendment rights of the parties being served the orders.

NSLs have been an increasingly important part of the US government's approach to counter-terrorism, though their growing use has been matched by mounting unease on the part of civil libertarians. Last year the FBI sent out more than 16,000 of the letters relating to the private data – mainly financial, internet or phone records – of more than 7,000 Americans.

Previous court action has led to the FBI being accused of abusing its powers under the NSL statute by issuing the letters far more extensively than in the limited counter-terrorism situations for which they were devised.

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