

Constitution Today

Name: _____

Issue: Privacy and Security Government Appeals Ruling on Wiretapping

Sarah Karush
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August 18, 2006

In January 2006, the American Civil Liberties Union (ACLU) filed a lawsuit. The lawsuit said the U.S. government had been illegally **wiretapping** phone calls and reading emails of many journalists and lawyers. The ACLU believes that it goes against the U.S. **Constitution** to monitor these communications. It said that just because these journalists and lawyers often speak with people outside the United States, including suspected terrorists, the government cannot go against their rights.

On Thursday, August 17, 2006, U.S. District Judge Anna Diggs Taylor ruled on the lawsuit. She found that the **National Security Agency's (NSA) wiretapping** program goes against the U.S. **Constitution**. She ordered President Bush to stop the **wiretapping** immediately.

U.S. Attorney General, Alberto Gonzalez, disagrees with the judge. He says that President Bush will appeal this case. This means that his lawyers will bring the court case to a more senior judge in the Sixth U.S. Circuit Court of Appeals. The President will try to continue the **NSA wiretapping** program.

Attorney General Gonzalez said, "We have confidence in the lawfulness of this program.... We're going to do everything we can do in the courts to allow this program to continue."

The ACLU does not believe the **NSA wiretapping** program is legal. They believe that the **NSA** should ask for **warrants** before **wiretapping** phone conversations of American citizens.

The White House does not agree. Press Secretary Tony Snow says that the President "couldn't disagree more with this ruling." He says the **NSA wiretapping** program "has helped stop terrorist attacks and saved American lives." He also says that the President has the right to wiretap without a **warrant**.

Judge Anna Diggs Taylor disagrees. She says that "the three separate branches of government were developed as a check and balance for one and other." This means that the President, **Congress**, and the courts should not have too much power. They should work together to write and carry out the laws of the United States.

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Judge Rules Terrorist Surveillance Program Unconstitutional

The Associated Press
Thursday, August 17, 2006

DETROIT — A federal judge ruled that the government is not allowed to tap phones without a warrant. The judge said that this is unconstitutional. He said the government must stop wire taps right away.

U.S. District Judge Anna Diggs Taylor in Detroit made this ruling because she said that it abuses a person's right to privacy.

The U.S. Justice Department appealed the ruling. The Justice Department said that they need to tap phones. They said that they use the wire taps to fight terrorism. The Justice Department also said that these wire taps are being used to protect all Americans.

President Bush said that he disagrees with Judge Taylor's decision.

Press Secretary Tony Snow said, "The terrorist surveillance program is firmly grounded in law and regularly reviewed to make sure steps are taken to protect civil liberties."

The American Civil Liberties Union (ACLU) filed the lawsuit. Journalists and lawyers say the program has made it hard for them to do their jobs. The program records conversations between people in the U.S. and other countries.

The government said that the program is legal. But, they cannot prove that it is legal without telling state secrets.

"At its core, today's ruling addresses the abuse of presidential power and reaffirms the system of checks and balances that's necessary to our democracy," ACLU executive director Anthony Romero told reporters after the ruling.

He called the opinion, "another nail in the coffin in the Bush administration's legal strategy in the war on terror."

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