



**Writing your Representative
Warrantless Wiretapping/Immunity for Telecoms
Suggested Talking Points**

- **Congress should not provide retroactive immunity for warrantless wiretapping – either to the Bush Administration or to lawbreaking telecommunications companies.** The Bush Administration ordered and implemented a program of warrantless wiretapping circumventing the Courts. . Congress should not provide a rubber stamp for the Administration’s activities.
- **[My Congressperson] should say no to illegal warrantless wiretapping.** Current FISA law is perfectly clear – it’s illegal for telecommunications companies to share private conversations and phone records without a warrant or lawful court order. This law, established in the wake of the Watergate scandal, exists to protect the privacy of citizens and safeguard the Constitution.
- **Let the Courts decide.** There are well established judicial procedures, designed to safeguard national security, while upholding the rule of law and protecting the rights of citizens. Telecommunications companies and the Bush administration want to circumvent the courts, and mask their wrong-doing. We depend on [My Congressperson] to stand up for the Constitution and refuse to pass a FISA update that includes immunity for law breaking telecoms.
- **Telecom immunity does not enhance our safety.** Some argue that without immunity telecommunications companies will not cooperate – or will not feel free to cooperate – with the government in the future, endangering our ability to track terrorists. In fact, telecoms which cooperate with the government pursuant to a warrant or other court order will have nothing to fear. But we should not look the other way on past law breaking.
- **[My Congressperson] should stand up to lawbreaking corporations who violated their customer’s privacy.** Some argue that telecommunications companies handed over millions of phone records to the government in “good faith”. But these companies have lucrative contracts with the federal government and are heavily regulated by the government as well. Like any other industry, we want telecoms to follow the law, not circumvent it when government officials ask them to do so. In fact, some telecoms refused to participate in the wiretap program – because they knew it was illegal.