



NEWS FROM SPEAKER NANCY PELOSI H-232, THE CAPITOL, WASHINGTON D.C. 20515

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Tomorrow, we will be taking up the FISA bill. As you probably know, the bill has been filed. It is a balanced bill. I could argue it either way, not being a lawyer, but nonetheless, I could argue it either way. But I have to say this about it: it's an improvement over the Senate bill and I say that as a strong statement. The Senate bill is unacceptable. Totally unacceptable. This bill improves upon the Senate bill.

But you probably know that. What you may not know is that it's improvement over the original FISA bill as well. So it makes progress in the right direction. But these bills depend on the commitment to the Constitution of the President of the United States and of his Justice Department. So while some may have some complaints about this, that, or the other about the bill, it is about the enforcement, it is about the implementation of the law where our constitutional rights are protected.

But I'm pleased that in Title I, there is enhancement over the existing FISA law. Reaffirmation, I guess that's the word I'd looking for. A reaffirmation that FISA and Title III of the Criminal Code are the authorities under which Americans can be collected upon. It makes an improvement over current law and the Senate bill in terms of how you can collect on Americans overseas.

It's an improvement over the Senate bill in terms of – the Senate wanted to say, “Okay, we will agree to exclusivity,” which is, in my view, the biggest issue in the bill, that the law is the exclusive authority and not the whim of the President of the United States. They said, “We will agree to exclusivity, but only a narrow collection of things will fall that that category. Under the rest, the President has inherent authority under the Constitution.” That's out. That's out, thank heavens.

And it is again in Title II, an improvement over the Senate bill in that it empowers the District Court, not the FISA Court, to look into issues that relate to immunity. It has a strong language in terms of an Inspector General to investigate how the law has been used, is being used, will be used.

So that will be legislation that we take up tomorrow. We will have a lively debate I'm sure within our caucus on this subject and in the Congress. It has bipartisan support.

I commend Steny Hoyer for his important work on this legislation, working in a bipartisan

way. On the supplemental, Mr. Obey, as usual his virtuoso self, and Chairman Rangel was masterful in his piece of the legislation. As much as I admire Mr. Murtha, I'm not as enthusiastic about the war part of the bill and will not be supporting it.

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