



Warrantless Wiretapping in America

Since 2001, the U.S. government has authorized the National Security Agency and other police agencies to bypass the Constitution and monitor our phone calls and emails without a court order.

What the Constitution requires:

- A warrant, issued only if there is probable cause, before a police agency can warrant any individual's communications
- Protection from unreasonable searches and seizures of information or property
- Balance of power between the Executive, Judicial, and Legislative branches of government
- Due process of law

What the government has done:

- Tapped phone lines and collected e-mail messages involving communications believed to be between someone in the U.S. and someone outside the U.S. without obtaining a warrant
- Bypassed checks and balances by wiretapping Americans without judicial review, even by the secret Foreign Intelligence Surveillance Court, which was created to hear national security cases
- Directed telecommunications companies to furnish private customer information to the government without providing them with a warrant, and later passed the FISA Amendments Act (July 2008) to retroactively provide immunity to companies that violated their customers' privacy
- In court cases challenging the government's wiretapping, argued that the cases should be thrown out of court solely based on a potential national security risk, yet not allowing the judge to weigh the security threat against the plaintiffs' rights

What can you do?

Call your senators and representative today.

Dial the Capitol switchboard (202-224-3121) and ask the operator to connect you.

- The President must stop warrantless eavesdropping on Americans and come clean with the American people about any other secret executive powers exercised during the "war on terror."
- Congress must reassert its power to write laws that protect our rights, and the courts must make sure that the laws are obeyed—even by the President, who is not above the law.
- Overburdening the FBI with thousands of false leads gives them less time and fewer resources to identify the real terrorists.

For more information, visit the BORDC website, www.bordc.org.