

STATEMENT OF CHAIRMAN SILVESTRE REYES
H.R. 3773
November 15, 2007

Thank you, Mr. Speaker. I rise, once again, in support of HR 3773, the RESTORE Act, and I yield myself such time as I may consume.

In early September, at the direction of Speaker Pelosi, the Intelligence Committee and the House Judiciary Committee took up the call to improve the Protect America Act, or PAA. Passed in August, the PAA modified FISA and gave sweeping and unprecedented surveillance powers to the Executive Branch while requiring minimal oversight and without providing a meaningful judicial check on the President's use of these new powers.

While we were charged with undoing the excesses of the PAA, we also have the mandate to provide our intelligence professionals the legal authorities required to protect the country

from our enemies. Six years after the tragic attacks of 9/11, Osama Bin Laden remains at large, and America faces a continuing threat from al Qaeda and other terrorists groups. And the war in Iraq continues to act as a recruitment tool for our enemies.

Mindful of these threats, we drafted the RESTORE ACT, a bill that we can all be proud of.

The RESTORE Act arms our Intelligence Community with powerful new authorities to conduct electronic surveillance of targets outside the United States while maintaining our fundamental liberties.

First, it exempts truly foreign-to-foreign communications from any judicial review, even when that communication passes through the United States or the surveillance device is located in the United States.

Second, it authorizes the acquisition of foreign intelligence information for all matters of national defense, including information relating to terrorism, espionage, sabotage, and other threats to the national security of the nation.

Third, the Act clarifies that nothing in the Act or the amendments to the Act shall be construed to prohibit lawful surveillance necessary to prevent Osama Bin Laden, al Qaeda, or any other terrorist organization from attacking the U.S. or our allies.

But these powerful authorities are subject to the checks and balances required by our Constitution.

The RESTORE Act:

Puts the FISA Court back in business where the rights of Americans are stake.

Tightens overbroad language in the PAA that authorized physical searches of American's homes and offices without a warrant.

And it restores meaningful, robust, and continuous oversight by the Judicial and Legislative branches, to ensure that the powerful intelligence gathering tools authorized by the RESTORE Act are being used effectively and within the boundaries set by the Constitution.

In sum, the RESTORE Act provides tools to keep the nation safe and upholds our constitutional liberties.

This debate has gone on long enough. It has been unnecessarily prolonged by partisan maneuvering from some in this House. I am sure we will see more of that partisan gamesmanship today. But I urge my colleagues to reject partisan

politics in favor of sound policy, and to support this critically important bill. Vote “yes.”

I reserve the balance of my time.