

Castle: FISA Bill Falls Short for Tracking Terrorists -- October 17, 2007

Washington, DC -- Delaware Congressman Mike Castle, a former Member of the House Select Committee on Intelligence, today opposed H.R.3773, Responsible Electronic Surveillance That is Overseen, Reviewed and Effective (RESTORE) Act, which would update the Foreign Intelligence Surveillance Act (FISA). In July, the Director of National Intelligence asked Congress to modernize FISA to allow United States intelligence to monitor communication between foreign terror suspects that is routed through the United States. In August, Congress passed a temporary bill, which expires in February 2008.

H.R. 3773 would amend FISA to authorize surveillance of foreigners abroad and creates a new "blanket" warrant program that would allow the government to conduct surveillance on groups of foreign targets who may contact U.S. persons. The measure also establishes new oversight responsibilities for the FISA court and Congress. The measure does not provide retroactive liability protection to telecommunications companies for information that they provided to the government under the administration's previous warrantless surveillance program. Rep. Castle is concerned that the bill could hinder the intelligence community from effectively monitoring communications between foreign terrorists.

"We must prevent unwarranted surveillance of United States citizens, while making certain that our efforts do not restrict our military and intelligence professionals from tracking foreign terror suspects. The events of September 2001 made clear the importance of effective intelligence in preventing attacks and I am dedicated to ensuring this capability.

"I am also concerned that this bill does not provide liability protection to telecommunications companies who have assisted our government in monitoring terrorist suspects. Providing this protection is crucial to ensuring the private sector continues to work with the government on matters vital to our national security.

"It is my hope that we will be able to negotiate a realistic compromise in conference with the Senate and send a fair bill, balancing the need for security with important civil liberty protections, to the President," Castle said.

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