

Eshoo Statement on Electronic Surveillance Act

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Washington, D.C. -- Rep. Anna Eshoo, D-Palo Alto, voted against H.R. 5825, the Electronic Surveillance and Modernization Act of 2006, and delivered the following statement on the floor of the U.S. House of Representatives.

"Mr. Speaker, I wish we were debating final passage on a much better bill. Sadly, this bill gives the Administration what it wants: a blank check to conduct domestic surveillance without a warrant."

"Representative Wilson said earlier that this is not a White House bill. Well, if it's not a White House bill, it's a White House dream because it's a blank check to the President.

"Instead of addressing specific problems in the law with tailored solutions, this bill eviscerates the Foreign Intelligence Surveillance Act. This act is only 30 years old. It's not an antique; it hasn't collected dust. It's been amended; it's been brought up to date. But that's not good enough. This bill eviscerates it.

"One of the arguments advanced during the debate was that FISA needs to be technology neutral. I agree. We agreed. We went out to the National Security Agency and they told us that. We agreed. We offered a tailored solution. It was rejected. The whole law has to be scrapped in order to make changes? That is not a prudent course.

"This bill heads us down a dangerous path. The radical changes this bill makes to FISA definitions and standards represent a wholesale rewrite of the law. They nullify FISA by exempting large categories of US person communication from the warrant requirement. And it rubberstamps all forms of data-mining.

"The American people want us to protect them, but they don't want us to throw the Constitution overboard. May I remind everyone of the obligation that we have to the American people when we come here. The oath we take says we will uphold the Constitution of the United States.

"This bill doesn't live up to our Constitution. It gives away the Fourth Amendment. Members of the House should reject it."

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