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# House Approves Warrantless Wiretap Law

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WASHINGTON -- The House approved a bill Thursday that would grant legal status to President Bush's warrantless wiretapping program with new restrictions. Republicans called it a test before the election of whether Democrats want to fight or coddle terrorists.

"The Democrats' irrational opposition to strong national security policies that help keep our nation secure should be of great concern to the American people," Majority Leader John Boehner, R-Ohio, said in a statement after the bill passed 232-191.

"To always have reasons why you just can't vote 'yes,' I think speaks volumes when it comes to which party is better able and more willing to take on the terrorists and defeat them," Boehner said.

Democrats shot back that the war on terrorism shouldn't be fought at the expense of civil and human rights. The bill approved by the House, they argued, gives the president too much power and leaves the law vulnerable to being overturned by a court.

"It is ceding the president's argument that Congress doesn't matter in this area," said Rep. Chris Van Hollen, D-Md.

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The bill, sponsored by Rep. Heather Wilson, R-N.M., that give legal status under certain conditions to Bush's warrantless wiretapping of calls and e-mails between people on U.S. soil making calls or sending e-mails and those in other countries.

Under the measure, the president would be authorized to conduct such wiretaps if he:

\_ Notifies the House and Senate intelligence committees and congressional leaders.

\_ Believes an attack is imminent and later explains the reason and names the individuals and groups involved.

\_ Renews his certification every 90 days.

The Senate also could vote on a similar bill before Congress recesses at the end of the week. Leaders concede that differences between the versions are so significant they cannot reconcile them into a final bill that can be delivered to Bush before the Nov. 7 congressional elections.

For its part, the White House announced it strongly supported passage of the House version but wasn't satisfied with it, adding that the administration "looks forward to working with Congress to strengthen the bill as it moves through the legislative process."

But with Congress giving Bush the other half of his September anti-terrorism agenda \_ a bill setting conditions on how terrorism suspects are to be detained, interrogated and tried \_ Republicans shifted from lawmaking to campaign mode.

After the House voted 253-168 to set rules on tough interrogations and military tribunal proceedings, Speaker Dennis Hastert, R-Ill., was even

more critical than Boehner.

"Democrat Minority Leader Nancy Pelosi and 159 of her Democrat colleagues voted today in favor of more rights for terrorists," Hastert said in a statement. "So the same terrorists who plan to harm innocent Americans and their freedom worldwide would be coddled, if we followed the Democrat plan. "

Retorted Pelosi: "I think the speaker is a desperate man for him to say that. Would you think that anyone in our country wants to coddle terrorists?"

She and other Democratic critics of the GOP's September anti-terrorism agenda contend the Republican-written bills make Bush's programs vulnerable to being overturned in court. More broadly, they argue the legislation reflects the White House's willingness to fight the war on terrorism at the expense of civil and human rights.

A Democratic majority in either House would set the balance right, Democrats say. "In 40 days, we can put an end to this nonsense," said Sen. Edward Kennedy, D-Mass, referring to the election.

A federal judge in Detroit who struck down the warrantless surveillance program turned aside a government request for an indefinite stay Thursday. U.S. Judge Anna Diggs Taylor said the government could have a week to appeal.

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The House bill is H.R. 5825; the Senate bill is S. 3931.

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