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Hoekstra: Democrat FISA Bill Fatally Flawed

WASHINGTON, D.C. – U.S. Rep. Pete Hoekstra, R-Mich., the top Republican on the House Permanent Select Committee on Intelligence, along with fellow committee Republicans, identified several critical flaws in the Democrat-approved foreign intelligence surveillance bill today voted out of committee. Hoekstra pointed out that Republican Members were able to identify the flaws even though they were given less than 24 hours to review the bill before the committee vote.

“Throughout this process, Democrats have focused more on lawyering up terrorist surveillance rather than fixing the actual problem,” Hoekstra said. “Now committee Democrats have passed a bill with several fatal flaws that threaten to cripple our intelligence gathering capabilities and puts our nation and troops at risk—and all because they chose to ram through a bill and disregarded Republican input.”

Among the flaws identified by Republicans: 1) the bill burdens military intelligence collection on the battlefield with the same FISA regulations that Director of National Intelligence Adm. Mike McConnell said were causing us to miss out on vital information; 2) the bill contains no provisions for third parties to challenge FISA court orders; and 3) the bill creates a centralized database that could subject Americans to alarmingly increased risk of privacy violations by requiring the intelligence community report to Congress information on the identities of U.S. citizens disseminated within the community.

“The FISA Court should not have a role on the battlefield,” Hoekstra said. “Yet this bill sets up a situation in which judges must approve intelligence gathering by our troops. This is among the bill’s most egregious flaws, but it far from the only one. It could open a door for massive civil liberties violations by Congress—by requiring the intelligence community to turn over information on U.S. citizens it would normally black out. It also denies third parties a means to object to surveillance requests despite the fact that it denies liability protections to those very same third parties.”

Republicans noted that the flawed bill has no liability protections for patriotic companies that may have heeded the government’s request to help protect the nation at its time of greatest

need. Additionally, despite Republican requests to pass comprehensive terrorist surveillance reform legislation, making FISA technology neutral and solving America's surveillance problems once and for all, Democrats are only sending a temporary measure to the floor.

A Republican amendment to fix the bill's flaws was rejected by committee Democrats.

The troubled bill now heads to the full House for consideration, but Hoekstra pledged to continue Republican efforts to work with willing Democrats to craft workable terrorist surveillance legislation.