

## (November 15, 2007) Lipinski Helps Pass New Foreign Surveillance Authorization

Lipinski Helps Pass New Foreign Surveillance Authorization that Protects America's Security and Protects Americans' Rights

[WASHINGTON, D.C.] Today, Congressman Dan Lipinski (IL-3) joined a majority in the House of Representatives in passing H.R. 3773, the RESTORE Act. This bill will ensure that the United States is able to effectively monitor the communications and activities of foreign terrorists while protecting the rights and privacy of Americans.

"It is absolutely essential that our intelligence agencies have the legal framework they need to prevent future terrorist attacks," said Rep. Lipinski. "However, in monitoring terrorists, it is important that we ensure that the rights of Americans are protected. I believe this bill strikes the correct balance between security needs and the Constitutional rights of all Americans, and I am pleased that House Democrats were able to craft and pass this bill."

H.R. 3773 authorizes warrantless surveillance for cases involving communications taking place outside the United States between foreigners. For all other surveillance scenarios a warrant is needed. To avoid unnecessarily impeding intelligence efforts, this bill does authorize blanket warrants for entire terrorist organizations rather than requiring separate warrants for each individual member of a group such as al Qaeda. And to further ensure that the rights of Americans are being protected, this bill requires new oversight of surveillance operations by the secret court established in the Foreign Intelligence Surveillance Act of 1978.

The RESTORE Act replaces a law that was passed in August as a necessary, short-term fix in response to reports that the U.S. intelligence community had insufficient authority to effectively monitor terrorist communications.

"Living in a dangerous world we must provide our intelligence agencies with the tools they need to fight terrorism, but we must not destroy our civil liberties," said Rep. Lipinski. "I am hopeful that the Senate will soon pass H.R. 3773 so that we can improve upon the law that was passed in August and protect the security and rights of all Americans."

Of note, this bill does not provide retroactive immunity to telecom companies that shared information with the administration under the President's warrantless surveillance program. That program was ruled unconstitutional by a U.S. District Judge in August of 2006, although that ruling was later overturned.