



The “Protect America Act” and YOUR FREEDOMS

In 2001, President Bush authorized the National Security Agency to monitor U.S. phone calls and emails without a court order. This program was authorized without gaining congressional approval or informing the general public.

The Protect America Act, which Congress passed in early August 2007, allows warrantless access to virtually all international communications of U.S. residents as long as the surveillance is “targeted at people reasonably believed to be located outside the United States.”

The Constitution spells out requirements for government interception of U.S. communications that flatly contradict the Protect America Act:

The U.S. Constitution

- Wiretaps are considered searches under the Fourth Amendment. The Fourth Amendment requires that a search must be authorized by a court.
- There must be reasonable suspicion of wrongdoing in order to secretly wiretap a United States citizen or legal resident.

The Protect America Act

- The Protect America Act allows the federal executive branch to determine when a search is permitted.
- **NO** reasonable suspicion of wrongdoing or connection to terrorism is required to tap communications involving a US citizen or legal resident.

The government is only required to report to Congress when an agent or agency exceeds the broad power granted by the Protect America Act. There is **NO** duty to report the number of phone calls or individuals that the government spies on under this program.

The Protect America Act is set to expire in January 2008, but wiretaps authorized by the Attorney General or Director of National Intelligence for up to a year, may outlast the expiration of the law. The Protect America Act must be repealed and Congress must instruct all warrantless wiretaps to stop.

HERE’S WHAT YOU CAN DO TO MAKE A DIFFERENCE. House and Senate leadership has promised to reform the Protect America Act in fall 2007. To fully restore protections of our privacy, we need to be organized and vocal! Contact your representative and your senators and urge them to vote against any warrantless wiretapping program and to vote to repeal the misleadingly named Protect America Act. You can reach your Congress member and your Senators through the Congressional Switchboard at 202-224-3121.