

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

MEDIA ADVISORY

FOR IMMEDIATE RELEASE

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CIVIL RIGHTS COMMISSION TO EXAMINE COVERT WIRETAPPING IN THE WAR ON TERROR

Commission investigates issues and implications of phone-taps to protect homeland security.

What: Meeting of the U.S. Commission on Civil Rights, an independent, bipartisan agency charged with monitoring and protecting civil rights

WASHINGTON, DC – The U.S. Commission on Civil Rights (Commission) has assembled a panel of experts to discuss the authorized use of covert wiretapping in the war on terror. In 2005, it was reported that the President had authorized the National Security Agency to conduct electronic surveillance of international communications into and out of the United States of persons reasonably believed to be in communication with a member or agent of al Qaeda, or an affiliated terrorist organization. On January 17, 2007, the Attorney General announced that, as the result of a recent Foreign Intelligence Surveillance Court (FISC) order, any electronic surveillance that was occurring as part of the terrorist surveillance program will now be conducted subject to the approval of the FISC. Although this change indicates that warrants will be obtained for future surveillance, significant questions regarding the implications of the program remain. The Commission will examine the constitutional and statutory authority to conduct electronic surveillance; the constitutional limits and due process implications of warrantless phone-taps; and the standards for federal enforcement and resolution of disputed cases. Supporters of this program state that the President has the constitutional and statutory authority to conduct these phone-taps and that they are necessary to ensure homeland security. Critics counter that this program undermines civil liberties and violates the Foreign Intelligence Surveillance Act.

The speakers include John C. Eastman, professor, Chapman University School of Law; director, Claremont Institute Center for Constitutional Jurisprudence; David Rivkin, Baker Hostetler; a representative from the American Civil Liberties Union; and Kareem Shora, national executive director, American-Arab Anti-Discrimination Committee. A briefing agenda follows:

- I. INTRODUCTORY REMARKS BY VICE CHAIR ABIGAIL THERNSTROM
- II. BRIEFING: COVERT WIRETAPPING IN THE WAR ON TERROR
- III. Questions by Commissioners and Staff Director

When: Friday, March 9, 2007, 1:00 p.m.

Where: U.S. Commission on Civil Rights, 624 Ninth Street NW, Room 540 Washington, D.C.

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The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with monitoring federal civil rights enforcement. Members include Chairman Gerald A. Reynolds, Vice Chairman Abigail Thernstrom, and Commissioners Jennifer C. Braceras, Gail Heriot, Peter N. Kirsanow, Arlan D. Melendez, Ashley L. Taylor, Jr., and Michael Yaki. Kenneth L. Marcus is Staff Director. Commission meetings are open to the media and general public.

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