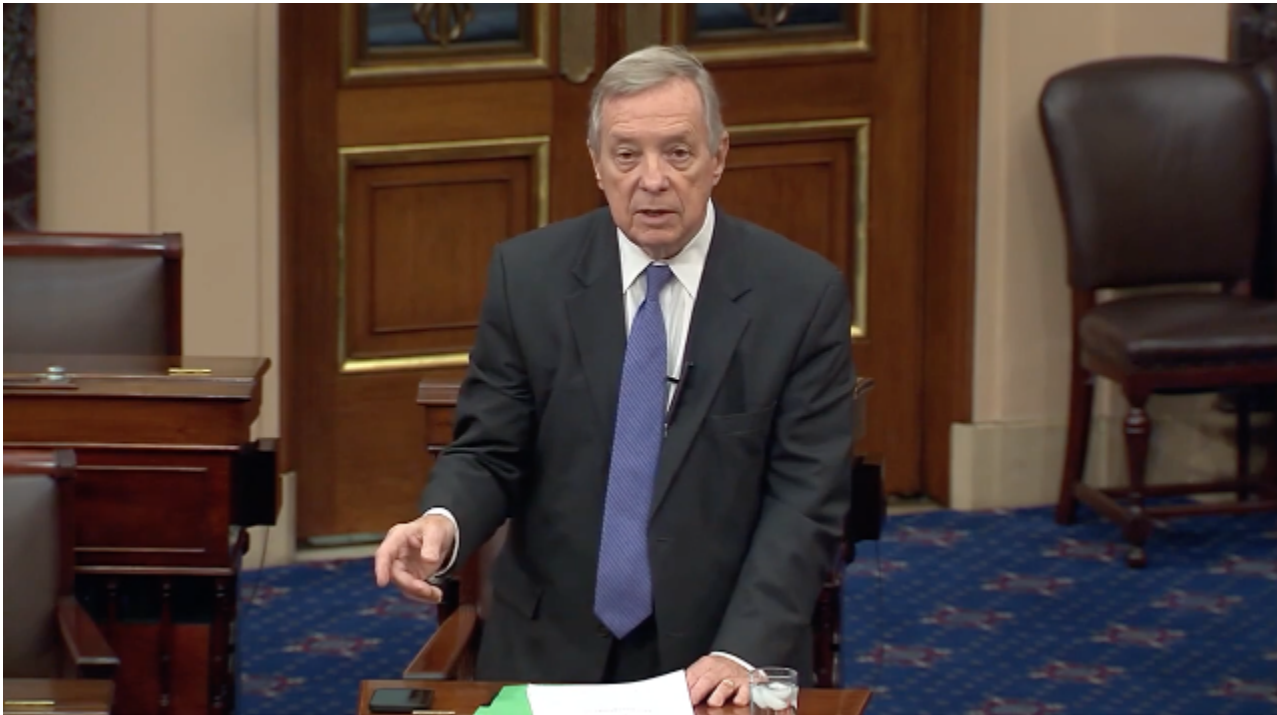


Durbin, Cramer, File Amendment To The FISA Bill To Add Narrow Warrant Requirement

by Emily Hampsten
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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, and U.S. Senator Kevin Cramer (R-ND) today filed a bipartisan amendment to the *Reforming Intelligence and Securing America Act* (RISA) that would require the government to obtain a warrant from the Foreign Intelligence Surveillance Court (FISC) before reviewing the contents of innocent Americans' private communications. Requiring the government to obtain court approval before accessing the content of Americans' private communications that get swept up in Section 702 surveillance would protect Americans while preserving Section 702 as a foreign

intelligence collection tool. The amendment is based on language from Durbin's bipartisan [*Security and Freedom Enhancement \(SAFE\) Act*](#), a compromise bill that protects Americans from foreign threats and from warrantless government surveillance.

"I have sat through numerous classified briefings on Section 702 queries and listened carefully to the government's concerns about having to obtaining court approval in order to review the contents of Americans' communications," Durbin said. "Our bipartisan amendment accounts for these concerns by providing exceptions to the warrant requirement for emergencies or cybersecurity attacks, or where an American consents to the search. This will ensure that there will not be any delays that jeopardize national security. But if the government wants to spy on the private communications of Americans, they should be required to get approval from a judge—just as our Founders intended. Congress has a responsibility to the American people to get this right. I urge my colleagues on both sides of the aisle to support our bipartisan amendment."

"Section 702 of the Foreign Intelligence Surveillance Act has been abused and any reauthorization demands we further protect Americans' Fourth Amendment rights. Preventing the intrusive and all too often corrupt federal government from warrantless access to private communications is crucial to preserving civil liberties and the Fourth Amendment rights of every American. This bipartisan amendment with Senators Durbin, Lee, and Hirono makes meaningful progress toward protecting our citizens' Constitutional liberties, as it strengthens the safeguards against unwarranted government surveillance. I urge my colleagues to support it," said Cramer.

Along with Durbin and Cramer, the amendment is cosponsored by Senators Mazie Hirono (D-HI) and Mike Lee (R-UT).