

Mahoney Supports FISA Modernization

(Washington, D.C.) - Today, Congressman Tim Mahoney (FL-16) voted to support the bipartisan H.R. 6034 FISA Amendments Act of 2008, which strengthens national security while protecting civil liberties. The bipartisan bill was approved by a vote of 293-129.

Bipartisan Legislation Strengthens National Security, Rejects Automatic Immunity for Private Sector Companies, and Protects Civil Liberties

(June 20, 2008)

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"The bill we passed provides our intelligence community with essential tools in the fight against terrorism. It ensures that our nation is safe and able to conduct intelligence activities while protecting Americans' privacy and civil liberties," said Congressman Mahoney. "This FISA bill will prevent any repeat of warrantless surveillance undertaken by the President and will hold our government and the President accountable for their actions through strengthened court review and congressional oversight. I look forward to reviewing the Inspector General's report investigating whether the President and his Administration violated the rights of millions of Americans through their actions."

The legislation passed today replaces the controversial Protect America Act and ensures there is no gap in intelligence collection against terrorists, while protecting our civil liberties by preventing the government from conducting surveillance of citizens without a lawful warrant.

The bill provides critically important authority for the U.S. Intelligence Community to acquire foreign intelligence information by targeting foreign persons reasonably believed to be outside the United States and ensures that the Intelligence Community has the flexibility and agility it requires to respond quickly to emergencies.

The bill also includes a number of provisions to protect civil liberties. The bill:

- Prevents any President from using executive power to conduct warrantless domestic surveillance.
- Clarifies that to conduct surveillance of an American citizen inside or outside of the United States, the government must first obtain an individual warrant from the FISA Court based on probable cause.
- Requires prior review and approval by the FISA Court of the targeting and minimization procedures to ensure that U.S. citizens are not targeted and that any inadvertently intercepted communications are not disseminated.

Additionally, the legislation also rejects blanket immunity for telecommunications companies and instead allows federal district courts to determine whether substantial evidence supports civil liability protection for companies which assisted in post-9/11 activities. The bill also does not provide immunity to any government official who may have violated the law.

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